

## **BP 5000 CONCEPTS AND ROLES**

The focus of the school system is on the student. It is incumbent upon the School Board, district and school administration and teachers to provide for the physical and intellectual welfare of the students in their charge. The school district shall work closely with parents/guardians and the community in order to achieve a harmony of interests.

Students must be recognized and understood as individuals, each with his/her own unique abilities, social and economic background, ambitions and educational needs. The programs and services of the district must be designed and executed with this concept well in mind if the fullest development of each is to be achieved.

Students are expected to accept personal responsibility for making maximum use of those educational opportunities afforded by applying themselves diligently to learning both in the classroom and in other school-sponsored settings. It is also expected that as a result of the total school experience students will come to appreciate the values of self-discipline, responsibility, respect for others, their country and its governmental processes.

Discrimination with respect to color, creed, race, sex, religion, marital status, ancestry, handicap, or national origin is prohibited as regards admission, attendance, and educational programming.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 5145.3 - Nondiscrimination)

### **Role of School Board**

#### **The School Board:**

1. establishes policies to provide the best attainable program of education for the district's students
2. authorizes the establishment of special classes, programs, or other facilities for students who are in need of special education in keeping with all legal provisions
3. provides for the physical and mental well-being of students
4. determines policies regarding student behavior and attendance within the limits of the law
5. determines the boundaries of school attendance within the district

## **Role of Superintendent or Designee**

The Superintendent or designee:

1. administers all schools and classes established by the School Board
2. directs the instruction, guidance and discipline of all students
3. assign students to alternative programs or grades as may improve their education, reduce the expense of maintaining schools, or relieve geographic or demographic conditions
4. enforces compliance with compulsory attendance laws has immediate authority for the closing of schools in case of emergencies involving the health and safety of students

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## **BP 5030 SCHOOL DISCIPLINE AND SAFETY**

The School Board believes that all students have the right to a public education in a safe and positive environment that fosters the maximum opportunity for learning. The School Board seeks to ensure that students, regardless of ethnicity, race, disability, religious or cultural preference, gender identity, sexual orientation or socioeconomic background, do not disproportionately experience suspension, expulsion or other disciplinary actions. An effective school discipline and safety program is necessary to ensure a safe and conducive learning environment. The School Board shall adopt, and the Superintendent or designee shall implement and maintain, an effective, trauma-informed and culturally responsive school discipline and safety program. The discipline and safety program should reflect community and cultural values resulting in standards of school behavior and safety that are developed with the collaboration of students, parents, guardians, teachers, elders, school administrators, and advisory school boards in each community.

(cf. 1230 – Citizen Advisory Committees)

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

(cf. 4158 –Employee Security)

(cf. 5131 – Conduct)

(cf. 5131.1 – Bus Conduct)

(cf. 5131.4 – Campus Disturbances)

(cf. 5131.41 – Violent and Aggressive Conduct)

(cf. 5131.42 – Threats of Violence)

(cf. 5131.43 – Harassment, Intimidation and Bullying)

(cf. 5131.5 – Vandalism, Threats, and Graffiti)

(cf. 5131.6 – Alcohol and Other Drugs)

(cf. 5131.62 – Tobacco)

(cf. 5131.63 – Performance Enhancing Drugs)

(cf. 5131.7 – Weapons & Dangerous Instruments)

(cf. 5131.9 – Academic Honesty)

(cf. 5132 – Dress and Grooming) (cf. 5136 – Gangs)

(cf. 5137 – Positive School Climate)

- (cf. 5141.42 - Professional Boundaries for staff and students)
- (cf. 5141.51- At-Risk Youth)
- (cf. 5142.2 – School Safety Patrol)
- (cf. 5142.3 – Restraint and Seclusion) (cf. 5144 – Discipline)
- (cf. 5144.1 – Suspension and Expulsion)
- (cf. 5144.2 – Suspension and Expulsion/Due Process (Individuals with Exceptional Needs))
- (cf. 5145.11 – Questioning and Apprehension)
- (cf. 5145.12 – Search and Seizure)
- (cf. 5145.5 – Nondiscrimination)
- (cf. 5145.5 – Harassment)
- (cf. 5145.7 – Sexual Harassment)
- (cf. 5147 – Dropout prevention)
- (cf. 6159 - Individualized Education Program)
- (cf. 6164.2 – Guidance and Counseling Services)
- (cf. 6164.4 – Child Find)
- (cf. 6164.5 – Student Study Teams)
- (cf. 6172 – Special Education)

Providing young people with knowledge and skills to settle disputes peacefully is a critical component of an effective disciplinary and safety program. Students who possess skills in negotiation, mediation, and consensus decision making are able to explore peaceful solutions to conflict and to resolve these conflicts in a nonviolent manner. The district will work to build students self-regulation skills, incorporating preventative and restorative practices to minimize the need for discipline and maximize instructional time for every student. The district will also establish these practices and seek to address or reduce disproportionate treatment or use of punitive school discipline based on racial or economic disparities.

The Superintendent or designee shall implement and maintain a conflict resolution strategy for district students. The strategy will provide conflict resolution education and resources to students to learn skills in the nonviolent resolution and mediation of conflicts. Restorative or corrective practices place relationship building with students

and families at the center. These can include conferences with students and their parents/guardians; use of student study teams or other intervention-related teams; enrollment in a program teaching social/emotional behavior, intensive and intentional relationship building with students and family, participation in a restorative justice program or restorative circles; and positive behavior support approaches.

The district recognizes that a key component of its school disciplinary and safety program involves appropriate staff response when student behavior impacts on the safety of that student or others. The district prohibits the use of physical restraint and seclusion except in emergency situations as outlined in law and policy. The Superintendent or designee shall provide professional development or supports as necessary to assist staff to offer consistent classroom management skills, model skills for students, and implement effective relationship building and disciplinary techniques, eliminating unconscious bias. This includes establishing collaborative relationships with parents/guardians.

(cf. 5142.3 – Restraint and Seclusion)

Not less than once every three years, the district's discipline and safety program shall be reviewed and revised if appropriate. The review process shall make available the opportunity for collaborative input by students, parents, guardians, staff, and advisory school boards in each community. Policies reflecting standards of student behavior, including those identifying prohibited student conduct and penalties, should be reviewed to determine consistency with community standards, including the basic requirements for respect and honesty.

(cf. 9310 – Policy Manual)

(cf. 9311 – School Board Policies)

(cf. 9313 – Administrative Regulations)

The district will submit annual reports to the Department of Education and Early Development, as required by law. These reports will permit assessment of the district's School Discipline and Safety program.

The School Board will review annually disciplinary action data to understand conduct and discipline of specific disaggregated groups of students. The School Board and district administrators will periodically review research on effective practices to proactively create trauma informed environments and culturally responsive discipline practices. Results of the review will be used to determine how to incorporate new practices and strategies into district policies and practices.

The School Board desires to give all administrators, teachers, and other employees the authority, knowledge and skills they need to effectively implement the discipline and safety program of the district. Personnel should adhere to lines of primary responsibility and district adopted protocols so that appropriate decision-making may

take place at various levels in accordance with School Board policy and administrative regulations. In fulfilling duties and responsibilities in student discipline and safety, all employees shall comply with School Board policies, administrative regulations, and local, state, and federal laws.

(cf. 2110 – Organization Chart/Lines of Responsibility)

(cf. 4158 – Employee Security)

(cf. 5144 – Discipline)

(cf. 4119.21 -- Code of Ethics)

(cf. 4119.3 – Duties of Personnel)

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

The School Board further desires to give all students no matter their ethnicity, race, gender or gender identification, sexual orientation or socioeconomic status, the opportunity to learn in an environment in which they feel safe. Should any school be identified as persistently dangerous under state law, students attending that school will be provided the opportunity to transfer to the parent’s choice of one of two or more safe schools within the district. Informed parental choice will be facilitated by timely notice of the meaning of the persistently dangerous designation and the intervention steps the district plans to utilize to make the school safe. Additionally, any student who is the victim of a violent criminal offense that occurred on the grounds of the student’s school will be provided the opportunity to transfer, consistent with state law.

*Legal Reference:*

*UNITED STATES CODE*

*20 U.S.C. §§ 1400, et seq. Individuals with Disabilities Education Act  
Every Student Succeeds Act, PL 114-95 (2015)*

*ALASKA STATUTES*

*11.81.430 Justification, use of force, special relationships*

*11.81.900 Definitions*

*14.03.078 Report*

*14.03.160 Suspension or expulsion of students for possessing weapons*

*14.30.045 Grounds for suspension or denial of admission*

*14.30.180-.350 Education for Exceptional Children*

*14.33.120-.140 School disciplinary and safety program*

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

**ALASKA ADMINISTRATIVE CODE**

*4 AAC 06.060 Suspension or denial of admission*

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

*4 AAC 06.175 Reporting restraint and seclusion incidents.*

*4 AAC 06.200-.270 Safe schools*

*4 AAC 06.250 Reporting*

*4 AAC 07.010-4 AAC 07.900 Student rights and responsibilities*

*4 AAC 52.010-.990 Education for exceptional children*

*20 AAC 10.020 Code of ethics and teaching standards Revised 10/2021*

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# **AR 5030 SCHOOL DISCIPLINE AND SAFETY**

## **Report on School Disciplinary and Safety Programs**

The district shall submit to the State Department of Education and Early Development the following information annually, in a format required by the Department:

### **Program Development and Review**

The report shall include, for each school:

1. a description of the collaboration with community, parents, and students in development and review of the school's disciplinary and safety standards;
2. the procedures used to develop the community-based standards of school behavior and safety contained in the safety and discipline program;
3. the individuals involved in developing the standards;
4. the parameters for evaluation to assess the effectiveness of the standards; and the period of review and evaluation of the standards.

### **Incident Reporting**

The report shall include, for each school, the number of:

1. infractions involving violence against a person at school;
2. "Infractions involving violence against a person" means a violation of school rules in which a person was injured, was threatened with injury, or reasonably perceived a threat of injury.
3. infractions involving a weapon at school;

"Infractions involving a weapon" means a violation of school rules in which a student possessed, used, attempted to use, or threatened to use a weapon, regardless of whether the possession, use, or sale of the weapon was the main infraction committed.

"Weapon" means a dangerous instrument as defined in AS 11.81.900, and any object or instrument that, in the circumstances in which it is used, attempted to be used, or threatened to be used, is capable of causing injury.

4. days students were suspended for infractions involving violence against a person or infractions involving a weapon at school;



5. expulsions for infractions involving violence against a person or infractions involving a weapon at school;
6. transfers requested and provided under 4 AAC 06.210 (persistently dangerous schools); and 4 AAC 06.240 (parent request to remain in transfer school);
7. victims of violent criminal offenses as determined under 4 AAC 06.230;
8. truancies, as determined by district procedures; and
9. incidents resulting in suspension or expulsion for harassment, intimidation, or bullying on school premises or on transportation systems used by the school.

"Harassment, intimidation, or bullying" means "an intentional written, oral, or physical act, when the act is undertaken with the intent of threatening, intimidating, harassing, or frightening the student, and physically harms the student or damages the student's property;

- a. has the effect of substantially interfering with the student's education;
  - b. is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
  - c. has the effect of substantially disrupting the orderly operation of the school.
10. incidents of restraint and seclusion, including: the total number of incidents, the number of incidents that resulted in injury or death to students or personnel; the number of restraints or seclusion by untrained personnel; and the number of students with disabilities restrained or secluded, including the category of disability.

"Restraint" means physical restraint, chemical restraint, mechanical restraint, or other aversive behavioral interventions that compromise health and safety.

"Seclusion" means the involuntary confinement of a student alone in a room or area that the student is physically prevented from leaving; "seclusion" does not include a classroom time-out, supervised detention, or suspension from school under AS 14.30.045.

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## **BP 5040 STUDENT NUTRITION AND PHYSICAL ACTIVITY**

The School Board recognizes that schools are in a position to promote healthy lifestyle choices by students that can affect their lifelong wellness. Therefore, the School District will provide environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating, physical, and subsistence activity.

### **The School Board understands that:**

Teaching about food and nutrition should support students in both the local community and other community contexts.

Traditional knowledge of food and harvesting teaches values and skills to all Alaskan students.

Food nutrition should link students positively to their cultures and ways of life in Alaska or countries of origin.

Tribal governments and tribal members have extensive indigenous nutrition, scientific, resource management, and legal knowledge about harvesting foods.

Offering subsistence and local food harvesting opportunities contributes to nutritional health, but also supports cultural identity, improved physical and mental health, and deepens students understanding of an ecosystem.

Familiar and cultural foods can create cultural safety and contribute to a positive learning environment.

Schools will provide nutrition promotion and education, physical education, and other school-based activities to foster lifelong habits of healthy eating and physical activity, and will establish linkages between nutrition education, school meal, and local food programs.

(cf. 1020 – Youth Services)

### **Planning and Periodic Review by Stakeholders**

The school district and when appropriate individual schools within the district will create or work with an existing advisory group that will assist in developing, implementing, monitoring, reviewing and, as necessary, revising school nutrition and physical activity goals. The school district will permit and encourage the participation of students, parents, food service personnel, School Board members, school administrators, school health professionals, physical education teachers, local SNAP-Ed coordinators and other interested community members in the advisory group. The district will promote opportunities to participate in the advisory group at

least once a year through parent and stakeholder communication, which may include newsletters, public announcements, web-postings, parent communication, etc.

The school district will provide the advisory group with appropriate information and clear guidelines to assist in the development and/or revision of relevant policies and nutrition and physical activity goals. Goals will be based on available scientific evidence for improving school nutrition and physical activity programs. Goals and progress toward achievement will be presented to the School Board on an annual basis.

School districts will add in a pathway during planning to submit a local foods nutritional plan and an opportunity to determine how donated local foods can meet with occupational health and safety regulations.

(cf. 1000 – Concepts and Roles)

### **Nutrition**

All foods available in district schools during the school day shall be offered to students with consideration for promoting student health and reducing childhood obesity.

All foods and beverages provided through the National School Lunch or School Breakfast Programs shall meet nutritional requirements of the National School Lunch Act. (7 C.F.R. Parts 210 and 220) To the extent practicable, all schools in the district will participate in available federal school meal programs.

All other foods and beverages made available on school campus (including, but not limited to vending, franchise vendors, concessions, a la carte, student stores, classroom parties, fundraising, and foods and beverages that are not for sale) during the school day, between the hours of 12:00 AM and 30 minutes after the conclusion of the instructional day, shall meet nutritional requirements of the National School Lunch Act, Nutrition Standards for All Foods Sold in Schools also known as Smart Snacks in School. For the purpose of this policy, the school campus is defined as all property under the jurisdiction of the school district that is accessible to students.

Schools will provide students with access to a variety of affordable, nutritious and appealing foods that meet the health and nutrition needs of students; will accommodate, as much as possible, the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe and pleasant settings and adequate time for students to eat.

Traditional cultural foods may be exempted from the nutritional requirements when offered free of charge and for educational purposes. Traditional cultural foods offered for sale or as a part of the school breakfast or lunch program must meet nutritional requirements.

Foods and beverages will not be offered as a reward for students' performance or behavior.

Schools will provide free potable water in the place where meals are served and elsewhere throughout the school buildings.

When practicable, Alaska farm and fish products will be utilized in meals and snacks.

Schools will encourage all students to participate in federal school meal programs and protect the identity of students who eat free and reduced priced meals.

Schools will encourage all students to eat healthy and nutritious meals within the school dining environment and will, to the extent practicable, involve students in menu planning.

To the extent practicable, schools will schedule lunch as close to the middle of the school day as possible. Schools are encouraged to provide opportunities for mid-morning or mid-afternoon healthy snack breaks.

Schools will limit food and beverage marketing on campus to the promotion of foods and beverages that meet the National School Lunch Act, Nutritional Guidelines for All Foods Sold in Schools.

Schools will work to provide age-appropriate nutrition education as part of the health and physical education curricula that respects and integrates the cultural practices of students. Schools will provide opportunities for students to practice nutrition and harvesting skills both inside and outside the school setting. The District will seek to provide evidence-based nutrition education curricula and intergenerational knowledge on local foods that fosters lifelong healthy eating behaviors integrated into comprehensive school health education.

**To the extent practicable:**

Students in grades pre-K-12 shall receive nutrition education that teaches the skills needed to adopt lifelong healthy eating behaviors.

Classroom nutrition education shall be reinforced in the school dining room or cafeteria setting as well as in the classroom, with coordination among the nutrition service staff, administrators, local advisory group, and teachers.

Students shall receive consistent nutrition messages from schools and the district. This includes in classrooms, on field trips, cafeterias, outreach programs and other school-based activities.

Nutrition education shall be taught by a certified/licensed health education teacher and should include input and guest instruction by a locally endorsed Elder or culture bearer.

Schools will strive to establish or support opportunities to learn about local plants, harvesting, hunting and gardening to provide students with experiences in planting, harvesting, preparing, serving and tasting healthy, nutritious and Alaskan foods.

(cf. 0210 – Goals for Student Learning)

(cf. 3550 – Food Service)

(cf. 3551 – Food Service Operations)

(cf. 3552 – Regular Lunch Program)

(cf. 3553 – Free and Reduced Price Meals)

(cf. 3554 – Other Food Sales)

### **Mandatory Physical Activity**

Pursuant to AS 14.30.360, a district shall establish guidelines for schools in the district to provide opportunities during each full school day for students in grades kindergarten through 8 for a minimum of 90 percent of the daily amount of physical activity recommended for children and adolescents in the physical activity guides by the Centers for Disease Control and Prevention. The time provided for physical activity may involve physical education classes and unstructured physical activity, such as recess. The district shall adopt guidelines that allow students to be excused from physical activity due to medical and health and safety reasons, such as inclement weather.

### **Physical Activity**

All students in grades kindergarten through eight will be provided with at least 54 minutes each day of physical activity. This time may be accumulated throughout the school day and may include physical education, recess and classroom based activities. Whenever possible, all students shall be given opportunities for physical activity through a range of programs including, but not limited to, intramurals, interscholastic athletics and physical activity clubs. Elementary students will be provided at least 20 minutes each day of structured, active recess. Classroom based physical activity is encouraged and counts toward the 54 minute requirement as long as it does not replace recess.

When practicable, recess shall be scheduled before lunch periods and take place outdoors.

Indoor and outdoor facilities shall be available so that physical activity is safe and not dependent on the weather. Physical activity equipment shall be age- appropriate, inviting, and available in sufficient quantities for all students to be active. Equipment shall be inspected regularly (at least weekly) for safety and replaced when needed.

Using physical activity as punishment or withholding physical activity/physical education time as a means of discipline, is prohibited.

The district/school will promote strategies/events designed to generate interest in and support active transport to school (walking school busses, 'bicycle trains' Walk/Bike to School Day, Safe Routes to School Programs).

Schools are encouraged to negotiate mutually acceptable and fiscally responsible arrangements with community agencies and organizations to keep school spaces and facilities available to students, staff, and community members before, during, and after the school day, on weekends, and during school vacations.

(cf. 1330 – Community use of school facilities)

### **Physical Education**

Physical education will be closely coordinated with the overall school health program, especially health education, so that students thoroughly understand the benefits of being physically active and master the self-management skills needed to stay active for a lifetime.

To the extent practicable, all schools will provide daily physical education opportunities for all students.

All elementary students will be provided at least:

1. the National Association for Sport and Physical Education (NASPE) recommendation of 150 minutes of physical education per week, for the entire school year.

Middle and high school students shall be provided at least:

1. the National Association for Sport and Physical Education (NASPE) recommendation of 225 minutes of physical education per week, for the entire school year.

All elementary and middle-school students will be required to participate in physical education for all years of enrollment in school.

All high school students shall be required to participate in physical education for one full year.

Physical education shall be exclusive of health education and shall be available for all four years of high school.

Each district/school will adopt a physical education curriculum that aligns with the Alaska State Standards for Physical Education for grades K-12, with grade level

benchmarks. The curriculum shall be reviewed in accordance with the regular curriculum review and adoption schedule of the District.

### **Communication with Parents**

The district/school will regularly, at least annually, inform and update the public, including students, parents, and the community, about the content, implementation of, and progress towards goals in this policy. Parents will be actively notified through email or other notification processes and provided access to this policy and all subsequent reports and updates.

The district must make available to the public the wellness policy, including any updates to and about the wellness policy, at least annually. The district must also make available the 3-year assessment described in Section G, including progress toward meeting the goals of the policy.

The district/school will support the efforts of parents to provide a healthy diet and daily physical activity for their children. Schools will encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet nutrition standards. The district will provide parents & the public with information on healthy foods that meet the requirements of the National School Lunch Act, Nutrition Standards for All Foods Sold in Schools also known as Smart Snacks in School, and ideas for policy compliant foods for vending, concessions, a la carte, student stores, classroom parties and fundraising activities

The district/school will provide information about physical education and other school-based physical activity opportunities before, during and after the school day; and support the efforts of parents to provide their children with opportunities to be physically active outside of school. Such supports will include sharing information through a website, newsletter, or other take-home materials, special events, or physical education homework.

(cf. 6020 – Parent Involvement)

### **Monitoring, Compliance and Evaluation**

The superintendent or designee will ensure compliance with established district-wide nutrition and physical activity wellness policies and administrative regulations. Administrative regulations may be developed to ensure that information will be gathered to assist the School Board and district in evaluating implementation of these policies and to ensure that necessary documentation is maintained in preparation for the triennial administrative review conducted by Child Nutrition Programs, Department of Education & Early Development.

The Superintendent or designee will designate one or more persons to be responsible for ensuring that each school within the district complies with this policy, and that



school activities, including fundraisers and celebrations, are consistent with district nutrition and physical activity goals.

The School Board will receive an annual summary report on district-wide compliance with the established nutrition and physical activity policies, and the progress made in attaining the district nutrition and physical activity goals, based on input from the schools within the district. The report will also be distributed to advisory councils, parent/teacher organizations, school principals, and school health services personnel, and will be made available to the public.

The district must conduct an assessment of wellness policy every 3 years, at a minimum. The assessment must determine compliance with the wellness policy, how the wellness policy compares to model wellness policies, and progress made in attaining the goals of the wellness policy. The policy must be updated as appropriate.

*Legal Reference:*

*UNITED STATES CODE*

*Richard B. Russell National School Lunch Act, 42 U.S.C. 1751-1769j Child Nutrition Act of 1996, 42 U.S.C. 1771-1793*

*CODE OF FEDERAL REGULATIONS*

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

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

*ALASKA STATUTES*

*AS 14.30.360 Health education curriculum; physical activity guidelines Revised 3/2019*

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# **AR 5040 STUDENT NUTRITION AND PHYSICAL ACTIVITY**

## **Planning And Periodic Review; Reporting**

The superintendent or designee will provide an annual report to the School Board detailing progress toward reaching nutrition and physical activity goals and compliance with all physical education, physical activity and nutrition policies. Barriers to compliance, where and when they are encountered will be detailed in the annual report. A brief description of planning processes, including entities engaged in planning, will also be provided at that time.

## **Nutrition**

Schools will provide students with access to a variety of affordable, nutritious and appealing foods that meet the health and nutrition needs of students; will accommodate, as much as possible, the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe and pleasant settings and adequate time for students to eat.

Traditional cultural foods may be exempted from the nutritional requirements when offered free of charge and for educational purposes. Traditional cultural foods offered for sale or as a part of the school breakfast or lunch program must meet nutritional requirements.

## **Nutrition Guidelines:**

All foods and beverages provided through the National School Lunch or School Breakfast Programs shall meet nutritional requirements of the National School Lunch Act. To the extent practicable, all schools in the district will participate in available federal school meal programs.

All other foods and beverages made available on school campus (including, but not limited to vending, franchise vendors, concessions, a la carte, student stores, classroom parties and fundraising) during the school day, between the hours of 12:00 AM and 30 minutes after the conclusion of the instructional day, shall meet nutritional requirements of the National School Lunch Act, Nutrition Standards for All Foods Sold in Schools, also known as Smart Snacks in School. For the purpose of this policy, the school campus is defined as all property under the jurisdiction of the school district that is accessible to students.

## **Nutrition and Dining Environment Goals**

1. Schools shall provide enough space and serving areas to ensure all students have access to school meals with minimum wait time.
2. Schools shall encourage and facilitate access to handwashing before and after meals.

3. Schools shall provide adequate time for students to enjoy eating healthy foods with friends in school; a minimum of 20 minutes of eating time, after being served, for lunch and 10 minutes for breakfast.
4. The school district shall work to provide opportunities for on-going professional training and development for food service staff and teachers in the areas of nutrition and physical education.
5. The district supports and encourages the creation of school gardens and integrated food system education that provides hands-on learning experiences linking the cafeteria with the classroom and core curriculum, such as math, science and language arts.

## **Physical Education**

Student achievement shall be assessed based on physical education standards, and a written physical education grade shall be reported for students according to the grading schedule of the district. A fitness assessment shall be performed using a valid and reliable tool and used to track student progress. Physical education classes shall have a pupil-teacher ratio comparable to that in the core classes. Waivers, exemptions, substitutions, and/or pass-fail options for physical education are discouraged. Accommodations will be made for those with medical, cultural, or religious considerations. To the extent practicable:

1. Physical education shall be taught by a certified/endorsed physical education teacher.
2. Physical education teachers shall receive annual professional development specific to physical education content.
3. Physical education equipment shall be age- appropriate, inviting, and available in sufficient quantities for all students to be able to participate. Equipment shall be inspected regularly for safety and replaced when needed.
4. At least 50% of physical education class time should be spent in moderate to vigorous physical activity.

## **Physical Activity**

Schools shall strive to allow students the opportunity for moderate physical activity each day to include time before, during, and after school.

## **Physical Activity Goals**

The primary goals for physical activity are to: build knowledge and skills through physical education (PE) programs that enable all students to participate in a variety of lifetime physical activities; promote safe and appropriate physical activity

opportunities for all students; increase the amount of movement for students throughout the school day, while decreasing sedentary time; and promote a physically active lifestyle for all community members, including students, staff, and families. To the extent practicable:

1. Schools shall encourage families to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.
2. Schools shall provide adequate training to enable teachers, and other school staff to promote enjoyable, lifelong physical activity among students.
3. Schools shall encourage, promote and conduct physical activities that involve families, students, school staff and the community, including safe walking or biking to school.

### **Other School-Based Activities**

The primary goal for other school-based activities is to create a total school environment that is conducive to student well-being. This includes, but is not limited to the following:

#### **Communication Goals**

1. The school district shall encourage and provide opportunities for parents, staff, teachers, school administrators, students, nutrition service professionals and community members to serve as role models in practicing healthy eating and being physically active, both in the school environment and at home.
2. The district, to the extent possible, shall provide information and outreach materials about community food programs and other Food and Nutrition Service (FNS) programs such as Food Stamps, the Child Nutrition Program, and Women, Infants and Children (WIC) to students and parents.
3. Schools shall seek to limit commercial influence and exposure to advertising as it relates to nutrition, wellness and physical activity, consistent with Board policy and federal regulation.

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## **E 5040(1) STUDENT NUTRITION AND PHYSICAL ACTIVITY**

### **Richard B. Russell National School Lunch Act**

#### *SEC. 9A. ø42 U.S.C. 1758b LOCAL SCHOOL WELLNESS POLICY.*

1. In general. Each local educational agency participating in a program authorized by this Act or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) shall establish a local school wellness policy for all schools under the jurisdiction of the local educational agency.
2. Guidelines The Secretary shall promulgate regulations that provide the framework and guidelines for local educational agencies to establish local school wellness policies, including, at a minimum,
3. goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness;
4. for all foods available on each school campus under the jurisdiction of the local educational agency during the school day, nutrition guidelines that are consistent with sections 9 and 17 of this Act, and sections 4 and 10 of the Child Nutrition Act of 1966 (42 U.S.C. 1773, 1779); and promote student health and reduce childhood obesity;
5. a requirement that the local educational agency permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the local school wellness policy;
6. a requirement that the local educational agency inform and update the public (including parents, students, and others in the community) about the content and implementation of the local school wellness policy; and
7. a requirement that the local educational agency periodically measure and make available to the public an assessment on the implementation of the local school wellness policy, including
8. the extent to which schools under the jurisdiction of the local educational agency are in compliance with the local school wellness policy;
9. the extent to which the local school wellness policy of the local educational agency compares to model local school wellness policies; and

10. a description of the progress made in attaining the goals of the local school wellness policy; and
11. designate 1 or more local educational agency officials or school officials, as appropriate, to ensure that each school complies with the local school wellness policy.
12. Local discretion The local educational agency shall use the guidelines promulgated by the Secretary under subsection (b) to determine specific policies appropriate for the schools under the jurisdiction of the local educational agency.

Added 4/2014

**9/92**

Adopted 6/23

## **BP 5111 ADMISSION**

The School Board believes that all children should have the opportunity to receive a free appropriate public education. Staff shall encourage parents/guardians to enroll all school-aged children in school.

The School Board reserves the right to verify the residency or anticipated residency of any student and the validity of any affidavit of guardianship. These admission policies are not intended to be a barrier to the enrollment and retention of homeless children and youth.

The Superintendent or designee shall verify compliance with all entrance requirements established by law or School Board policy.

(cf. 5112.6 - Education for Homeless Children and Youths)

(cf. 5112.1 – Exemptions from Attendance)

(cf. 5112.2 – Exclusions from Attendance)

(cf. 5116 - School Attendance Boundaries)

(cf. 5117 - Interdistrict Attendance)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 – Immunizations)

A child five years of age on or before September 1 may be admitted to kindergarten. The School Board authorizes the admission of students under school age who exhibit the ability to perform satisfactorily, including advancement through the curriculum or grade level by the following year. The Superintendent or designee is delegated authority to make early-entrance determinations. Students under school age who were previously enrolled in public school shall be admitted to school at the grade level determined by the Superintendent or designee. (AS 14.03.080)

### *Legal Reference:*

#### *ALASKA STATUTES*

*14.30.010 When attendance compulsory*

*14.03.020 School year*

*14.03.070 School age*

*14.03.080 Right to attend school*

*14.30.045 Grounds for suspension or denial of admission*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.055 Immunizations required*

*UNITED STATES CODE*

*42 U.S.C. 11432 - 11433 McKinney-Vento Homeless Assistance Act*

*Revised 3/2017*

**9/92**

Adopted 6/23



## **AR 5111 ADMISSION**

### **Age of Admission**

Proof of age shall be required of all enrolling students. The legal evidences of age, in order of desirability, are a birth certificate, baptismal certificate, passport, immigration certificate, Bible record, or affidavit from the parent/guardian.

### **Residency**

Children living in the district who do not reside in a permanent, fixed residence shall be admitted to district schools upon presentation of any of the following:

1. Hotel or motel receipts.
2. A letter from a social service agency verifying that the child lives within the district.
3. An affidavit from the parent/guardian stating that the family lives within the district with the intent of remaining there.

A reasonable effort shall be made to secure an address, phone number and medical release from the parent/guardian when a child is placed in a classroom.

**9/92**

Adopted 6/23

## **BP 5111.2 PART-TIME ENROLLMENT**

The School Board encourages all school age students who reside within the district to take advantage of the educational opportunities available at our schools. School aged children who are primarily enrolled in private school, correspondence school, home school, or other programs of that nature are eligible to enroll as part-time students in the district.

### **Definition of Part-time Student**

A part-time student is a pupil who attends a district school for a length of time each day which is less than the full school day. A part-time student may be primarily enrolled in a private school, correspondence program, home school, or other program of a similar nature and seek enrollment in the district in order to take advantage of classes and other programs offered in a single district elementary school, middle school or high school.

A child between the age of seven and sixteen years is required to be enrolled full-time in a public school or other state approved educational program. A child will not be permitted to enroll as a part-time student unless the child is also enrolled in a private school, correspondence program, or home school program, unless part-time enrollment is otherwise authorized by law.

### **Transportation**

Part-time students may use the district's pupil transportation system on the same basis as full-time students. In all other circumstances, the part-time student and/or his or her parent/guardian will be responsible for the student's transportation to and from school.

### **Extracurricular and Cocurricular Activities**

A part-time student may participate in extracurricular and cocurricular activities provided that the student meets all eligibility requirements of the district and the Alaska School Activities Association. It is the responsibility of the parent/guardian to obtain and make available to the district all necessary report cards/transcripts/grades and/or other indicators that are required by the district to determine eligibility for extracurricular and cocurricular activities.

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Interscholastic Competition)

(cf. 6145.21 - Sportsmanship)

*Legal Reference:*

**ALASKA STATUTES**

*AS 14.03.095 Part time school attendance AS 14.30.010 When attendance compulsory*

*AS 14.30.045 Grounds for suspension or denial of admission AS 14.30.125 Immunization*

**ALASKA ADMINISTRATIVE CODE**

*4 AAC 05.035 Part-Time Enrollment in a Public School*

*4 AAC 09.040 Counting of Correspondence Students and Part-Time Public School Students*

*4 AAC 06.055 Immunizations Required Added 9/97*

*Revised 9/98*

**9/92**

Adopted 6/23

## **AR 5111.2 PART-TIME ENROLLMENT PROCEDURES**

1. Enrollment requests will be received by the building administrator.
2. Applications for part-time enrollment will be available at the district schools ten (10) days prior to the first day of each semester.
3. Parents/guardians of part time students will follow all related district enrollment procedures and must provide transcripts, birth certificate, and immunization records as required by Alaska law 4 AAC 06.055.
4. (cf. 5141.31 - Immunizations)
5. The application for part-time enrollment must include a signed statement by the student and parent/guardian that they will comply with the policies and procedures of the district, including those rules governing student conduct. The application must also contain a signed statement by the parent/guardian that the part-time enrollment does not result in the expenditure of public money for the direct benefit of a private school. The application may contain other requirements as established by the Superintendent or designee.
6. Part-time enrollment applications will be processed on a first-come, first-served basis.
7. The building administrator will notify the Superintendent or designee as to the enrollment of students who are primarily enrolled outside of the district.

### **Transcripts Grades**

Parents/guardians of students who are not primarily enrolled in district schools will be responsible for obtaining the necessary report cards/transcripts and/or other indicators of academic progress and providing them to the district.

Part-time students will receive grades based on impartial, consistent observation of the quality of the student's work in the course(s) in which the student is enrolled. Part-time students will be graded by use of the grading procedures utilized for all students enrolled in the district.

(cf. 5121 - Grades evaluation of Student Achievement) Added 9/97

*Revised 9/98*

**9/92**

Adopted 6/23

## **BP 5112.1 EXEMPTIONS FROM ATTENDANCE**

Note: Under AS 14.30.010, every child between the ages of seven and 16 must attend public school, except in certain authorized instances. (cf. AR 5112.1) As amended in 2002, if a parent or guardian elects to enroll a child who is six years of age in first grade, the child is subject to compulsory education. However, if a parent or guardian subsequently determines, within 60 days after the child is enrolled, that the best interests of the child are not being served by enrollment in the first grade, the child may be withdrawn from school. If this occurs, the compulsory attendance laws do not apply to the child until the child is seven years of age.

The School Board is responsible for enforcing state compulsory attendance laws. The School Board may excuse a child from compulsory public school attendance as allowed by law. Parents/guardians of children granted exemption shall not incur penalties for violations of the compulsory attendance laws.

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113 - Absences and Excuses)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension/Expulsion) *Legal Reference:*

### *ALASKA STATUTES*

*14.30.010 When attendance compulsory*

*14.30.020 Violations*

*14.30.030 Prevention and reduction of truancy*

*14.30.340 When not required to enroll*

*14.45.030-14.45.200 Private and denominational schools Revised 1/03*

**9/92**

Adopted 6/23

## **AR 5112.1 EXEMPTIONS FROM ATTENDANCE**

Requests for exemption from compulsory full-time attendance must include satisfactory evidence of conditions upon which an exemption can be legally justified.

A child may be exempt from compulsory public school attendance if he/she:

1. is provided a comparable academic education by attending private school in which teachers are certificated, or by being tutored by certificated personnel, or by attending a religious or private school operated in compliance with AS 14.45.100 - 14.45.200;
2. attends a school operated by the federal government;
3. has a physical or mental condition which a competent medical authority determines will make attendance impractical;
4. is in the custody of a court or law enforcement authorities;
5. is temporarily ill or injured;
6. has been suspended or expelled under AS 14.03.160 or suspended or denied admittance under AS 14.30.045;
7. resides more than two miles from a public school or public school transportation route and no federal or private schools are available to him/her within two miles of his/her home;
8. is excused by School Board action or by action of the Superintendent or designee subject to School Board approval;
9. has completed 12th grade;
10. is enrolled in the state boarding school or in a full-time state-approved correspondence study program;
11. is equally well-served in educational experience approved by the School Board contingent upon the written request of the parent/guardian and approval of the school principal;
12. is being educated in the child's home by a parent or legal guardian.

*Revised 9/97*

**9/92**

Adopted 6/23

## **AR 5112.2 EXCLUSIONS FROM ATTENDANCE**

Prior to excluding a student from attendance because of a physical or medical condition or denying admission due to a reason set forth in AS 14.30.045, the Superintendent or designee shall send a notice to the parent/guardian of the student. The notice shall contain the following statements:

1. A statement of the facts leading to a decision to propose exclusion.
2. A statement that the parent/guardian has a right to meet with the School Board to discuss the proposed exclusion.
3. A statement that at any such meeting the parent/guardian shall have an opportunity to:
4. Inspect all documents on which the School Board is basing its decision to propose exclusion.
5. Challenge any evidence and confront and question any witness presented by the School Board.
6. Present oral and documentary evidence on the student's behalf, including witnesses.
7. Have one or more representatives of the parent/guardian present at the meeting.
8. A statement that the decision to exclude the child is subject to periodic review and a statement of district procedures for such review.

The Superintendent or designee may exclude without prior notice of exclusion any student who:

1. resides in an area subject to quarantine.
2. is exempt from a medical examination but is believed to suffer from a contagious or infectious disease.
3. is determined to be a clear and present danger to the life, safety, or health of students or school personnel.

However, the Superintendent or designee shall send a notice of exclusion and due process hearing procedures as soon as reasonably possible after the exclusion.

A student denied admission because of a physical or mental condition shall be permitted attendance when the cause for exclusion no longer exists. (AS 14.30.047)

Revised 04/2020

**9/92**

Adopted 6/23



## **BP 5112.5 OPEN/CLOSED CAMPUS**

### **Open Campus**

The School Board establishes an "open campus" at district middle and high schools. By allowing our students to leave campus during the lunch period, the School Board entrusts them with an opportunity to learn responsibility and demonstrate good citizenship. Students shall not leave the school grounds at any other time during the school day without written authorization of their parents/guardians and permission of school authorities. Students who leave school without such authorization shall be classified as truant and subject to disciplinary action.

(cf. 5113 - Absences and Excuses)

**9/92**

Adopted 6/23

# **BP 5112.6 EDUCATION FOR HOMELESS CHILDREN AND CHILDREN IN FOSTER CARE**

## **Homeless children**

The Board believes that all students should have stability in school attendance and services and that this stability should not be denied as a result of homelessness. To this end, it is the Board's intent to remove barriers to the enrollment and retention of homeless children and youths in school. Special attention will be given to ensuring the enrollment and attendance of homeless youth not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, and school nutrition programs. Homeless students will not be segregated in a separate school or in a separate program within a school.

(cf. 5111 – Admission)

(cf. 5112.1 – Exemptions from Attendance) (cf. 5112.2 – Exclusions from Attendance)

## **Homeless Student Liaison**

The Superintendent shall designate at least one staff person to serve as the Homeless Student Liaison to fulfill the duties set forth in law. The Liaison shall work to identify homeless children and facilitate each homeless child's access to and success in school. The Liaison will: assist parents, students, and unaccompanied youth in enrolling and attending school, with the opportunity to meet the same high academic standard as other students; mediate disputes concerning school enrollment; assist in making transportation arrangements; assist in requesting the student's records; provide information and give referrals on services and opportunities, including assistance with status verifications for federal student aid applications; provide public notice of educational rights for homeless students in locations frequented by homeless youth and their families; and assist any homeless child who is not in the custody of a parent or guardian with enrollment decisions. The Liaison will also be responsible for periodic review and evaluation of this policy and recommending changes to reduce barriers for homeless children enrolling in and attending school.

## **Homeless Student Defined**

A homeless child is defined as a child or youth between the ages of 5 and 21 who lacks a fixed, regular and adequate nighttime residence and includes a child or youth who is living on the street, in a car, tent, or abandoned building or some other form of shelter not designed as a permanent home; who is living in a community shelter facility; or who is living with non-nuclear family members or with friends, who may or may not have legal guardianship over the child or youth of school age.

## **School Enrollment and Attendance**

The District, in consultation with the child's parent or guardian, will consider the best interest of the child in determining whether the child should be enrolled in the school of origin or the current neighborhood school. The District presumes that keeping a homeless student in the school of origin is in the student's best interest unless doing so is contrary to the request of the student's parent or guardian, or (in the case of an unaccompanied youth) the youth. To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing, except when contrary to the wishes of the parent or guardian. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in which attendance area the student is actually living, or other schools.

(cf. 5116 – School Attendance Boundaries)

(cf. 5117 – Interdistrict Attendance)

The school selected shall immediately enroll the homeless child, even if the child is unable to produce records normally required for enrollment, such as previous academic records, immunization and health exam records, proof of residency, or other documentation. However, the District may require a parent or guardian of a homeless student to submit contact information.

(cf. 5141.3 – Health Examinations)

(cf. 5141.31 – Immunizations)

The District must provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent or guardian, or the homeless student if unaccompanied, if the District sends the student to a school other than the school of origin or other than a school requested by the parent or guardian. If a dispute arises over school selection, the student shall immediately be admitted to the school in which enrollment is sought by the parent or guardian or by the youth if unaccompanied, pending resolution of the dispute. The child, parent or guardian shall be referred to the Homeless Student Liaison, who will carry out the dispute resolution process as expeditiously as possible.

## **Transportation**

In the event that it is in the best interest of the homeless child or youth to attend the school of origin, transportation to and from that school may be provided at the request of the parent or guardian or, in the case of an unaccompanied student, the Homeless Student Liaison. Policies or practices regarding transportation of students which might cause a barrier to the attendance of a homeless child or youth may be waived by the [Superintendent/Chief School Administrator].

## **Records**

Any records ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records and evaluations for special services or programs of each homeless child shall be maintained so that appropriate services may be given the student, so that necessary referrals can be made, and so that records may be transferred in a timely fashion when a homeless child or youth enters a new school district. Copies of records shall be made available upon request to students or parents. Information about a homeless student's living situation is an education record and shall not be deemed to be directory information.

## **Children And Youth in Foster Care**

The [Superintendent/Chief School Administrator] will designate a District point of contact regarding children in foster care in order to facilitate communication and cooperation with child welfare agencies.

## **School Enrollment and Attendance**

The District recognizes that educational stability is critical for all students and particularly for children in foster care. Accordingly, educational disruption should be minimized for children with changing foster care placements by maintaining foster children in their schools of origin for the remainder of the school term, unless it is determined to be in their best interest to change schools.

The school of origin is the school in which a child is enrolled at the time of placement in foster care or when foster care placement changes. In determining whether it is in a child's best interest to remain in his or her school of origin, the District should take into consideration all factors relating to a child's best interest, including the appropriateness of the current educational setting and proximity of placement.

Districts should coordinate with State and local child welfare agencies when a foster child is transferred from one placement setting to another to ensure the child is permitted to attend their school of origin through the end of the school term when reasonable to do so and in the child's best educational interest.

## **Transportation**

In the event that it is in the best interest of the foster youth to attend their school of origin, transportation to and from that school may be provided through coordination with State or local child welfare agencies. This coordination shall address transportation to their school of origin in a prompt and cost-effective manner.

*Legal Reference:*

*UNITED STATES CODE*

*McKinney-Vento Homeless Education Assistance Improvements Act of 2001, 42 U.S.C.*

*§§ 11431, et seq.*

*Elementary and Secondary Education Act, 20 U.S.C. § 1112(c)(5),, as amended by Every Student Succeeds Act.*

*Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g  
FEDERAL REGISTER*

*McKinney-Vento Education for Homeless Children and Youths Program, Vol. 81 No. 52, Department of Education (March 17, 2016).*

*ALASKA STATUTES*

*AS 47.10.080 Judgments and Orders.*

Revised 3/2017

**9/92**

Adopted 6/23

## **BP 5116 SCHOOL ATTENDANCE BOUNDARIES**

Students who reside within district boundaries may apply for enrollment in any district school where space is available. Students shall attend school in their attendance area unless otherwise authorized by the Superintendent or designee. The district will not provide transportation to schools outside of a student's attendance area.

When considering changes to school attendance boundaries, the School Board shall take into account racial and ethnic balance, educational programs, school capacities, geographic features, student safety, and transportation considerations.

Demographic changes may result in overcrowded schools or in declining enrollment. Fiscal limitations may prevent the district from opening new schools or maintaining facilities that are unused. Changes in student population cannot always be remedied by a change in school attendance boundaries. The Board shall regularly review school and district enrollments and projected enrollments and will make every effort to ensure that students will be able to attend neighborhood schools. The Board shall hold a public hearing to secure community input before approving any boundary change. State approval shall be obtained as required by law.

The Superintendent or designee may place some students in a school outside of their attendance area in order to alleviate overcrowding. These students shall be provided transportation to a school with adequate space. When possible, siblings will be allowed to attend the same school.

### *Legal Reference:*

#### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 05.010-4 AAC 05.090 Local education*

*4 AAC 06.027 Establishment of attendance areas*

Revised 3/2017

**9/92**

Adopted 6/23

## **BP 5117 INTERDISTRICT ATTENDANCE**

Although students generally must attend school in the district where their residency has been established, the School Board recognizes justifiable reasons for interdistrict transfers.

Upon request, the Superintendent or designee may accept students from another district and may also allow students who live within the district to attend out-of-district schools. Interdistrict attendance may be approved for reasons such as the following:

1. When childcare needs of the student are met by a parent/guardian, relative or sitter in another district.
2. When special mental or physical health needs, as certified by a physician, school psychologist or other appropriate school personnel, can be met in another district.
3. When the student has brother(s) or sister(s) attending school in a different district, to avoid splitting the family's attendance.
4. To start or complete a school year when parents/guardians are moving during that year.
5. To allow students to remain with a class graduating from an elementary, junior or senior high school.
6. When a student's interest would be best served by the educational program not offered in the district of residency or by a change in school environment.
7. When the student will be living out of the district only for one year or less.
8. When serious home or community problems which make it inadvisable for the student to attend the school of residence.

Students admitted by interdistrict agreement may continue attending district schools only as long as they do academically acceptable work and obey school rules.

The parent/guardian of a student who is denied a transfer shall receive notice regarding the process for appeal to the School Board.

Transportation normally provided for students living in the district may be provided for students attending on an interdistrict attendance agreement if space is available and if approved by the Superintendent or designee.

*Legal Reference:*

*ALASKA STATUTES*

*14.14.120 Inoperative district*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.027 Establishment of attendance areas*

*4 AAC 09.005 Funding communities and attendance centers*

*4 AAC 09.030 Tuition Cost*

**9/92**

Adopted 6/23



# **AR 5119 CHILDREN OF MILITARY FAMILIES**

## **Qualifying Students**

Children of military families are school-aged children in the household of:

1. members who are full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve ordered to active duty;
2. members or veterans of the uniformed services who are severely injured and have been medically discharged or retired, for one year after the medical discharge or retirement; or
3. members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death.

## **Enrollment**

Children of military families may not be disadvantaged in enrollment due to delay in transfer of their education records. Children should be immediately enrolled upon presentation by the parent/guardian of "hand-carried" or "unofficial" education records. Upon enrollment, the Superintendent or designee, shall immediately request the student's records from the student's previous district.

Children of military families shall have 30 days from the date of enrollment to obtain all immunizations required by the State of Alaska.

When a child of a military family is transferring out of the district, the Superintendent or designee, shall provide the student's parents/guardians with a complete set of the student's records or, if the official records cannot be released, an unofficial or "hand-carried" record. Upon request from the new district, the Superintendent or designee shall provide a copy of the student's record to the new district within 10 days.

A special power of attorney related to guardianship of a child of a military family is sufficient for the guardian to enroll the student and to consent to other educational matters requiring parental consent.

## **Placement and Attendance**

Kindergarten and first grade students of military families who transfer mid-year shall be enrolled in the same grade level they had been enrolled in at the prior school, regardless of age. Students who successfully completed kindergarten or first grade at the prior school shall be advanced to the next grade level, regardless of age.

The district shall initially place the child of a military family in the grade level, educational courses, and programs based on the child's enrollment and/or assessment in his/her previous school. Course placement shall be consistent with the courses taken at the previous school, including placement in special programs such as Gifted or ESL. The district may conduct further assessments as deemed appropriate.

The Superintendent or designee may waive course or program requirements, preconditions, and/or application deadlines when making decisions regarding placement of children of military families, and their eligibility for extracurricular, academic, athletic, and social activities.

When a child of a military family transferring into the district has been identified as a child with a disability pursuant to the Individuals with Disabilities Education Act, the Superintendent or designee, shall provide comparable services to the student based on his/her current individualized education plan (IEP). In addition, for students eligible for Section 504 services, the Superintendent or designee, shall make reasonable accommodations and modifications to address the needs of the student subject to the student's existing Section 504 plan. The district may seek subsequent evaluations of the student to ensure appropriate placement.

When a student's parent/guardian is an active duty member and is called to duty, is on leave from active duty, or has just returned from deployment to a combat zone or combat support posting, the Superintendent or designee, may grant additional excused absences to the student to visit with his or her parent/guardian.

## **Graduation**

The Superintendent or designee shall facilitate the on-time graduation of children of military families by providing supplemental instruction to incoming students as necessary to enable them to meet the district's graduation requirements. The Superintendent or designee may also waive specific district course requirements for graduation if similar coursework has been satisfactorily completed by the student in his/her previous school.

If, after considering all alternatives, the Superintendent or designee, believes that a student who has transferred into the district in grade 12 will not be able to satisfy the district's graduation requirements in time to graduate with his/her class, the Superintendent or designee, shall work with the sending district to have the sending district issue the student a diploma, provided the student satisfies the sending district's graduation requirements.

Upon request of a school district to which a former student has transferred, the Superintendent or designee shall issue the district's diploma of graduation to the former student provided the student has satisfactorily completed the district's graduation requirements.

*Revised 3/2015*

**9/92**

Adopted 6/23

## **BP 5121 GRADES/EVALUATION OF STUDENT ACHIEVEMENT**

The School Board believes that students and parents/guardians have the right to receive course grades that represent an accurate evaluation of the student's achievement. Teachers shall evaluate a student's work in relation to standards which apply to all students at his/her grade level, not in relation to the work of other students in one particular class.

Grades should be based on impartial, consistent observation of the quality of the student's work and his/her mastery of course content and objectives as demonstrated through classroom participation, homework and tests. The student's behavior and effort shall be reported in separate evaluations, not in his/her academic grade.

(cf. 5113 - Absences and Excuses)

(cf. 5123 - Promotion/Acceleration/Retention)

(cf. 5124 - Communication with Parents/Guardians)

(cf. 5125.3 - Challenging Student Records)

(cf. 6154 - Homework/Make-up Work)

In order to promote self esteem and experiences of success, students in kindergarten through third grade shall receive narrative performance or skill-based evaluations rather than letter grades.

The Superintendent or designee shall establish and regularly evaluate a uniform grading system. Principals shall ensure that student grades conform to this system.

### **Unexcused Absences**

The School Board desires to emphasize the importance of school attendance. Therefore, students with excessive unexcused absences 10 consecutive absences per semester shall receive a failing grade and shall not receive credit for the class(es).

If a student misses class without an excuse and does not subsequently turn in homework, take a test or fulfill another class requirement which he/she missed, the teacher may lower the student's grade for nonperformance. Teachers shall inform students about the class grading system at the beginning of the semester.

*Revised 9/98*

**9/92**

# AR 5121 GRADES/EVALUATION OF STUDENT ACHIEVEMENT

## Grades for Achievement

Grades for achievement shall be reported each marking period as follows:

A	(90-100%)	Outstanding Achievement	4.0 grade points
B	(80-89%)	Above Average Achievement	3.0 grade points
C	(70-79%)	Average Achievement	2.0 grade points
D	(60-69%)	Below Average Achievement	1.0 grade points
F	( 0-59%)	Little or No Achievement	0
I		Incomplete	0

In kindergarten through third grade, teachers shall use narrative descriptions to indicate the student's level of achievement and may also furnish examples of student work.

Whenever it becomes evident to a teacher that a student is in danger of failing a course, the teacher shall arrange a conference with the student's parent/guardian or send the parent/guardian a written report.

An incomplete is given only when a student's work is not finished because of illness or other excused absence. If not made up within six weeks, the incomplete will become an F.

Plus and minus signs may be used at the option of the teacher.

Teachers are encouraged to allow for trends in the quality of student work. When a student finishes a grading period doing high quality work which requires skills acquired throughout the grading period, low grades at the beginning of the grading period need not diminish the appropriate evaluation of the student's achievement. Similarly, high grades at the beginning need not compensate for a downward trend in achievement.

Criteria for determining grades for achievement may include but are not limited to:

1. Preparation of assignments, including accuracy, legibility and promptness.
2. Contribution to classroom discussions.
3. Demonstrated understanding of concepts in tests.

4. Application of skills and principles to new situations.
5. Organization and presentation of written and oral reports.
6. Originality and reasoning ability when working through problems.

### **Grades for Citizenship and Effort**

Grades for citizenship and effort shall be reported each marking period as follows:

- O Outstanding
- S Satisfactory
- N Needs Improvement

Criteria for determining grades for citizenship may include but are not limited to:

1. Student obeys rules.
2. Student respects public and personal property.
3. Student maintains courteous, cooperative relations with teachers and fellow students.
4. Student works without disturbing others.

Criteria for determining grades for effort may include but are not limited to:

1. Student takes responsibility for having necessary tools and materials.
2. Student shows interest and initiative.
3. Student goes to work immediately, and completes assignments.
4. Student uses free time resourcefully.

### **Honor Roll**

Each school shall post an Honor Roll. All courses except Pass/Fail shall be counted in computing eligibility for the Honor Roll. To qualify for the Honor Roll, a student must receive no current grade below a C and have a grade point average of 3.5 or better.

### **Advanced Placement/Honors Courses**

The district wishes to encourage high school students to take advanced placement and honors courses in academic subjects. Because of the extra work involved, the evaluation system shall be weighted to reflect the more rigorous nature of these courses. Grades received in these courses will be counted on the following scale:

A = 5 points

B = 4 points

C = 3 points

D = 1 point

F = 0

### **Pass/Fail Grading**

With parental approval, students may elect to earn a "Pass" or "Fail" grade instead of an A-F grade in the following courses:

1. All courses taken in the Alternative Education Program
2. All courses taken in the Special Education Program
3. 9-12th grade non-college preparatory courses taken in summer school

Students who receive a "Pass" grade will acquire the appropriate semester units of credit for the course, and the grade will not be counted in determining class rank or honors list. Students who receive a "Fail" grade will not receive credit for taking the course.

Students shall be graded Pass/Fail for classes in which they serve as student aides unless predetermined goals and objectives related to specific subject knowledge are on file and have been approved by the principal or designee.

### **Repeated Classes**

With the approval of the principal or designee, a student may repeat a course in order to raise his/her grade. The student shall receive credit only for taking the course once.

The highest grade received will be the permanent grade on the student's transcript.

### **Withdrawal from Classes**

A student who drops a course during the first six weeks of the semester may do so without any entry on his/her permanent record card. A student who drops a course after the first six weeks of the semester shall receive an F grade on his/her permanent record, unless otherwise decided by the principal or designee because of extenuating circumstances.

## **Unexcused Absences**

When an unexcused absence occurs, the student and parent/guardian shall be notified and informed of the district's policy regarding excessive unexcused absences. The student and parent/guardian shall have a reasonable opportunity to explain the absence.

**9/92**

Adopted 6/23



## **BP 5123 PROMOTION/ACCELERATION/RETENTION**

The School Board desires to see students progress with their peers through the school district's grade levels. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual children and include strategies for providing extra attention or assistance when needed.

### **Promotion**

Students shall progress through the school district's grade levels by demonstrating growth in learning the required basic skills.

Progress toward high school graduation shall be based on the student's ability to pass the subjects and electives necessary to earn the required number of credits.

(cf. 6146.1 - High School Graduation Requirements) (cf. 6146.5 - Elementary School Promotion)

### **Acceleration**

Acceleration is possible when high academic achievement is evident. However, the student's social and emotional growth shall be taken into consideration before placing him/her in a higher grade.

### **Retention**

The School Board recognizes that research indicates that very few children benefit from being retained during the elementary and middle grades. The Superintendent or designee shall promote alternatives to retention among certificated staff.

When a teacher believes that retention is necessary to meet a student's needs, he/she shall ask the principal to establish a student study team to consider the child's academic, social and emotional performance. The student's parent/guardian shall be invited to participate on the student study team.

(cf. 6164.5 - Student Study Teams)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6146.5 - Elementary School Promotion/Standards of Proficiency)

**9/92**

Adopted 6/23

## **AR 5123 PROMOTION/ACCELERATION/RETENTION**

Before retaining a student, the principal or designee shall determine that:

1. The student has not met grade-level standards of expected student achievement.
2. Remedial help for the student has not sufficiently prepared the student for advancement.
3. Appropriate treatment targeted to the student's needs will be provided in addition to retention.
4. The student's parent/guardian has been notified and given reasons for the retention.

Parental agreement is suggested, but not required, for retention.

**9/92**

Adopted 6/23

## **BP 5124 COMMUNICATION WITH PARENTS/GUARDIANS**

Because parental involvement contributes greatly to student achievement and conduct, and school- family partnerships result in improved outcomes for students, the School Board encourages two-way communication channels between school and home that are frequent, effective, and reliable.

Communication methods may be tailored to family and school staff needs and may include classroom visits, parent-teacher conferences, class newsletters, mail, telephone, home visits, and school visits by parents/guardians. School staff are encouraged to learn about supportive family structures, and, if appropriate, to seek parent/guardian approval for additional family members or caregivers to be included in communications throughout the year.

School staff are encouraged to participate in community and cultural activities in order to better understand and relate to the community in which they teach.

Schools are encouraged to offer training on effective and positive family/school communication.

School staff should regularly assess the effectiveness of communication and adjust communication strategies to best meet the needs of students and their families.

(cf. 1250 - Visits to the School) (cf. 6020 - Parent Involvement)

School staff are encouraged to communicate with families to celebrate and note the progress of each student. As part of this communication, teachers shall send progress reports and other data relating student welfare, academic and social success, and results of standardized testing. Communication should occur at regular intervals to establish a cohesive support structure for students, families and school staff.

The School Board and staff shall encourage parents/guardians to communicate any concerns to school staff and their teacher.

(cf. 5113 - Absences and Excuses)

(cf. 5121 - Grades/Evaluation of Student Achievement) (cf. 5145.6 - Notifications Required by Law)

(cf. 6146.1 - High School Graduation Requirements/Standards of Proficiency) (cf. 6146.5 - Elementary School Promotion/Standards of Proficiency)

(cf. 6162.5 - Research/Standardized Testing)

Revised 3/2019

**9/92**

Adopted 6/23

## **BP 5125 STUDENT RECORDS**

The School Board recognizes the importance of keeping accurate, comprehensive student records. The confidentiality of student records shall be maintained in accordance with legal requirements.

Information may be disclosed from student records when necessary to protect the health or safety of a student or others, as permitted by law.

The Superintendent or designee shall establish regulations governing the maintenance of student records. These regulations shall ensure parental rights to inspect student records; to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student's privacy rights; to consent to disclosure of personally identifiable information except when disclosure is authorized without consent by law; and to file a complaint to challenge the District's compliance with applicable laws governing student records.

(cf. 3580 - District Records)

(cf. 5125.1 - Release of Directory Information)

(cf. 5125.2 - Challenging Student Records)

(cf. 5125.3 - Withholding Grades, Diploma or Transcripts)

(cf. 6162.8 - Research)

### *Legal Reference:*

#### *ALASKA STATUTES*

*40.25.120-40.25.220 Public Records Act*

*14.03.110 Questionnaires and Surveys administered in public schools*

*14.03.113 District determination of scholarship eligibility*

*14.03.115 Access to School records by parent, foster parent, or guardian*

*14.30.350 Definitions, exceptional children*

*14.30.700 Records of missing children*

*14.30.710 Required records upon transfer*

*14.30.720 Definitions*

*14.30.745 Provision of student information to academy*

*14.43.810-.850 Alaska performance scholarship program*

*14.43.930 Scholarship program information*

**ALASKA ADMINISTRATIVE CODE**

*4 AAC 07.060 Student records*

*4 AAC 43.010-.900 Alaska performance scholarship program*

*4 AAC 52.510 Parental access to records*

**UNITED STATES CODE**

*FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, 20  
U.S.C. 1232g, as*

*amended by USA PATRIOT ACT of 2001, Public Law 107-56; 115 Stat.  
272 34*

**CODE OF FEDERAL REGULATIONS**

*Part 99, as amended, Jan. 2012*

*300.501 Opportunity to examine records 300.624 Destruction of  
information*

*Revised 3/2017*

**9/92**

Adopted 6/23

# **AR 5125 STUDENT RECORDS**

## **Definitions**

### **Education Records**

"Education records" consists of all official records, files and data directly related to a student that are maintained by the District or by a party acting for the District. A student's education record encompasses all the material incorporated in the student's cumulative record folder and includes, but is not necessarily limited to, identifying data, academic work completed, level of achievement (grades, standardized achievement test scores), daily attendance data, scores on standardized intelligence, aptitude and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and written observations, and discipline data, including suspensions or expulsions. Student records are the property of the District, with access by others as set forth in this regulation.

### **Exclusions From the Term "Education Records"**

The following documents are not "education records":

1. Aggregated data that does not contain "personally identifiable information" about a specific student.
2. Personal files, notes, or records maintained by staff members or professional consultants that are kept in their sole possession, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute. Such files or personal notes regarding students shall constitute the personal property of the person compiling the file.
3. Records of the District's law enforcement unit.
4. An employment record made and maintained in the normal course of business that relates exclusively to an individual in his or her capacity as an employee. However, records relating to a student who is employed as a result of his or her student's status are education records.
5. Records of a student age 18 or older that are made or maintained by a physician or mental health professional that are utilized for treatment of the student and are disclosed only to individuals providing treatment. "Treatment" for this provision does not include remedial educational activities that are part of the District's instructional program.
6. Records created or received by the District after the student no longer attends and that are not directly related to the individual's attendance as a student.

7. Grades on peer-graded papers before they are collected and recorded by a teacher.
8. Personal knowledge or observation of a school official. A school official is not prohibited from disclosing information about a student if the information is obtained through the school official's personal knowledge or observation, and not from the student's education records.

### **Personally Identifiable Information**

"Personally identifiable information" includes, but is not limited to: the name of a student, the student's parent, or other family member; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; indirect identifiers such as a student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student and that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes to know the identity of the student to whom the record relates.

"Biometric record" as used above means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual. These include fingerprints, eye patterns, voiceprints, DNA, facial characteristics, and handwriting.

### **Directory Information**

"Directory Information" means information contained in an education record that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, a student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade level, enrollment status, degrees and awards or honors received, scholarship eligibility, and the most recent school attended by the student.

Directory information does not include a student's social security number or student identification number if the student identifier can be used to gain access to education records. A student identifier can be listed as directory information if the identifier must be used in conjunction with one or more factors that authenticate the student's identity, such as a PIN or password.

### **Parents**

"Parents" means a natural parent, an adoptive parent, foster parent, legal guardian, or an individual acting as a parent in the absence of a parent or guardian, or in the case



of a student receiving services provided to exceptional children, a person acting as the parent of a child or a surrogate parent appointed in accordance with state regulations. Either or both parents have access to a student's records, even if a separation or divorce has occurred, unless the parental rights of a parent have been legally terminated through adoption or other legal process; or unless a decree of divorce, separation, or other court order specifically prohibits parental access to school information or records.

### **Eligible Student**

"Eligible student" means a student who has attained eighteen years of age, is an emancipated minor, or is attending an institution of post-secondary education.

### **School Official**

A "school official" is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff); a person serving on the School Board; law enforcement unit personnel as defined in this regulation; a person or company with whom the District has contracted to perform a special task (such as attorney, auditor, medical consultant, or therapist); a contractor, consultant, or other outside party to whom the District has outsourced services or functions that it would otherwise use employees to perform, provided that the outside party is under the direct control of the District with respect to use and maintenance of education records and subject to the same conditions governing use and disclosure of those records, or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

### **Law Enforcement Unit Personnel**

"Law enforcement unit personnel" are individuals employed, contracted, or permitted to monitor safety and security in and around the schools. Law enforcement unit personnel are responsible for referring potential or alleged violations of law to local law enforcement. The District's law enforcement unit includes the following individuals: [school resource officers; safety and security staff; principal; etc.].

### **Education Program**

"Education program" means any program that is principally engaged in the provision of education, including, but not limited to, early childhood education, elementary and secondary education, postsecondary education, special education, job training, career and technical education, and adult education, and any program that is administered by an educational agency or institution.

## **Annual Notice**

The Superintendent shall notify parents and eligible students of the rights accorded them under this policy. Annually, the Superintendent shall provide to parents and eligible students a notice which informs them of the following rights:

1. to inspect and review their student's education records, and the procedures for doing so;
2. to seek amendment of student records which are believed to be inaccurate, misleading, or in violation of the student's privacy rights, and the procedures for doing so;
3. to consent to disclosure of personally identifiable information except where law authorizes disclosure without consent; and
4. to file a complaint in accordance with 34 CFR Section 99.63 and 99.64.

The annual notice shall also provide the following information:

1. that the District discloses student records without consent to school officials with a legitimate educational interest, and explanation of who constitutes a school official, and what constitutes a legitimate educational interest;
2. that the District forwards records to other school districts or post-secondary institutions that have requested the records and where the student attends or is seeking to enroll; and
3. the name and address of the official responsible for the records and the current fee for copies of records.

Finally, the annual notice will explain that the District discloses information about student eligibility for certain Alaska programs. The notice will identify the programs and explain whether a parent or eligible student may opt out of the following disclosures and if so, how to do so:

1. the University of Alaska scholarship programs;
2. the Alaska Performance Scholarship Program; and
3. the Alaska Military Youth Academy operated by the Department of Military and Veterans' Affairs.

In addition, the District will maintain for public inspection a list of the names and positions of those employees who routinely have access to student records specifically collected or maintained in conjunction with the provision of services to children with disabilities. Upon request, the District shall provide a parent of a student

receiving special education or related services a list of the type and location of records collected, maintained and used by the District in conjunction with the provision of such services.

## **Custody and Protection of Student Records**

### **Place Records are Kept**

Student records will generally be maintained in the cumulative record folders in the administrative offices of the District. With the consent of the Superintendent, or his designee, portions of student records may be kept in other places for reasons of effective school administration, such as data collected and maintained in physical education, vocational, health or special education locations.

### **Custodian of Records**

Student records in each place where they are maintained shall be under the control of a custodian appointed by the Superintendent. The custodian shall be responsible for carrying out this regulation with respect to the records under his/her control. The custodian shall use reasonable physical, technological, or procedural controls to ensure that school officials obtain access to only those education records in which they have legitimate educational interests.

### **Record of Access to Student Records**

Each individual student cumulative record folder, and each student record maintained separately from the folder, shall contain a written record of each request for, and each disclosure of, personally identifiable information. The record of access shall include

1. the identity of the person reviewing the record and the person's official capacity;
2. the specific record examined or requested;
3. the legitimate interest that the person had in requesting or obtaining the information;
4. the date of examination or request;
5. if the District discloses personally identifiable information from a student record with the understanding that the information will be redisclosed on behalf of the District, then the names of the additional parties to which the receiving party may disclose the information and the legitimate interest which each additional party has in requesting or obtaining the information;
6. if the District discloses personally identifiable information from education records to state or federal educational authorities for purposes of audit or

evaluation, then the identity of the party and the fact that redisclosures may be made. The state or federal educational authorities must record any further disclosures made, in lieu of the District recording those disclosures. The District will obtain the records of redisclosure from the state or federal authority upon request of a parent or eligible student; and

7. if disclosure is pursuant to a health or safety emergency, then the identity of individual requesting or receiving the information and a description of the articulable and significant threat to the health or safety of the student or others.

A record of access does not have to be kept for requests by, or disclosure to, the following individuals:

1. parents of the student or an eligible student;
2. school officials with a legitimate educational interest;
3. those authorized to obtain disclosure by written consent of a parent or eligible student, unless the disclosure pertains to records of a student receiving special education or related services;
4. those who request directory information, unless the disclosure pertains to records of a student receiving special education or related services; or
5. the Attorney General of the United States, or designee, when disclosure is pursuant to an ex parte order in connection with the investigation or prosecution of terrorism crimes.

### **Destruction of Records**

The District is not precluded from destroying any records, if not otherwise precluded by law, except that access shall be granted prior to the destruction of the education records where the parent or eligible student has requested such access.

In the case of records pertaining to students receiving special education or related services that are no longer needed by the District to comply with state or federal law or regulations, the District shall make reasonable efforts to notify the parent and offer the parent a copy of the record. Such records shall be destroyed upon request of the parent.

Records pertaining to the name, address, telephone number, grades, attendance, classes attended, grade level completed, and year completed of a student who has received special education, or related services must be maintained indefinitely.

## **Access by Parents or Eligible Students**

A parent of a student who is under the age of eighteen (18) years and who has attended or is currently enrolled in the District, has a right to inspect and review his or her student's records or any part thereof. This right of access does not apply to the child's address if the Superintendent determines that release of the address poses a threat to the health or safety of the child.

An eligible student has a right to inspect and review his or her student record or any part thereof. Parents' rights under this policy transfer to the eligible student. However, once a student has become an eligible student, the District may disclose records of the student to the parent without the student's consent in the following instances:

1. if the student is a dependent of either parent for federal income tax purposes; or
2. in connection with a health or safety emergency. The right of access specified in this section shall include:
3. the right to inspect and review the content of student records;
4. the right to obtain copies of those records, which shall be at the expense of the parent or the eligible student (but not to exceed the actual cost to the District of producing such copies);
5. the right to a response from the District to reasonable requests for explanations and interpretations of those records; and
6. the right to an opportunity for a hearing to challenge the content of those records.

Parents or eligible students desiring to review student records shall present a written request to the office of the Superintendent. The request shall specify the specific records which the person wishes to inspect. In the event the District cannot determine the exact records to which access is sought, the District shall immediately contact the requesting person by letter or otherwise to determine the desired scope of records to be inspected.

Such inspection shall be made during reasonable business hours determined by mutual agreement between the District and the requesting person, but in no event shall access be withheld more than forty-five (45) days after the written request has been made. However, the District must respond to requests by a parent of a student receiving special education or related services within ten (10) days of the request and, in any case, before any meeting or hearing in which the parent may participate relating to the identification, placement, or program of the student.

Where the records requested include information concerning more than one student, the parent or eligible student shall be permitted to review only that part of the record pertaining to his child or his record, or where this cannot reasonably be done, the parent or eligible student shall be informed of the contents of that part of the record pertaining to his child.

### **Access Without Parental Consent**

The District shall not permit access to or the release of student records or the personally identifiable information contained therein without the consent of a parent or eligible student except that access without consent, other than records containing personally identifiable information specifically collected or maintained in conjunction with the provision of special education or related services, shall be permitted to those persons, or under those circumstances, listed below:

1. School officials within the District who have a legitimate educational interest in having access to the records. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
2. Officials of other districts, schools, state operated correspondence programs, or post- secondary institutions in which the student seeks to enroll, or is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer. It is the policy of the District to forward student records to the entities or programs listed in this subsection without notifying the parent or eligible student. The District shall forward these records within 10 days after receiving a request. Notification of this practice will be provided to parents and students in the annual notification.
3. Missing Children: As required by state law, the District shall flag the school records of a child who is missing. Upon receipt of a request from another school or district for a record that has been flagged, the District shall immediately notify the Department of Public Safety. Unless directed to do so by the Department, the District may not forward a copy of the flagged records.
4. Upon their request, military recruiters and institutions of higher learning shall have access to secondary students' names, addresses, and telephone listings, unless an objection is made by the student's parent or guardian. Parents/guardians shall be notified of their right to make this objection.
5. Authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of Education, or the Department of Education and Early Development of the

State of Alaska, if the information is provided in connection with an audit or evaluation of federal or state supported education programs.

Information may not be disclosed under this subsection unless the District has entered into a written agreement with the organization:

1. designating the individual or entity as an authorized representative;
2. specifying the personally identifiable information from education records to be disclosed;
3. specifying that the purpose for which the personal information is being disclosed is to carry out an audit or evaluation of federal- or state-supported education programs, or to enforce or to comply with federal legal requirements that relate to those programs;
4. describing the activity with sufficient specificity to make clear that it falls within the audit or evaluation exception, including a description of how the personal information from education records will be used;
5. requiring the authorized representative to destroy the personal information from education records when the information is no longer needed for the purpose specified;
6. specifying the time period in which the information must be destroyed; and
7. establishing policies and procedures, consistent with FERPA and other federal and state confidentiality and privacy provisions, to protect personal information from education records from further disclosure (except back to the disclosing entity) and unauthorized use, including limiting use of personally identifiable information from education records to only authorized representatives with legitimate interests in an audit, evaluation, or enforcement or compliance activity.
8. In compliance with a judicial order or pursuant to any lawfully issued subpoena. However, the District shall make a reasonable effort to give the parent or eligible student notice of all such orders or subpoenas as soon as reasonably possible after they are received, and in advance of production of the records, so that the parents or eligible student may seek protective action. Prior notice will not be given in the following cases: a federal grand jury subpoena or order where the court has ordered that the existence or contents of the subpoena not be disclosed; a court or other issuing agency issues a subpoena for a law enforcement purpose and orders the school not to disclose the existence or contents of the subpoena; or when the parent is a party to a court proceeding

involving child abuse and neglect and the subpoena or order is issued in that proceeding.

9. Disclosure in connection with financial aid conditioned on the student's attendance at an educational institution. Such disclosure will be made provided that the student has actually applied for or received the aid and the information disclosed is necessary to (a) determine eligibility for the aid, (b) determine the amount of the aid, (c) determine the conditions for the aid or (d) enforce the terms and conditions of the aid.
10. The disclosure is to organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of (a) developing, validating or administering predictive tests, (b) administering student aid programs or (c) improving instruction.

Information may not be disclosed under this subsection unless the District has entered into a written agreement with the organization:

1. specifying the purpose, scope, and duration of the study and the information to be disclosed;
2. restricting the use of personally identifiable information only to purposes of the study as defined in the agreement;
3. assuring that the study will be conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information; and
4. providing that the information will be destroyed or returned to the District when no longer needed for the study, and specifying the time period for destruction or return. Nothing in this section requires the District to initiate a study, or agree with or endorse the conclusions or results of the study.
5. The disclosure is to accrediting organizations carrying out their accrediting functions.

Information may be disclosed in connection with a health and safety emergency subject to the conditions described below.

Directory information may be released subject to the conditions described in BP 5125.1.

The disclosure is to a caseworker of the state or local child welfare agency and the agency is legally responsible for the care and protection of the student.

*(cf. 5125.1 - Release of Directory Information)*



## **Transfer of Information to Third Parties**

The District shall not release personal information concerning a student except on the condition that the party to which the information is being transferred will not permit any other party to have access to such information without the prior written consent of the parent or eligible student. The District shall include with any information released to a party a written statement which informs the party of this requirement.

The District may disclose personally identifiable information with the understanding that the party receiving the information may make further disclosures on behalf of the district without the consent of the parent or eligible student if (a) these further disclosures meet the requirements for access without consent; and (b) the District maintains a record of third parties granted access and the legitimate interest of such parties.

## **Cooperation With Juvenile Justice System**

The school district will cooperate with the juvenile justice system in sharing information contained in permanent student records regarding students who have become involved with the juvenile justice system. The school district will enter into an interagency agreement with the juvenile justice agencies ("agencies") involved.

The purpose of the agreement is to allow for the sharing of information prior to a student's adjudication in order to promote and collaborate between the district and the agencies to improve school safety, reduce alcohol and illegal drug use, reduce truancy, and reduce in-school and out-of-school suspensions. This cooperation will enhance alternatives such as structured and well supervised educational programs, supplemented by coordinated and appropriate services, designed to correct behaviors that lead to truancy, suspension, and expulsions, and to support students in successfully completing their education.

The school district may share any information with the agencies contained in a student's permanent record, which is directly related to the juvenile justice system's ability to effectively serve the student. Prior to adjudication, information contained in the permanent record may be disclosed by the school district to the parties without parental consent or court order. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family or coordinating the delivery of programs and services to the student or student's family.

Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or custodian.

Confidential information shared between the school district and the agencies will remain confidential and will not be shared with any other person, unless otherwise provided by law.

## **Records Pertaining to Children with Disabilities**

Personally identifiable information in those student records specifically collected or maintained in conjunction with the provision of special education or related services may not be released without the written consent of a parent unless the disclosure is to:

1. A school official as defined above.
2. An official of a school or school system in which the student intends to enroll; provided, however, that a parent must be notified of any such disclosure, offered a copy of the record, and notified of his or her right to request amendment of the record.
3. A representative of the Federal Comptroller General, U.S. Department of Education, or Alaska Department of Education and Early Development.

The contents of a student's record may be furnished to any person with the written consent of one of the student's parents. The written consent should specify the records to be released, the reasons for the release, and to whom the records will be released. Where the consent of a parent is required for the release of student records, a copy of the records to be released shall be provided on request to the student's parents or the eligible student, and to the student who is not an eligible student if so requested by the student's parents.

If a parent refuses to consent to release of a student record specifically collected or maintained in conjunction with the provision of special education or related services, the District may initiate a hearing pursuant to the provisions of 4 AAC Section 52.550.

### **Release of Information for Health and Safety Emergencies**

The District may release information from records to appropriate persons, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other persons. The District will take into account the totality of the circumstances, based on the information available at the time, to determine if there is an articulable and significant threat to the health or safety of a student or others.

The District may include in a student's records information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. Under the "health and safety emergency" exception, the District may disclose this information to teachers and school officials of the district, or to teachers and school officials of other districts, if those individuals have a legitimate educational interest in the behavior of the student.

## **Complaint Procedure**

A parent or eligible student may file a written complaint with the national Family Policy Compliance Office regarding an alleged violation of federal laws governing the administration of student records. These laws include the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, and its regulations found at 34 CFR Part 99. A complaint must be filed within 180 days of the date of the alleged violation, or of the date the parent or eligible student knew or reasonably should have known of the alleged violation. Complaints should be filed with:

Family Policy Compliance Office

U. S. Department of Education

Washington, D.C. 20202-5920

(202) 260-3887

*Revised 4/2014*

**9/92**

Adopted 6/23

## **E 5125 STUDENT RECORDS**

### **Notification Of Rights Under FERPA for Elementary And Secondary Schools**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.
2. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. A copying fee will be charged in the amount of .50 per page if copies are desired.
3. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights under FERPA.
4. Parents or eligible students who wish to ask the School to amend a record should write the School principal [or appropriate official], clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment.
5. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
6. The right to provide written consent before the school discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.
7. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees or who is under the direct control of the school with respect to the use and maintenance of personally identifiable information from education records, such as an

attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

8. Other exceptions for disclosure without consent are detailed in FERPA and Board Policy and Administrative Regulation 5125.
9. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school or district to comply with the requirements of FERPA. A complaint can be filed with:

Family Policy Compliance Office

U. S. Department of Education

400 Maryland Avenue,

SW Washington, DC 20202-8520

In addition, you are entitled to notice of the following disclosures of student records:

1. Upon request, the district discloses education records without consent to officials of another school district or institution of post-secondary education where the student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes of the student's enrollment or transfer.
2. By September 15 of each year, the district will provide to the University of Alaska a list of names and addresses of students in the graduating class who meet scholarship eligibility requirements for each scholarship program. Release of a student's name to the University of Alaska will not be made if the parent or eligible student objects. An objection should be made in writing to the school principal.
3. By July 15 of each year, the district will transmit to the Alaska Department of Education and Early Development information on each graduating student's eligibility for the Alaska Performance Scholarship Program. This is a required disclosure that occurs without consent and without the opportunity to object.

4. By January 15 and July 15 of each year, the district will provide to the Alaska Military Youth Academy, operated by the Department of Military and Veterans' Affairs, a report containing the name, address, and dates of attendance of prior students ages 15 through 18 who appear no longer enrolled in any educational institution and who have not received a diploma or GED. Release of a student's information to the Alaska Military Youth Academy will not be made if the parent or eligible student objects. An objection should be made in writing to the school principal.

*Revised 4/2014*

**9/92**

Adopted 6/23

## **BP 5125.1 RELEASE OF DIRECTORY INFORMATION**

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

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

(cf. 5128 - Alaska Performance Scholarship)

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

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

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

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

*Legal Reference:*

*ALASKA STATUTES*

*14.03.113 District determination of scholarship eligibility*

*14.30.745 Provision of student information to academy*

*14.43.930 Scholarship program information*

*14.43.810-.849 Alaska performance scholarship program*

*UNITED STATES CODE*

*20 U.S.C. § 1232g*

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

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

*ALASKA MUNICIPAL CODE*

*4 AAC 43.010-.900 Alaska Performance Scholarship Program CODE OF  
FEDERAL REGULATIONS*

*34 C.F.R. Pt. 99 as amended December 2011 Revised 4/2014*

**9/92**

Adopted 6/23



## **BP 5125.2 CHALLENGING STUDENT RECORDS**

### **Request to Amend Records**

The parent of a student or an eligible student who believes that information in an education record relating to the student is inaccurate, misleading, or in violation of the student's rights of privacy, may request that the District amend the record. Such requests shall be made in writing to the superintendent or the superintendent's designee. The record amendment process is not available to request changes to substantive decisions by the district, such as student discipline decisions and grade challenges. The parent or eligible student must use the designated processes available to appeal those substantive decisions.

(cf. 5138 - Alaska Performance Scholarship Program)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension & Expulsion)

(cf. 5121 - Grade Evaluation of Student Achievement)

The superintendent or the superintendent's designee shall, within a reasonable period of time following such a request, decide whether to amend the record and shall inform the parent or the eligible student in writing of its decision. If the district decides not to amend the record, it shall advise the parent or eligible student of the right to a hearing to challenge the district's decision.

### **Request for a Hearing**

If the district decides not to amend a student record, the parent of the student or the eligible student may request a hearing.

Requests for a hearing shall be made within ten (10) days after notice of the district's decision is delivered to the parent or eligible student. The request for a hearing must be in writing and shall be made to the superintendent or the superintendent's designee.

### **Conduct of the Hearing**

The district will hold the hearing within a reasonable time after it has received the request. The district will give the parent or eligible student notice of the date, time, and place, reasonably in advance of the hearing.

The hearing may be conducted by any individual, including an official of the District, who does not have a direct interest in the outcome of the hearing.

The parent or eligible student will have a full and fair opportunity to present evidence relevant to the issues. The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals, including an attorney.

A written decision will be issued within a reasonable period of time after the hearing. The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.

### **Remedies**

If, after hearing, the hearing officer determines that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the district shall amend the record.

If the hearing officer decides that the information contained in the record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the district shall so inform the parent or eligible student. The hearing officer's decision shall be final. However, the parent or eligible student may place a statement in the record commenting on the information in dispute and/or describing why the parent or eligible student disagrees with the hearing officer's decision. This statement shall be maintained with the record as long as the district maintains the contested portion of the record. If the district discloses the record, or the contested portion of the record to any person, the statement must also be disclosed.

### *Legal Reference:*

#### *ALASKA STATUTES:*

*AS 14.30.193 Due process hearing AS 14.30.272 Procedural safeguards*

*AS 14.30.335 Eligibility for federal funds*

#### *ALASKA REGULATIONS:*

*4 AAC 52.520 Parental request for amendment of records*

*4 AAC 52.550 Due process hearing*

*FEDERAL STATUTES*

*FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT, 20 U.S.C. 1232g  
FEDERAL REGULATIONS*

*34 CFR 99.20-.22*

*Revised 3/2012*

**9/92**

Adopted 6/23

## **BP 5126 AWARDS FOR ACHIEVEMENT**

The School Board encourages excellence as a goal for all students and wishes to publicly recognize students for unique or exemplary achievements in academic, extracurricular or community service activities.

Student awards may include verbal recognition, a letter, certificate or School Board resolution, a public ceremony, or a sum of money.

The Superintendent or designee shall develop procedures for the appropriate selection of student award recipients. The Superintendent shall submit any recommendations for monetary awards to the School Board for approval.

### **Non-school Awards**

The Superintendent or designee may approve or reject proposed trophies, prizes, or other awards from nonschool donors. The purpose of any such proposed award must be consistent with school goals, and criteria for making the award must be either under professional staff control or acceptable to the staff. Such awards shall be rejected when offered primarily to achieve personal or corporate gain and publicity.

When funded by legislature, each high school shall select one student as a legislative guest in accordance with procedures established by the principal (A.S. 24 50.010)

(cf. 3290 - Gifts and Bequests)

*Legal Reference:*

*ALASKA STATUTES*

*24.50.010 Student guests of legislature*

**9/92**

Adopted 6/23

## **BP 5127 GRADUATION CEREMONIES AND ACTIVITIES**

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

(cf. 6146.1 - High School Graduation Requirements)

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

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

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

(cf. 5144 - Discipline)

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

### *Legal Reference:*

#### *ALASKA STATUTES*

*14.03.075 College and Career readiness assessment; retroactive issuance of diploma*

*14.03.090 Sectarian or denominational doctrines prohibited*

#### *UNITED STATES CODE*

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

*Santa Fe Indep. Sch. Dist. v. Doe, 530 U.S. 290 (2000) Lee v. Weisman, 505 U.S. 577 (1992)*

*Revised 3/2016*

**9/92**

Adopted 6/23

## **BP 5128 ALASKA PERFORMANCE SCHOLARSHIP PROGRAM**

The Board supports and encourages all students to obtain higher education through enrollment in college or career and technical programs upon graduation. The Board believes that institutions within the State of Alaska provide strong and varied opportunities to meet the needs and interests of graduating students and further believes that state school attendance helps support a skilled, local workforce. The district supports student participation in the Alaska Performance Scholarship Program so that students may have maximum opportunity to obtain higher education within the State of Alaska.

Students and parents/guardians will be notified at least annually of the opportunities available through the Alaska Performance Scholarship Program. This notice should include information about scholarship eligibility levels; coursework, testing, and grade point average ("GPA") requirements; residency requirements; and the participating colleges and career and technical programs.

The Superintendent or designee shall determine scholarship eligibility for graduating students and will record the appropriate eligibility level on each student's permanent academic record. Students will be provided an opportunity to challenge an error in the eligibility determination. The academic record of graduating students will be transmitted to the Alaska Department of Education and Early Development to facilitate the award of scholarships.

(cf. 5125.2 - Challenging Student Records)

The Alaska Department of Education and Early Development may extend a student's scholarship eligibility period beyond six years after the date of the student's graduation from high school.

### *Legal Reference:*

#### *ALASKA STATUTES*

*14.03.113 District determination of scholarship eligibility*

*14.43.810-.849 Alaska Performance Scholarship Program*

#### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 43.010-.900 Alaska Performance Scholarship Program Revised  
3/2016*

**9/92**

Adopted 6/23

## **AR 5128 ALASKA PERFORMANCE SCHOLARSHIP PROGRAM**

The Alaska Performance Scholarship Program provides scholarships for high school graduates who are Alaska residents to attend a qualified postsecondary institution in the State of Alaska. The district is required to determine student eligibility for the three levels of scholarships available. The district must then notify the Alaska Department of Education and Early Development of each qualifying student's eligibility.

### **Eligibility Determinations**

The principal or designee of each high school shall determine scholarship eligibility for each graduating student by application of the following criteria.

### **Course Work Requirements**

The Alaska Performance Scholarship may be awarded based on a student's completion of either a math and science curriculum track, or a social studies and language curriculum track.

### **2015 and after Curriculum Requirements**

Students graduating in and after 2015 must meet the following curriculum requirements to qualify for all scholarship levels (Achievement, Performance, and Honors):

#### **Math and Science Curriculum:**

1. Math - 4 units of credit, consisting of either four units selected from the following courses or a combination of three units selected from the following courses and an additional course approved by the department:

algebra I;

algebra II;

geometry;

trigonometry;

pre-calculus;

calculus;

calculus I;

statistics;

2. Science - 4 units of credit, consisting of either four units selected from the following courses or a combination of two units selected from the following courses and two additional courses approved by the department:

earth science;

biology;

chemistry;

physics;

marine biology;

anatomy and physiology;

3. Language arts - 4 units of credit, consisting of either four units selected from the following courses or a combination of three units selected from the following courses and an additional course approved by the department:

composition;

American literature;

world literature;

speech and debate;

advanced composition;

creative writing;

British literature;

4. Social studies - 4 units of credit, one unit of credit in a foreign or Alaska Native language, fine arts, or cultural heritage may substitute for one of the four units of credit of social studies; at least two units of credit must be from the following courses, with any remaining credits from courses approved by the department:

World history;

American history;

geography;



American government/civics;  
economics;  
Alaska history;  
western or eastern civilization;  
psychology;  
sociology.

### Social Studies and Language Curriculum

1. Math - 3 units of credit, consisting of either three units selected from the following courses or a combination of two units selected from the following courses and an additional course approved by the department:

algebra I;

algebra II;

geometry;

trigonometry;

pre-calculus;

calculus;

calculus I;

2. Science - 3 units of credit consisting of either three units selected from the following courses or a combination of two units selected from the following courses and an additional course approved by the department:

physical science;

earth science;

biology;

chemistry;

physics;

marine biology;

anatomy and physiology;

3. Language arts - 4 units of credit consisting of either four units selected from the following courses or a combination of three units selected from the following courses and an additional course approved by the department:

composition;

American literature;

world literature;

speech and debate;

advanced composition;

creative writing;

British literature;

4. Social studies - 4 units of credit, consisting of either four units selected from the following courses or a combination of three units selected from the following courses and an additional course approved by the department:

world history;

American history;

geography;

American government/civics;

economics;

Alaska history;

western or eastern civilization;

psychology;

sociology.

Foreign, Alaska Native or American sign language - 2 units of credit in the same language.

### **Grade Point Average and Standardized Examination Scores**

In addition to the curriculum requirements above, students must meet certain GPA and standardized examination score requirements. It is the student's responsibility to

provide proof of results achieved on one of the standardized examinations required for scholarship eligibility.

GPA and test scores determine a student's level of eligibility for each of the three scholarships set forth below:

**Alaska Performance Honors Scholarship Grade Point Average: 3.5 or higher**

Test Scores:           ACT composite score of 25 or higher; or  
                              SAT combined score of 1680 or higher; or  
                              A combined WorkKeys score of 13 or higher, with no  
                                  single score lower than 4, in each of the following:  
                              applied mathematics  
                              reading for information  
                              locating information

**Alaska Performance Achievement Scholarship Grade Point Average: 3.0 or higher**

Test Scores:           ACT composite score of 23 or higher; or  
                              SAT combined score of 1560 or higher; or  
                              A combined WorkKeys score of 13 or higher, with no  
                                  single score lower than 4, in each of the following:  
                              applied mathematics  
                              reading for information  
                              locating information

**Alaska Performance Opportunity Scholarship Grade Point Average: 2.5 or higher**

Test Scores:           ACT composite score of 21 or higher; or  
                              SAT combined score of 1450 or higher; or  
                              A combined WorkKeys score of 13 or higher, with no  
                                  single score lower than 4, in each of the following:

applied mathematics

reading for information

locating information

### **Notice to Parents/Guardians of Eligibility Determination**

The principal or designee shall provide written notice to all parents/guardians, or to students if 18 or older, of the eligibility determination. The notice should also explain how a parent/guardian or eligible student may challenge this determination.

### **Permanent Record**

Once eligibility levels are determined, the district will record the level of eligibility on each qualifying student's permanent record. No notation should be made for those students who are not eligible for a scholarship award.

### **Annual Transmittal of Records**

No later than July 15 of each year, the district will transmit an electronic version of each graduating student's permanent record that describes the student's eligibility for the Alaska Performance Scholarship Program. This is a mandatory reporting obligation and parents/students may not opt out of this disclosure.

### **Appeal Procedures**

The district provides the following appeal process for students who believe an error has been made regarding a student's eligibility for an Alaska Performance Scholarship. A student can request that the district review the determination of whether or not he or she is eligible or, if eligible, the level of scholarship available.

### **Appeal Form**

To request an appeal, a student must complete the Alaska Performance Scholarship Appeal Form for Public School Students. [E 5128] The form requires:

1. Name, mailing address, and contact information;
2. Eligibility information in the form of official examination scores and an official transcript indicating courses taken and GPA;
3. A statement explaining why the student believes the eligibility determination is in error; and
4. All documents, papers, or other materials that support a reversal or modification of the eligibility determination.

Students who have questions about the form or require assistance should contact a counselor or principal at the student's high school.

Students must complete the Appeal Form and provide supporting documents as soon as possible after receiving notice of his or her eligibility determination. No appeals will be considered unless submitted within thirty (30) days of receiving the district's eligibility determination, absent unusual circumstances that prevented a timely appeal.

### **Appeal Process**

1. Student submits the completed Appeal Form and supporting documentation to the Director of Academics.
2. The district will designate a reviewer to review and decide the appeal.
3. The reviewer will consider all information submitted and issue a determination of whether or not the student meets scholarship eligibility, and if eligible, the student's level of eligibility.
4. The reviewer's determination is the final decision of the district.
5. Notice of the district's decision will be sent to the student no later than thirty (30) days after the student submits a timely appeal.
6. If the reviewer determines that scholarship eligibility was incorrect, the district will notify the Alaska Performance Scholarship Program of the correct eligibility determination and revise the student's transcript to correctly identify APS eligibility.

### **Extension of Scholarship Eligibility**

The district should notify appropriate students about the availability of a scholarship eligibility extension that may be granted by the Alaska Commissioner of Education. Upon request, the Commissioner may grant a student who has previously been determined eligible for a scholarship under APS, a scholarship eligibility extension. Such an extension allows a student to remain eligible for a scholarship for longer than six years after the date of the student's graduation from high school.

To qualify for an extension of scholarship eligibility, a student must:

1. Submit a written request to the Commissioner no later than 30 days before the student's period of scholarship eligibility under 14.43.825(b) is set to expire; and
2. Submit with the request a signed statement from the institution of higher learning in which the student is admitted or enrolled attesting that the student has experienced or is experiencing an enrollment delay due to the availability of coursework required by the degree program the student is pursuing, and that the enrollment delay is beyond the student's control.

*Revised 3/2016*

**9/92**

Adopted 6/23

## **BP 5131 CONDUCT**

The School Board believes that student academic success depends upon students being physically present at school. Accordingly, the Board desires to reduce the time students spend away from the classroom and school learning environment due to misconduct. In order to facilitate this goal and increase outcomes for students:

The district shall use trauma-informed and supportive approaches to student behavior that create clear expectations with staff, students and families.

The district will pro-actively provide structures to cooperatively and independently manage behavior, and to build skills for self-management throughout the school day.

The district will monitor, address, and ensure that students do not disproportionately experience suspension, expulsion or other disciplinary actions due to race, ethnicity, disability, religious or cultural preference, gender identity, sexual orientation or socioeconomic background.

The district will work to build students' self-regulation skills, incorporating preventative and restorative practices to minimize the need for discipline and maximize instructional time for every student.

The district will incorporate culturally responsive models, school wide management, and classroom practices that build student skills, strengthen relationships, and keep students in the classroom.

In-school and out-of-school suspension should not be imposed unless other means of correction have failed to bring about proper conduct, or in circumstances where the student's presence poses a danger to persons or property or substantial disruption to the educational environment.

The district will incorporate restorative or corrective practices that focus on relationship building with students and families. These can include conferences with students and their parents/guardians; use of student study teams or other intervention-related teams; enrollment in a program teaching social/emotional behavior; intensive and intentional relationship building with students and family; participation in a restorative justice program or restorative circles; and positive behavior support approaches.

The Superintendent or designee shall provide professional development or supports as necessary to assist staff to offer consistent classroom management skills, to model skills for students, to establish collaborative relationships with parents/guardians, and to implement effective relationship building and disciplinary techniques, all while eliminating unconscious bias.

Clear standards for student conduct, classroom expectations, and resolving conflict will be established to ensure that the environment within each district school and classroom supports student learning.

The Superintendent or designee, in consultation with staff, parents, students, and the community, shall establish student conduct expectations and identify consequences for violations. In addition, the Superintendent or designee, in consultation with staff, parents, students, and the community, shall develop procedures that school staff, families, and students must follow in order to resolve problems as they develop.

The District shall distribute and instruct students regarding these policies, and review these policies every three years. At a minimum, the policies must address routine discipline case procedure and chronic or serious discipline case procedure.

The School Board believes that all students have the right to a public education in a positive environment free from disruptions which interfere with teaching and learning activities. In order to promote an atmosphere conducive to learning, it is imperative that the School Board, parents/guardians, students, teachers and the administration be cognizant of their responsibilities related to student conduct.

### **School Board**

The School Board is responsible for prescribing rules for the government and discipline of the schools under its jurisdiction. Consequences for misconduct will be fair and developmentally appropriate in light of the circumstances. The School Board holds the certificated personnel responsible for the proper conduct and control of students under their charge within the behavioral guidelines established by the School Board in conjunction with the administration.

The School Board will review and analyze disciplinary action data to understand conduct and discipline outcomes of specific groups of students and families.

The School Board and administrators will review research on effective practices to pro-actively create trauma informed environments and determine how to incorporate into district policies and practice.

### **Superintendent**

The Superintendent or designee shall establish the necessary procedures to implement and enforce the School Board's discipline policy. He/she shall notify the parents/guardians of all students of the availability of the district's policy and procedures related to conduct and discipline.

### **School Principal**

The school principal shall initiate and enforce a set of school rules, in keeping with district policy and regulation, which facilitate effective learning and promote attitudes and habits of good citizenship.

The principal or designee shall provide instruction to students regarding their rights and responsibilities.



The principal shall support the classroom teacher in his/her efforts to promote improved and acceptable behavior in students.

### **Teachers**

Appropriate classroom behavior allows teachers to communicate more effectively with students. Teachers shall conduct a well-planned effective classroom program and initiate and enforce a set of classroom regulations that facilitate effective learning.

Teachers shall cooperate with administrators and other classroom teachers in enforcing general school rules and appropriate campus behavior.

### **Parents/Guardians**

Parents/guardians are expected to comply with the laws governing the conduct and education of their children. They shall also be expected to cooperate with school authorities regarding the behavior of their children. Parents/guardians may be held liable for misconduct of their children to the extent provided by law.

### **Students**

Students shall be properly instructed in the rules and regulations pertaining to acceptable conduct as set by the School Board. All students shall comply with the regulations of the school district, comply with the course of study and submit to the authority of the teachers and administration of the schools.

Students should have the freedom and be encouraged to express their individuality in any way as long as their conduct does not infringe upon the freedom of other students or interfere with the instructional program.

(cf. 5145.2 - Freedom of Speech/Expression)

Students who violate the law or the rules and regulations of the school district may be subject to the transfer to alternative programs, discipline, suspension, or expulsion.

(cf. 5144 - Discipline)

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

#### *Legal Reference:*

##### *ALASKA STATUTES*

*14.33.110 - .140 Required school disciplinary and safety program*

##### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 07.010 - 4 AAC 07.900 Student Rights and Responsibilities*

*UNITED STATES CODE*

*Every Student Succeeds Act , P.L. 114-95 (2015) Goss v. Lopez, 419 U.S.  
565 (1975)*

*Revised 3/2019*

**9/92**

Adopted 6/23

## **BP 5131.1 BUS CONDUCT**

Bus transportation is a privilege extended only to students who display good conduct while preparing to ride, riding or leaving the bus. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a student to be denied transportation.

The Superintendent or designee shall inform parents/guardians and students regarding regulations related to bus conduct, bus driver authority, and the suspension of riding privileges.

(cf. 3540 et seq. - Transportation)

**9/92**

Adopted 6/23

## **AR 5131.1 BUS CONDUCT**

Because school bus passengers' behavior can directly affect their safety and the safety of others, the following regulations apply at all times when students are riding a school bus, including on field trips and other special trips. School personnel, parents/guardians and the students themselves all must see that these regulations are followed.

1. Riders shall follow the instructions and directions of the bus driver at all times.
2. Riders should arrive at the bus stop on time and stand in a safe place to wait quietly for the bus.
3. Riders shall enter the bus in an orderly manner and go directly to their seats.
4. Riders shall remain seated while the bus is in motion and shall not obstruct the aisle with their legs, feet, or other objects. When reaching their destination, riders shall remain seated until the bus stops and only then enter the aisle and go directly to the exit.
5. Riders should be courteous to the driver and to fellow passengers.
6. Serious safety hazards can result from noise or behavior that distract the driver. Loud talking, laughing, yelling, singing, whistling, scuffling, throwing objects, smoking, eating, drinking, standing and changing seats are prohibited actions which may lead to suspension of riding privileges.
7. No part of the body, hands, arms or head should be put out of the window. Nothing should be thrown from the bus.
8. Riders shall help keep the bus and the area around the bus stop clean. Riders shall not damage or deface the bus or tamper with bus equipment.
9. No animals or insects shall be allowed on the bus.
10. Riders should be alert for traffic when leaving the bus.
11. Riders who fail to comply with the above rules shall be reported to the school principal, who shall determine the severity of the misconduct and take action accordingly. In all instances of misconduct, the rider and his/her parent/guardian shall be given notice and warning. In the case of a severe violation or repeated offenses, the rider may be denied transportation for a period of time determined by the principal, up to the remainder of the school year.

12. Bus drivers shall not deny transportation except as directed by the principal.

**9/92**

Adopted 6/23

## **BP 5131.4 CAMPUS DISTURBANCES**

The School Board recognizes that all school staff must be prepared to cope with campus disturbances and to minimize the risks they entail. Staff should be especially sensitive to conditions that incite racial conflict, student protests, or confrontations.

The Superintendent or designee shall establish at each school a disturbance response plan for curbing disruptions which create disorder and may lead to riots, violence or vandalism at school or school-sponsored events.

The Superintendent or designee shall consult with law enforcement authorities to plan for police support during school disruptions. Each school's disturbance response plan shall address the role of law enforcement. When a disturbance directly threatens students or staff, the Superintendent or designee has the authority to call in law enforcement personnel for assistance and may dismiss school.

Students who participate in disturbances may be subject to disciplinary action.

(cf. 3515 - School Safety and Security)

(cf. 5136 - Gangs)

(cf. 5144 - Discipline)

**9/92**

Adopted 6/23

## **AR 5131.4 CAMPUS DISTURBANCES**

All school staff shall respond to campus disturbances in accordance with the school's response plan. Response plans shall describe:

1. The means which will be used to signal an emergency situation and maintain communication among staff and with the Superintendent or designee.
2. Each staff member's specific duties during a disturbance.
3. Procedures for ensuring the safety of students and staff.
4. Conditions, as prearranged with law enforcement authorities, under which the principal or designee shall:
5. Inform the police.
6. Secure police assistance.
7. Give the police responsibility for a specific crisis situation.
8. Procedures for the orderly dismissal of school when authorized by the principal or designee. All media inquiries during crisis situations shall be routed to the Superintendent or designee.

### **Extension of Class Period**

During any disturbance in which additional students might become involved while changing classes, the principal or designee may notify all staff that the present class period will be extended until further notice. Upon receiving this notification:

1. Teachers shall ensure that all students in their charge remain in one location under their supervision.
2. Teachers shall ask any students who are in the halls to return to their classes at once.

**9/92**

Adopted 6/23

## **BP 5131.41 VIOLENT AND AGGRESSIVE CONDUCT**

Students and staff have the right to feel safe and secure in their classrooms and while on school property or at school events. There are certain behaviors that, if tolerated, would quickly destroy the safe learning environment to which the students and staff are entitled. These behaviors, categorized as violent and aggressive, will not be tolerated and will result in immediate corrective action. The Superintendent shall develop procedures for the reporting of violent and aggressive behavior to appropriate law enforcement authorities.

(cf. 3515 - School Safety and Security) (cf. 5142 - Safety)

Violent and aggressive acts include, but are not limited to, possession, threat with or use of a weapon; physical assault; verbal abuse; intimidation; extortion; bullying; gang participation; harassment; stalking; defiance; and racial slurs.

(cf. 5131.1 - Bus Conduct)

(cf. 5131.4 - Campus Disturbances)

(cf. 5131.43 - Harassment, Intimidation and Bullying)

(cf. 5131.7 - Weapons and Dangerous Instruments) (cf. 5136 - Gangs)

(cf. 5144 - Discipline)

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

All acts of violence and aggression shall result in those involved being placed on a compulsory behavior management plan. In addition to this plan, each situation shall result in specific consequences, determined by the seriousness of the act, including consideration of expulsion from school for acts of a serious or chronic nature. The Superintendent or designee shall establish procedures for development of behavior management plans. Plan development should include input from the affected student's parent/guardian, teacher(s), principal, and other individuals as appropriate.

### *Legal Reference:*

*Gun-Free Schools Act of 1994, 20 U.S.C. § 8921*

*Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq.*

### **ALASKA STATUTES**

*11.41.100-11.41.530 Offenses Against the Person*

*11.61.210 Misconduct involving weapons in the fourth degree 11.81.900 Definitions*



*14.03.160 Suspension or expulsion of students for possessing weapons*

*11.61.120 Harassment in the second degree*

**ALASKA ADMINISTRATIVE CODE**

*4 AAC 07.010 - 4 AAC 07.900 Student Rights and Responsibilities*

*Revised 3/2015*

**9/92**

Adopted 6/23

## **AR 5131.41 VIOLENT AND AGGRESSIVE CONDUCT**

Violent and aggressive conduct directed toward school district personnel and/or students will not be tolerated. Appropriate action must be taken immediately. The building administrator should follow these procedures when violent or aggressive conduct has occurred:

1. Restore order and contact proper law enforcement authorities, if appropriate;
2. Secure medical assistance, if necessary;
3. Conduct a preliminary investigation;
4. Submit a written report to the Superintendent.

After reviewing the written report of the incident, the Superintendent may refer the matter to the local prosecuting attorney.

Nothing in this regulation should be construed as limiting the right or duty of an individual employee or student to report incidents of violent or aggressive behavior.

Added 9/98

**9/92**

Adopted 6/23

## **BP 5131.42 THREATS OF VIOLENCE**

Students should be educated in an environment which is free from harm and threats of harm. Threats of violence are prohibited. Students shall not make any threats, suggestions, or predictions of violence against any person or group or to the school building, whether made orally, in writing, or via email. No threat of violence will be considered a joke. Any bomb threats or threats of violence, whether or not made during school hours or on school grounds, shall result in immediate disciplinary action, up to and including suspension and/or expulsion.

The Superintendent shall report any threats of violence to the police. The school principal will also report threats to the school psychologist or counselor, who will consult with the police in assessing the threat and offer the student appropriate support and intervention.

All students shall report any and all threats of violence, including jokes and threats of suicide, by reporting the threat to a teacher or school principal.

The district reserves the right to hold the student responsible for any costs and/or damages incurred by the district because of a threat.

Added 9/99

**9/92**

Adopted 6/23

## **BP 5131.43 HARASSMENT, INTIMIDATION AND BULLYING**

The School Board is dedicated to providing a safe and civil learning environment. Harassment, intimidation and bullying disrupt a student's ability to learn and a school's ability to educate. Students and staff are expected to demonstrate positive character traits and values. Conduct and speech must be civil and respectful in order to promote harmonious and courteous relations in the school environment.

(cf. 5137 – Positive School Climate)

Students, staff and volunteers are prohibited from engaging in any form of harassment, intimidation, or bullying while on school property, on school buses, at the bus stop, or at school-sponsored activities or functions. Students who engage in such acts are subject to appropriate disciplinary action, up to and including suspension or expulsion. Staff who engage in acts of harassment, intimidation or bullying are also subject to appropriate disciplinary action up to and including suspension and termination.

Volunteers who engage in such acts will be denied the opportunity to volunteer in the future.

To promote an environment free of harassment, intimidation, or bullying, the principal or designee shall take appropriate actions such as removing vulgar or offending graffiti, establishing site rules, and providing staff inservice and student instruction and counseling. Teachers shall discuss this policy with their students in age appropriate ways and assure students that they need not endure any form of harassment, intimidation, or bullying.

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

The district will provide parent and community information, and age-appropriate student instruction, on how to identify, respond to, and prevent harassment, intimidation, and bullying.

(cf. 5131.5 – Vandalism, Theft and Graffiti) (c.f. 5144 - Discipline)

(c.f. 5144.1 – Suspension and Expulsion)

**Harassment, Intimidation and Bullying Defined**

Harassment, intimidation, or bullying means an intentional act, whether written, oral, electronic or physical, when the act is undertaken with the intent of threatening, intimidating, harassing, or frightening the student, and

1. physically harms the student or damages the student's property;
2. has the effect of substantially interfering with the student's education;

3. is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
4. has the effect of substantially disrupting the orderly operation of the school.

(c.f. 5145.3 – Nondiscrimination)

### **Cyberbullying**

All forms of harassment, intimidation or bullying via electronic means, commonly referred to as cyberbullying, are prohibited. Cyberbullying also includes, but is not limited to, other misuses of technology to threaten, harass, intimidate, or bully, including sending or posting inappropriate email messages, instant messages, text messages, digital pictures or images, or Web site postings, including blogs. An individual who redistributes a cyberbullying communication can be found in violation of this policy, even if the individual did not author or create the original communication or image.

The district's computer network, including access to the Internet via that network, whether accessed on campus or off campus, during or after school hours, may not be used for the purpose of harassment, intimidation, or bullying. Users are responsible for the appropriateness of the material they transmit over the system.

In situations in which the cyberbullying originates from a private (non-school) computer or other electronic device, but is brought to the attention of school officials, disciplinary measures may be imposed when the communication:

1. Is of a criminal nature, including but not limited to, threats of violence or harm against staff members, students, or their property;
2. Suggests or advocates physical harm to staff members or students;
3. Causes a student or staff member to experience a substantially detrimental effect on his or her physical or mental health;
4. Causes a student or staff member to experience substantial interference with academic or work performance, or with his or her ability to participate in or benefit from district services or activities;
5. Threatens vandalism to school property; or
6. Creates a significant disruption to the school's educational mission, purpose or objectives.

Disciplinary action may include, but is not limited to, the loss of computer privileges, detention, suspension, or expulsion for those committing acts of cyberbullying. In addition, any kind of threat or hate crime will be reported to law enforcement officials.

Students and staff who believe they have been the victims of cyberbullying, as described in this policy, should not erase the offending material from the system. A copy of the material should be printed, and a report made under this policy.

(cf. 6161.4 – Internet)

(cf. 6161.5 – Web Sites / Pages)

## **Reporting**

Students or staff members who have witnessed or have reliable information that a student has been subjected to harassment, intimidation or bullying should report the incident immediately to the principal or his/her designee, who shall promptly initiate an investigation. The investigation shall include an assessment of what actions should be taken, as appropriate, to protect the student who has been found to be the victim of harassment, intimidation or bullying. Such actions may include the provision of support services necessary to permit the student to feel safe and secure in attending school. The Superintendent/Chief School Administrator shall develop procedures to implement this policy.

## **Response**

In determining the appropriate response to students who commit one or more acts of harassment, intimidation or bullying, the following factors should be considered:

1. the development and maturity levels of the parties involved;
2. the level of harm;
3. the surrounding circumstances;
4. past incidences or past continuing patterns of behavior;
5. the relationships between the parties involved;
6. the level of disruption in or interference with the orderly operation of the school.

This policy should not be interpreted to prohibit a reasoned and civil exchange of opinions or debate that is protected by law and School Board policy.

(c.f. 5145.2 – Freedom of Speech/Expression)

Conduct that does not rise to the level of harassment, intimidation or bullying may still be prohibited by other policies or rules.

(cf. 5131 – Conduct)

(cf. 5131.4 – Campus Disturbances)

(cf. 5131.41 – Violent and Aggressive Conduct)

(cf. 5131.42 – Threats of Violence)

(cf. 5131.5 – Vandalism, Theft & Graffiti) (cf. 5137 – Positive School Climate)

*Legal Reference:*

*ALASKA STATUTES*

*14.33.200 Harassment, intimidation and bullying policy*

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

*14.33.220 Reporting, no reprisals*

*14.33.230 Immunity from suit*

*14.33.250 Definitions*

*11.61.120 Harassment in the second degree*

*CODE OF FEDERAL REGULATIONS*

*28 CFR Part 35, Title II of the Americans with Disabilities Act of 1990  
(ADA)*

*34 CFR Part 104, Section 504 of the Rehabilitation Act of 1973 (Section  
504)*

*34 CFR Part 300, Individuals with Disabilities Education Act (IDEA)*

Revised 10/2021

**9/92**

Adopted 6/23

## **AR 5131.43 HARASSMENT, INTIMIDATION AND BULLYING**

It shall be a violation for any student or staff member to harass, intimidate or bully another person while at school, traveling to and from school, or attending school-sponsored events. Moreover, it shall be a violation for any school staff member to knowingly ignore or tolerate harassment, intimidation or bullying at school or at school sponsored events.

For the purpose of this policy, school staff includes school employees, School Board members, agents, volunteers, contractors or other persons subject to the supervision and control of the school district.

### **Sanctions for Harassment, Intimidation or Bullying**

Appropriate sanctions will be taken against students and/or employees who commit acts of harassment, intimidation or bullying. For students, the sanctions must be appropriate to the seriousness of the incident and may include detention, suspension, and/or expulsion in accordance with state law, district policy, administrative regulation, and student handbooks. For school staff, sanctions will be in accordance with state law, district policy, administrative regulation, collective bargaining agreements, and applicable codes of ethics.

### **Reporting Procedure**

1. Any student or staff member who believes he or she has been the victim of harassment, intimidation or bullying may report the alleged act to the school principal or designee. If a student is more comfortable reporting to a person other than the principal, the student may contact any school employee. The principal or designee will accept anonymous reports but formal disciplinary action may not be taken without corroborating evidence.
2. Any school employee, or an employee of an entity under contract with the school district, who receives a report, witnesses harassment, intimidation or bullying, or has reliable information that a student has been subject to harassment, intimidation or bullying shall act immediately to protect the alleged victim, if necessary, and shall immediately report the incident to the student's principal or designee for prompt investigation.
3. Upon receipt of a report of harassment, intimidation or bullying, the principal or designee shall forward a timely written report of the incident and his or her response to the Safe and Drug-Free Schools Coordinator or other individual identified by the Superintendent/Chief School Administrator. That individual shall compile and maintain data of all incidents of harassment, intimidation or bullying that result in suspension or expulsion. Such data shall be reported to the Department of Education and Early Development on an annual basis.



4. The principal or designee shall by telephone and in writing notify the parents or guardians of the students involved of the alleged harassment, intimidation or bullying incident. The notice shall advise individuals involved of their due process rights.

### **Investigation and Corrective Action**

1. The principal or designee shall promptly and thoroughly investigate all alleged acts of harassment, intimidation or bullying.
2. All involved in an alleged act of harassment, intimidation or bullying shall be advised by the principal of his or her due process rights.
3. At the conclusion of the investigation, the principal shall take such disciplinary action deemed necessary and appropriate to end the misconduct and prevent its recurrence. The principal will act in accordance with the student conduct code, the teacher code of ethics, and paraprofessional code of ethics to discipline the offending party(ies).
4. Incidents of harassment, intimidation or bullying that involve criminal activity shall be reported to law enforcement.

### **False Report**

Students and staff who knowingly or willfully make a false report of harassment, intimidation or bullying, or provide false information in connection with an investigation, will be subject to disciplinary action up to and including suspension/expulsion for students and termination for staff.

### **Retaliation Prohibited**

Retaliation or reprisal against any person who reports an incident of harassment, intimidation or bullying, or cooperates in an investigation, is strictly prohibited. Any such retaliation or reprisals will result in suspension or expulsion of offending students, and disciplinary action up to termination for school employees.

*Revised 3/2012*

**9/92**

Adopted 6/23

## **BP 5131.6 ALCOHOL AND OTHER DRUGS**

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

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

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

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

1. Drugs that are illegal if possessed by those under 21, under any local, state, or federal law; or any drug that can be legally obtained but which has been obtained through illegal means.
2. Alternatives to illegal drugs such as designer or synthetic drugs, whether or not prohibited by law, which are purported to, designed to, or which do impair, restrict, or alter normal cognitive function when absorbed, ingested, injected, or inhaled.
3. Prescription drugs that are not legally obtained or prescribed, are not being used for the prescribed purpose, are being used in excess of the prescribed amount, are being used by other than the person to whom prescribed, or are being sold, traded or distributed.

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

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

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

(cf. 1220 - Citizen Advisory Committees)

### **Instruction**

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

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

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

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

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

(cf. 6142.2 - AIDS Instruction) (cf. 6143 - Courses of Study)

(cf. 6159 – Individualized Education Program)

### **Intervention**

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

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

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

### **Nonpunitive Self-Referral**

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

### **Enforcement/Discipline**

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

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

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

(cf. 5145.12 - Search and Seizure)

#### *Legal Reference:*

#### *ALASKA STATUTES*

*04.16.080 Sales or consumption at school events*

*14.20.680 Required alcohol and drug related disabilities training*

*14.30.360 Curriculum (Health and Safety Education)*

*14.33.110-.140 Required school disciplinary and safety program*

*17.38.010-900 The regulation of marijuana*

*47.37.045 Community action against substance abuse grant fund*

*UNITED STATES CODE*

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

Revised 3/2015

**9/92**

Adopted 6/23

## **BP 5131.61 DRUG/ALCOHOL TESTING POLICY**

Drug and alcohol use by students is detrimental to the educational environment and poses a direct threat to the health, morals, and welfare of the student population. Further, drug and alcohol use by those students who are participating in district athletic programs poses a threat to the physical and mental safety of those students and the students with whom they are competing. As a result of observed and suspected use of alcohol and drugs by district students, the School Board believes that initial and random testing of student athletes, as well as testing of the general student population upon an articulation of individualized suspicion of drug or alcohol use, is necessary for the protection of student safety and welfare. The Superintendent is to develop regulations consistent with this policy.

Students of this district who are suspected of using, possessing, or selling illicit drugs or alcohol while within the jurisdiction of the district shall be subject to drug or alcohol testing. A determination of suspected use, possession, or selling of drugs or alcohol shall be made by a qualified individual in a position of authority in relation to the student. Student athletes are required to complete an authorization form that allows the district to conduct drug and alcohol screening prior to the commencement of athletic activities and on a random basis thereafter. Should a student decline to complete this form, that student will not be allowed to participate in interscholastic athletics until such time as the student's parent or guardian signs the authorization.

The district shall develop appropriate disciplinary policies in the event of a positive test. These policies shall be consistent with the district's disciplinary policies for possession or consumption of illicit substances or alcohol.

(cf. 5131 - Conduct)

(cf. 5131.6 - Alcohol & Other Drugs)

(cf. 5144 - Discipline)

(cf. 5145.12 - Search & Seizure)

The district shall develop, or contract with a third party to develop, procedures for drug and alcohol testing consistent with those procedures authorized by the Alaska Statutes. The district shall also develop procedures that ensure the confidentiality of student test results and shall require all persons having access to those results to abide by these procedures.

All students affected by this policy shall be given notice of the policy and of the testing regulations adopted by the district.

*Legal Reference:*

*Board of Educ. of Indep. Sch. Dist. No. 92 v. Earls, 122 S.Ct. 2559 (2002)*

*Vernonia School District 47J v. Acton, 515 US 646 (1995) Revised 1/03*

**9/92**

Adopted 6/23

# **AR 5131.61 STUDENT ATHLETE DRUG AND ALCOHOL TESTING REGULATION**

## **Purpose**

This regulation is to implement School Board Policy 5131.6.

## **Prohibited Substances**

Drugs and alcohol are defined at pages 5131.61(g)-(h) of this regulation.

## **Testing Requirements**

This regulation mandates drug and/or alcohol testing of student athletes of the district upon an articulation of reasonable suspicion of drug or alcohol use and upon a random basis.

Prior to the beginning of each sport season, student athletes and his or her parent or guardian will complete and sign the District Code of Conduct and Informed Consent Agreement. No student will be allowed to participate in practice or competition until this form is completed, signed and on file with the district.

At the beginning of each sport season, or when a student joins a sport, all athletes wishing to participate in that season's sports may be subject to urine testing for illicit or banned substances. Following any initial testing, up to 10% of eligible student athletes will be randomly tested on a weekly basis anytime during the athletic year. Any student who refuses to be tested will not be allowed to participate in athletics.

The district will submit a list of all student athletes eligible for testing to the laboratory the district chooses to assist with its drug and alcohol testing program. This laboratory will be responsible for selecting and submitting names of students to be randomly tested.

"Reasonable suspicion" is defined as drug and/or alcohol testing based upon a belief that a student is using or has used drugs and/or alcohol in violation of BP 5131.6. This belief will be drawn from specific objective and articulable facts, and reasonable inferences drawn from those facts, considering experience, and may be based upon, among other things:

1. Direct observation of drug use and/or the physical symptoms or manifestations of being under the influence of a drug;
2. Abnormal conduct or erratic behavior while at school, absenteeism, tardiness, or deterioration in performance;
3. A report of drug use provided by reliable and credible sources and which has been independently corroborated;



4. Evidence that a student has tampered with a drug test;
5. Information that a student has caused, or contributed to an accident at school;
6. Evidence that a student is involved in the use, possession, sale, solicitation, or transfer of drugs; Possession of equipment or paraphernalia pertaining to alcohol or illegal drug use by a student

The district shall ensure that at least one designated employee receives 60 minutes of training on alcohol misuse and at least an additional 60 minutes of training on the misuse of controlled substances. This training will be used to determine whether reasonable suspicion exists to require a student to undergo testing. Where practicable, an articulation of reasonable suspicion shall be based upon the observation of a individual by two persons acting in a supervisory capacity in relation to the student who have received drug and alcohol impairment recognition training. However, the observation of one trained supervisor is adequate to determine impairment.

Upon a determination of reasonable suspicion, the trained supervisor shall fill out a reasonable suspicion for drug/alcohol testing determination form. The supervisor shall then, as soon as safely possible, escort the student to the designated testing site.

The district shall pay all actual costs of drug testing, including reasonable transportation costs.

### **Testing Methods and Collection Procedures**

The district or district designee shall designate a drug/alcohol testing/collection site.

### **Testing Procedures for Alcohol**

Any individual chosen to test for alcohol impairment shall be trained in the operation of the evidential breath testing device (EBT) he or she is using by the EBT manufacturer or the manufacturer's representative and receiving training certification from the manufacturer or the manufacturer's representative in writing and be familiar with this regulation. This person shall be designed as the breath alcohol technician (BAT). The EBT device for testing may be any EBT approved for use by state or federal law enforcement agencies. The BAT conducting the test is responsible for documenting the results of the test and explaining the testing procedure to the student who is to be tested. Additionally, the BAT will be trained to recognize adulteration of the sample, if applicable, and sign a statement that clearly states that the BAT will hold all information related to any phase of an alcohol test confidential.

The BAT must provide the student with a sealed mouthpiece which the BAT shall open in the student's presence. The BAT shall also show the student the result displayed

on the EBT and immediately inform the student if he or she is under the influence of alcohol.

If the screening test yields a positive result, the BAT shall perform a confirmation test. The BAT shall wait a minimum of fifteen minutes between tests. The BAT shall use a new mouthpiece for the confirmation test and ensure that the EBT registers a 0.00 calibration on an air blank before conducting the test. If the EBT registers greater than 0.00, the BAT shall conduct more than one air blank. If the reading is still greater than 0.00, the BAT may not use that EBT and must use an alternative device. After the confirmation test, the BAT shall explain to the student the results of the confirmation test.

After alcohol testing, the supervisor who accompanied the student to the test shall either drive the student back to school in the event of a negative test, or to the student's home in the event of a positive test.

### **Testing Procedures for Drugs**

Any individual chosen to collect urine samples under this regulation shall be trained in proper collection methods to ensure privacy, accuracy and to allow the test to be conducted with the least intrusiveness to the person presenting the sample. The district shall designate a certain area as the collection site. This area shall have all necessary personnel, materials, equipment, facilities and supervision to provide for the collection, security, temporary storage, and shipping or transportation of urine specimens to a certified drug testing laboratory. The district may designate a community health clinic for this site. In areas with a hospital, the district will use the community hospital as the drug testing site and arrange for all drug testing to be conducted through the hospital after assurances that the hospital is capable of complying with the standards for testing set forth herein.

The student to be tested shall submit a driver's license or other photographic identification to the testing technician. In the absence of such identification, the student's accompanying supervisor may identify the student.

The student will be asked to remove any jackets and coats and to wash and dry his or her hands prior to collection of the specimen. Female students must leave their purses, but are allowed to remove and retain their wallets. This must be done in the presence of the technician to prevent the student from having access to material which might adulterate the specimen.

The technician shall use a designated Chain of Custody Form. This form must accompany the urine sample to the designated medical laboratory which shall test the sample.

A student shall be given a choice of at least two sealed drug testing kits. The student's selected kit shall be opened in full view of the student.

Upon the student being presented with the kit, the testing technician shall direct the student to the testing area. The testing area shall be a private area.

After testing, the student must present the sample to the collection technician prior to washing his/her hands or flushing the toilet. The specimen is to remain in the visual field of the donor.

Upon receipt of the specimen, the collection technician shall verify that the sample contains at least 60 ml of urine. If the container does not, the technician shall provide the student with water, and after a reasonable time, allow him/her to attempt to produce another sample. The original sample shall be discarded. If the student still cannot produce a sufficient amount of urine, the Program Administrator shall be contacted.

The technician shall immediately measure and record the temperature of the sample on the Chain of Custody form. The technician shall then seal the sample and place a security seal from the bottom of the Chain of Custody form on the sample and request that the student date and initial it. The technician shall then complete the form, including asking the student if he or she wishes to identify any prescription medication he or she may presently be taking which would affect the sample. The technician shall then place the sample in a tamper-resistant bag and ask the student to date and initial the seal on the bag. The technician shall write the bar code on the front of the testing envelope on the bag as well as "split sample." The sample will then be sent to the testing laboratory via Goldstreak or any other acceptable rapid-transport method.

Upon receipt of the test, the laboratory will divide the sample in half. If the first test yields a negative result, the second half of the sample will be discarded. If the test yields a positive result, the second half of the sample will be tested to verify the result. Unless both halves of the sample yield positive results, the test will be considered a negative test.

The testing laboratory shall perform an initial screening test which meets the requirements of the Food and Drug Administration. A positive test result will be confirmed by using gas chromatography/mass spectrometry (GC/MS) techniques. All confirmations shall be by quantitative analysis and must be reviewed by a medical doctor or doctor of osteopathy.

The physician or osteopath shall:

1. contact the student's parents within 48 hours and offer an opportunity to discuss the confirming test result;
2. interpret and evaluate the positive drug test result; and
3. report test results caused by prescription medicine as negative.

The testing laboratory shall report the results of the test to the Program Administrator after the confirmation test has been performed and the student has been contacted.

After drug testing, the supervisor who accompanied the student to the test shall either drive the student back to school or to the student's home based upon a determination of impairment. A student shall have the right, upon his or her request, to obtain the written test results if the student makes such a request within six months after the date of the test. Upon such a request, the district, or the designee of the district, shall provide the written test results within five days after the request is made.

A student shall have the right, upon his or her request, to explain in a confidential setting, a positive test result. This request must be in writing and be within ten days after the student has been notified of a positive test result. This request must be honored by the district within 72 hours or before the district takes any disciplinary action.

### **Refusal to be Tested**

Should a student refuse to be tested under this regulation, the student will be considered to have received a positive result on a drug or alcohol test.

Refusal to submit to an alcohol or controlled substance test shall be considered as:

1. the failure to provide adequate breath for alcohol testing as required by this regulation without a valid and verified medical explanation after he or she has received notice of the requirement for breath testing under this regulation;
2. the failure to provide an adequate urine sample for controlled substances testing as required by this regulation without a genuine inability to provide a specimen (as determined by a medical evaluation by an evaluator of the district's choosing) after he or she has received notice of the requirement for urine testing under this regulation;
3. engaging in any conduct which clearly obstructs the testing process in the district's determination. A refusal to submit shall be considered a positive test result.

### **Disciplinary Action**

The district may take disciplinary action allowed by the District Policy for drug and alcohol infractions if the student tests positive after being required to test upon an articulation of reasonable suspicion.

However, should the student test positive after a random test, the student will not be penalized academically.

## **Confidentiality**

The district recognizes that the results of a drug and alcohol test will be considered medical records and held confidential to the extent permitted by law. The district will limit disclosure of information acquired in a drug and alcohol test, including the positive and negative results, to the following individuals unless the student consents in writing to other disclosures:

1. the student;
2. the Program Administrator;
3. the student's principal and other school officials with a need to know;
4. collection site personnel;
5. the laboratory medical review officer;
6. a counselor or other rehabilitation personnel if the student seeks or is required to use such service.

The results of random testing will not be disclosed to criminal or juvenile authorities absent a legal requirement to do so.

## **Definitions**

### **Alcohol**

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

### **Alcohol Concentration (or Content)**

Alcohol concentration or content means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

### **Alcohol Use**

Alcohol use means the consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

### **Collection Site Person**

Collection site person is an individual authorized by the district to collect samples in accordance with this program. Confirmation Test for Alcohol - A second test, following an initial test, with a result of .04 or greater, that provides quantitative data of alcohol concentration.

## **Confirmation Test for Drugs**

A confirmation test for drugs means a second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. Gas chromatography/mass spectrometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.

## **Drugs**

Drugs include marijuana, cocaine and cocaine derivatives, opiates, amphetamines and phencyclidine, and other substances proscribed by state law at AS 11.71. Should the State of Alaska or the federal government proscribe the possession and consumption of other similar substances by statute or regulation, those substances would automatically be considered drugs for the purposes of this regulation.

## **Custody and Control Form**

A custody and control form is a form that accompanies the urine specimen to account for the integrity of each specimen by tracking its handling and storage from point of specimen collection to its final disposition.

## **Failing an Alcohol Test**

Failing an alcohol test shall be defined as a student having a higher alcohol concentration than .04 at the time of testing.

## **Failing a Drug Test**

Failing a drug test shall mean that the test results show positive evidence of the presence of a prohibitive drug or drug metabolite in a student's system in amounts that exceed cutoff levels.

## **Screening Test for Alcohol**

A screening test for alcohol shall be considered an analytical procedure to determine whether an individual may have a prohibited amount of alcohol in his or her system.

## **Screening Test for Drugs**

A screening test for drugs shall be considered an immunoassay screen to eliminate "negative" urine specimens from further consideration.

*Revised 3/2015*

**9/92**

Adopted 6/23

## **BP 5131.62 TOBACCO**

Tobacco use presents a health hazard with serious consequences both for tobacco users and non- users alike. Students shall not be allowed to smoke, chew or possess tobacco or nicotine products on school property or during school hours, at school-sponsored events, or under the supervision of district employees.

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

Clothing, bags, hats and other personal items used by students to display, promote or advertise tobacco products are prohibited on district grounds, at school-sponsored activities or in district vehicles. Tobacco advertising is prohibited in all school-sponsored publications, in all school buildings, and at all school-sponsored events. District acceptance of gifts or funds from the tobacco industry is similarly prohibited.

Student violations of this policy will lead to disciplinary action up to and including suspension. The district [may] [shall] provide positive alternatives to suspension, such as in-school suspension, educational programs, school and community service, and promotion of cessation resources.

Students may also be subject to removal from any or all extracurricular activities and/or denial or forfeiture of school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). A referral to law enforcement [may] [shall] be made. Parents shall be notified of all violations involving their student and action taken by the school.

The District may provide instruction regarding the effects of tobacco use on the human body and may take steps to discourage students from tobacco use.

Staff responsible for teaching tobacco use prevention will be encouraged when funds/resources allow to collaborate with agencies and groups that conduct tobacco use prevention education and to participate in ongoing professional development activities that provide basic knowledge about the effects of tobacco use, effective instructional techniques and program-specific activities. As part of the district's tobacco use prevention activities, the Superintendent shall recommend to the curriculum committee the use of evidence-based instructional programs as recommended by the Centers for Disease Control and Prevention or approved by the Substance Abuse and Mental Health Services Administration (SAMHSA). Programs will be integrated within the health education program and be age- and developmentally appropriate. Instruction should be provided at every level, pre-kindergarten through grade 12, with particular emphasis on grades six through eight.

(cf. 5144.1 - Suspension and Expulsion)

(cf. 5142 - Safety)

(cf. 3513.3 - Tobacco-free Schools/Smoking)

*Legal Reference:*

**ALASKA STATUTES<sup>1</sup>**

*1.76.100-.105 Selling or giving tobacco to a minor; possession of tobacco by a minor*

*14.30.360 Curriculum (Health and Safety Education)*

*18.35.300 - 18.35.330 Health nuisances (smoking)*

*Revised 3/2012*

**9/92**

Adopted 6/23



## **BP 5131.7 WEAPONS AND DANGEROUS INSTRUMENTS**

Students shall not bring to, possess, or use deadly weapons, firearms, dangerous instruments, or their replicas in school buildings, on school grounds or district-provided transportation, or at any school-related or school-sponsored activity away from school, unless written permission has been previously obtained from the Superintendent or designee specifically authorizing that possession or use.

Students who violate this policy are subject to disciplinary action in accordance with district policy and procedures.

School employees may confiscate weapons or dangerous instruments on school grounds or at school-related or school-sponsored activities in order to maintain discipline and to protect the welfare and safety of students, staff and the public.

The district shall, by regulation, define the terms "deadly weapon," "dangerous instrument," and "firearm."

The School Board shall expel any student who brings a firearm to school in violation of this policy for a period of not less than one (1) calendar year. The School Board shall suspend for at least 30 days, or expel for the school year, or permanently, a student who possesses a deadly weapon other than a firearm. The district may consider requests for early reinstatement by students suspended or expelled for violations of this policy. The Superintendent shall develop procedures and conditions for early reinstatement.

The Superintendent may, on a case-by-case basis, recommend a modification of these periods of suspension or expulsion. Such modification recommendation shall involve consideration of all relevant factors, including those in aggravation and mitigation of the violation, and, for students with disabilities, whether violation of this policy is a manifestation of the student's disability.

The Superintendent shall be responsible for reporting all violations of this policy to the School Board and shall make all required reports to state, local, and federal agencies. The Superintendent shall also be responsible for referring to law enforcement authorities any student who violates this policy

(cf. 3514 - Safety)

(cf. 4158/4358 - Employee Security)

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

(cf. 5144.2 - Suspension and Expulsion (Individuals with Exceptional Needs))

*Legal Reference:*

*Gun-Free Schools Act of 1994 (Pub.L. 89-10, Title VIII, s 8001, as added Pub.L. 103- 227, Title X, s 1032(3), March 31, 1994, 108 Stat. 270.)*

*Individuals with Disabilities Education Act (Pub.L. 94-142) 1973  
Rehabilitation Act, Section 504*

*Elementary and Secondary Educational Act of 1965 Americans with  
Disabilities Act, 42 U.S.C. Sec. 12183(b)*

#### **ALASKA STATUTES**

*11.61.210 Misconduct involving weapons in the fourth degree 11.81.900  
Definitions*

*14.03.160 Suspension or expulsion of students for possessing weapons*

*Revised 9/99*

**9/92**

Adopted 6/23

## **AR 5131.7 WEAPONS AND DANGEROUS INSTRUMENTS**

The Superintendent or designee shall permit the possession of weapons, dangerous or deadly instruments, or their replicas at school or at school-related or school-sponsored activities only at the request of a teacher and with the assurance that such possession serves a positive, appropriate purpose. Before granting permission, the Superintendent or designee shall verify that proper precautions have been taken to ensure that no accidents will occur and that the weapon or dangerous or deadly instrument will not be misused while under school supervision.

### **Weapons Reports**

A school employee confiscating any weapon or dangerous or deadly instrument shall deliver it to the building principal or other appropriate authority immediately.

If an employee confiscates a weapon or dangerous or deadly instrument or knows or suspects that a student possesses such a weapon or instrument which has not been confiscated, the employee shall report the matter to the principal immediately, and the principal shall take appropriate action.

When informing the principal about the possession or confiscation of a weapon or dangerous or deadly instrument, the employee shall report the name(s) of persons involved, the names of any witnesses, and the location and circumstances of the matter.

The principal shall report any possession of a weapon or dangerous or deadly instrument to the student's parents by telephone or in person, if practicable, and shall follow this notification with written notification to the parents, and shall report all violations of this policy to the Superintendent.

### **Disciplinary Action**

The principal shall take appropriate disciplinary action in accordance with existing School Board policies and regulations and shall report all such actions to the Superintendent or designee.

When the weapon involved is a firearm, as defined in Section 921 of Title 18 of the United States Code, or a deadly weapon as prohibited in AS 14.03.160, the principal shall immediately refer the matter to the Superintendent or designee for appropriate action. In cases of firearms, the Superintendent or designee shall recommend the student's expulsion from school for a period of not less than one (1) calendar year. In cases of deadly weapons, the Superintendent or designee shall suspend the student for a period not less than 30 days. A different period of suspension or expulsion may be justified after consideration of the matter on a case-by-case basis. The Superintendent or designee shall consider any special circumstances involved in the violation, including those in aggravation or mitigation. The Superintendent or

designee shall also be responsible for referring to law enforcement authorities any student who violates this policy.

If the student involved has an individual education plan, an IEP team meeting will be called to determine whether there is a connection between the behavior and the disability and to determine appropriate discipline or placement of the student, in accordance with applicable law.

A student who has been suspended or expelled for violating this policy may seek early reinstatement by submitting a written request to the Superintendent or designee. The request must identify all the reasons why the student feels that early reinstatement is appropriate. In evaluating the request, the Superintendent or designee should consider the severity of the weapons violation, the student's discipline record, the amount of the suspension or expulsion the student has served at the time of the request, and any other relevant criteria. As a requirement of early readmission, a student must sign a written contract with the district which identifies conditions of early reinstatement. The contract shall clearly state that any violation of school rules by the student will result in immediate reinstatement of the remaining suspension or expulsion period for the prior weapon violation. A decision of the Superintendent or designee to grant or deny a request for early readmission shall be final and the student will be notified of the decision within 10 school days.

The Superintendent or designee shall provide the School Board with a written report of all violations of this policy, including the circumstances of the violation, the type of weapon involved, and the disciplinary or other action taken in response to the violation of policy.

### **Reports to State of Alaska**

In addition to the Superintendent or designee's report to the School Board of violations of the School Board's policies on weapons and dangerous instruments, the Superintendent or designee shall provide a report to the Alaska Department of Education with a description of the circumstances surrounding expulsions imposed under School Board policy relating to violations of the School Board's policy on weapons and dangerous instruments. This report shall include, at a minimum, the following information:

1. The name of the school concerned,
2. the number of students expelled from such school, and
3. the types of weapons or dangerous instruments concerned.

### **Definitions**

The term "Firearm" shall have the meaning as defined in section 921 of Title 18, United States Code.

The terms "Deadly Weapon," "Weapon," and "Dangerous Instruments" are defined as anything designed for and capable of causing death or serious physical injury, including, to the extent they are not already included in the above definition, any pistol, revolver, rifle, shotgun, air gun, spring gun or zip gun, any bomb or other explosive, including fireworks, any poison, any dangerous or deadly gas, any slingshot, bludgeon, nightstick, straight razor or throwing star, brass knuckles or artificial knuckles of any kind, any knife, axe, or club.

The term "parent," shall include legal guardians, foster parents, or other individual(s) who have a similar legal responsibility for the child.

(cf. 3514 - Safety)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5144.1 - Suspension and Expulsion/Due Process) Revised 9/97

*Revised 9/98*

**9/92**

Adopted 6/23

## **BP 5131.9 ACADEMIC HONESTY**

The School Board believes that personal integrity is basic to all solid achievement. Students will reach their full potential only by being honest with themselves and with others.

The Board expects students to respect the educational purpose underlying all school activities. All students need to prove to themselves that they can do successful work as a result of their own efforts. The Board expects that students will not cheat, lie or plagiarize.

Each school shall provide an environment that encourages honesty. Students must know that their teachers will not ignore or condone cheating and that anyone discovered cheating will be penalized.

(cf. 5144 - Discipline)

**9/92**

Adopted 6/23

## **BP 5132 DRESS AND GROOMING**

The School Board believes that appropriate dress and grooming contribute to a productive learning environment. This policy serves to set expectations for personal cleanliness and clothing that are suitable for the school activities in which they participate. Students have the right to make individual choices from a wide range of clothing and grooming styles that do not present a health or safety hazard or cause an undue distraction which would interfere with the educational process.

The school is a partner in ensuring that each student understands and can successfully meet the dress code and grooming standards. Students and parents/guardians shall be informed about the school dress code at the beginning of the year and when revised. A designated staff member will be available to meet with students and families who do not understand the expectations of this policy or who believe they cannot meet the dress and grooming requirements.

(cf. 4119.22 - Dress and Grooming (staff))

(cf. 5145.2 - Freedom of Speech/Expression)

A student who violates the dress code shall be subject to corrective or disciplinary action. Corrective action should be considered for first offenses unless, in the judgement of the principal or designee, circumstances indicate that disciplinary action is appropriate.

(cf. 5144 - Discipline)

Schools may choose to have temporary alternative clothing available that will permit a student in violation of the dress code to remain at school for the remainder of the school day, subject to the approval of the principal or designee.

### *Legal Reference:*

Breese v. Smith, 501 P. 2d 159 (Alaska 1979)

*Revised 3/2019*

**9/92**

Adopted 6/23

## **BP 5133 GIFTS TO SCHOOL PERSONNEL**

The School Board believes that feelings of appreciation can be expressed in many ways. The Board discourages students and parents/guardians from giving gifts to staff members, and instead encourages them to write personal notes of appreciation. District staff accepting gifts from students or parents/guardians should be sensitive to the feelings of other students and use discretion if gifts are opened in front of others.

*Legal Reference:*

### *ALASKA STATUTES*

*11.56.130 Bribery*

*11.56.130 Receiving a bribe*

*11.56.130 Receiving unlawful gratuities*

*11.56.130 Definition*

*Revised 9/97*

**9/92**

Adopted 6/23



## **BP 5136 GANGS**

Preserving a beneficial learning environment and assuring the safety and well-being of all students and staff are primary concerns of the Board. Groups which initiate, advocate, or promote activities which threaten the safety or well-being of persons or property at school or at school activities, or which disrupt the educational environment, are determined to be detrimental to the educational program and are prohibited. Such groups are referred to in this policy as "gangs."

The following activities are prohibited by gang members acting as a group of two or more or acting individually:

1. Wearing, possessing, using, distributing, displaying, or selling any apparel, jewelry, accessory, emblem, badge, symbol, sign or other thing which implies or indicates that a person is a member of, or affiliated with, a gang.
2. Participation in activities such as solicitation, initiation, hazing, intimidation, or activities designed to create group affiliation that can cause bodily danger, physical harm, or emotional harm.
3. Using verbal or nonverbal speech, gestures, or symbolic display to communicate gang presence, membership, affiliation, or control.
4. Engaging in harassing, threatening, or intimidating conduct with the intent to cause fear of violence or harm, or which does cause fear of violence or harm, in another person, or which hinders a student's participation in the educational program.

(cf. 5131 - Conduct)

(cf. 5131.4 - Campus Disturbances)

(cf. 5131.5 - Vandalism, Theft, and Graffiti) (cf. 5144-5144.2 - Discipline)

Groups or individuals that engage in the above prohibited conduct are subject to disciplinary action, up to and including, suspension or expulsion.

The Superintendent or designee may establish procedures as necessary to implement this policy.

The Superintendent or designee shall provide inservice training to develop staff skills to assist students in seeking positive alternatives to membership in gangs or participation in gang activities.

Added 9/97

9/92

Adopted 6/23

## **BP 5137 POSITIVE SCHOOL CLIMATE**

Research indicates that student achievement is often higher in schools with a positive climate. The School Board expects that all school staff will contribute to a positive and welcoming climate in each school. This encourages staff to have positive interactions and relationships with students. A positive school climate includes a safe, culturally responsive, supportive, and well-managed classrooms and school environment. Teachers and staff should consistently acknowledge all students and fairly address student behavior.

School Climate refers to the social and environmental factors that contribute to students' experience of, and attitude towards, their school. School climate is related to how well students feel connected with others at their school and how comfortable the school setting is for them as a student and for their family. The Board recognizes that students experiencing a positive school climate are more likely to achieve success both academically and socially. The District should implement practices that support a positive school environment. These may include appropriate expectations that are implemented in a nondiscriminatory manner, social and emotional supports, trauma informed practices, culturally responsive education and supports, community and family relationship supports, a positive peer climate, caring adult relationships, a school safety program, and opportunities for student involvement.

The Superintendent or designee may implement and support strength-based activities such as Social Emotional Learning (SEL) efforts, youth leadership initiatives, family involvement in schools, and community service projects.

All members of the school community, including staff, students, administrators, school board members and visitors, are expected to serve as role models by demonstrating positive attitudes, cultural sensitivity, and respect to students and staff members. Staff shall use effective classroom management strategies to foster positive social interactions among students, and encourage and recognize activities that foster a positive school climate.

The Superintendent or designee will administer the School Climate and Connectedness Survey on a regular basis, share results with the school board, staff, students and the community, and commit to improving school climate and connectedness ratings.

(cf. 6141.3 - Multicultural Education) (cf. 6142.4 - Community Service)

The schools shall not tolerate any form of harassment, intimidation, or bullying that would interfere with there being a positive school climate. Students, staff, administrators and school board members who engage in these acts shall be subject to appropriate disciplinary procedures.

(cf. 5131.4 - Campus Disturbances)

(cf. 5131.43 – Harassment, Intimidation and Bullying) (cf. 5144 - Discipline)

*Legal Reference:*

*ALASKA STATUTES*

*14.33.200 Harassment, intimidation and bullying policy*

*Revised 03/2019*

**9/92**

Adopted 6/23

## **BP 5138 STUDENT POSSESSION & USE OF PORTABLE ELECTRONIC DEVICES, INCLUDING CELLULAR PHONES**

The School Board recognizes that many students possess and use cell phones and other portable electronic devices. These devices serve an important purpose in facilitating communication between the student and his or her family, as well as serving as tools to access electronic information. In the school setting, portable electronic devices are permitted so long as their use is consistent with this policy and does not interfere with the educational process or with safety and security.

(cf. 5030 - School Discipline and Safety)

### **Educational Uses**

In many instances, there is educational value in utilizing portable electronic devices in the classroom when such devices deliver content, and extend, enhance, and/or reinforce a student's learning process related to the student's learning style, the instructional objectives of the class and/or the learning environment. The appropriateness of in-class use of these devices consistent with the instructional objectives within instructional time will be determined by the classroom teacher with the approval by the building administrator.

Use of portable electronic devices for students with disabilities will be outlined in a student's Individualized Education Program (IEP) or Section 504 plan, as determined appropriate by the IEP or 504 Team.

(cf. 6159 - Individualized Education Program)

If use of a portable electronic device is required in individual instances (not provided for in an IEP or 504 plan) to assist a student with the student's education, permission must be obtained in writing from a building administrator prior to use of the portable electronic device at any time when such use would otherwise be prohibited by this policy. In case of an emergency, verbal permission by a teacher or administrator is required in situations where permission can be obtained.

### **Conditions of Use**

Students may possess and use portable electronic devices including, but not limited to, cell phones, smartphones, music players, tablets, laptops, etc., subject to limitations of this and other policies of the district.

Portable electronic devices shall not be turned on or used in any way: (1) during other school sponsored and supervised group activities during the school day (for example, student assemblies, awards, or other public ceremonies, etc.); or (2) when their use is otherwise prohibited by school personnel.

(cf. 6116 - Classroom Interruptions)

Instructional time includes the entire period of a scheduled class and other time when students are directed to report to and participate in any instructional activity. The principal may establish, and school personnel may enforce, additional guidelines limiting or prohibiting the possession and use of portable electronic devices as appropriate to campus needs. The learning environment includes all times that a student is on school grounds during the school day and when school sponsored and supervised group activities are held.

No student may use a cellular phone or portable electronic device in a manner, or at a time, that interferes with or is disruptive of other student's instructional time. High school students may use cellular phones and other portable electronic devices before and after school and during the student's lunch period. Elementary and middle school students (grades K-8) may use such devices only before and after school. Additionally, no student may use a cellular phone or portable electronic device in a manner, or at a time, that interferes with or is disruptive of other students' instructional time.

(cf. 6116 - Classroom Interruptions)

During school and school sponsored activities, students will comply with this policy and with administrative and staff member directives regarding use. Students are required to turn cell phones and other portable electronic devices over to school personnel when requested. Students who refuse to do so are subject to disciplinary action.

A cellular phone or portable electronic device that has been confiscated by the district and not turned over to law enforcement will be released/returned to the parent/guardian when no longer necessary for investigation or disciplinary proceedings. As appropriate, the cellular phone or portable electronic device may be returned directly to the student.

The district assumes no responsibility for loss or damage to personal property of students, including cell phones and other portable electronic devices, whether in the possession of students or if confiscated by school personnel pursuant to this policy.

### **Prohibited Conduct**

Possession of a cellular telephone or other portable electronic device by students is a privilege. This privilege will be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of the device so as to violate the law or any other school or district rule. In addition to those conduct rules set forth elsewhere, the following actions are strictly prohibited and may result in disciplinary action:

1. Accessing and/or viewing an Internet site that is otherwise blocked to students at school.

2. Sending an e-mail, text message or other communication that harasses, intimidates, threatens, bullies, or discriminates against another individual.
3. Taking, sending, downloading or uploading a harassing, threatening, or inappropriate photograph of anyone.
4. Using a cell phone/smartphone or camera to take photos in a restroom, dressing room, or locker room, or to take a photo of any person who has requested that you not do so.
5. Using a camera or other recording device to record or capture the content of tests, assessments, homework, or class work without express prior permission from the instructor.
6. Hacking or intentionally obtaining, accessing, or modifying files, passwords, or data belonging to others.

(cf. 5131 - Conduct)

(cf. 5131.4 - Campus Disturbances)

(cf. 5131.41 - Violent and Aggressive Conduct) (cf. 5131.42 - Threats of Violence)

(cf. 5131.43 - Harassment, Intimidation and Bullying)

(cf. 5131.9 - Academic Honesty) (cf. 5137 - Positive School Climate)

(cf. 6161.4 - Internet)

(cf. 6161.5 - Web Sites/Pages)

### **Searches**

The contents of a cell phone/smartphone, camera, or other portable electronic device may be searched to determine ownership, to identify emergency contacts, or upon reasonable suspicion that a school or district rule or the law has been violated.

(cf. 5145.12 - Search and Seizure) Revised 3/2012

**9/92**

Adopted 6/23

## **BP 5141 HEALTH CARE AND EMERGENCIES**

The School Board recognizes the importance of taking appropriate action whenever an accident or illness threatens the safety, health or welfare of a student at school or during school-sponsored activities. The Superintendent or designee shall establish procedures to minimize the effects of an injury by providing first aid and/or medical attention as quickly as possible, to notify parents/guardians of the accident and to take other steps necessary in the interests of the student and the district.

### **Emergency Contact Information**

To facilitate immediate contact with parents/guardians on such occasions, the School Board requires parents/guardians to furnish the schools with the current information specified below:

1. Home address and telephone number.
2. Parent/guardian's business address and telephone number.
3. Name, address and telephone number of a relative or friend who is authorized by the parent/guardian to care for the student in cases of emergency when the parent/guardian cannot be reached.
4. Local physician to call in case of emergency.

(cf. 5141.21 - Administering Medication) (cf. 5141.3 - Health Examinations) Referral to Community Resources

School personnel, except those possessing a special services type C certificate, should not recommend that a parent or guardian seek services from a specific physician, psychologist, or other health specialist. Violations of this policy may result in disciplinary action.

School personnel may provide a community resource list that identifies community medical and mental health resources. The Superintendent or designee is responsible for ensuring that any list of community providers complies with legal requirements.

*Legal Reference:*

*ALASKA STATUTES*

*09.65.090 Civil liability for emergency aid*

*14.30.141 Self-administration and documentation of medication*

*14.30.171 Prohibited actions*

*4.30.176 List of community resources Revised 01/07*

**9/92**

Adopted 6/23



## **AR 5141 HEALTH CARE AND EMERGENCIES**

Parents should only be referred to medical or mental health providers through the use of a community referral list. For any individual provider identified on the community referral, the list must contain the name, specialty, and credentials of the individual. All lists of community resources must include the following language:

“This list is provided as a resource to you. The school neither recommends nor requires that you use this list or any of the services provided by individuals or entities on the list. It is for you to decide what services, if any, to use and from whom you wish to obtain them.”

The principal is responsible for ensuring that referrals are made in compliance with the above requirements and BP 5141.

Added 01/07

**9/92**

Adopted 6/23

## **BP 5141.21 ADMINISTERING MEDICATION**

The School Board recognizes that students sometimes may need to take prescribed medication during the school day in order to be able to attend school without jeopardizing their health. In such cases, when the district has received written statements from the student's physician and parent/guardian as required by law, designated personnel shall assist the student in taking the medication.

The School Board recognizes that some students have allergies of such severity that they may require an emergency anaphylactic injection during the course of the school day. Parents/guardians who are aware of this foreseeable need may ask the district to store and provide such injections. School staff who may be required to administer anaphylactic injections shall receive appropriate training and will be authorized to administer the injections within the legal provisions of law.

(cf. 5141 - Health Care and Emergencies)

### **Self-Administration of Medication for Asthma or Anaphylaxis**

A student may be permitted to carry medication that has been prescribed or ordered by a physician to stay on or with the student due to a pressing medical need. Students who have received instruction in the self-administration of asthma or anaphylaxis medication shall be permitted to carry and self-administer the medication upon written authorization of the parent/guardian and health care provider, consistent with law and procedures developed by the Superintendent or designee. Written authorization must be submitted annually.

By law, neither the district nor its schools are liable for injuries that may result from the storage or self-administration of medication. No student will be permitted to carry or self-administer a prescribed medication without a release of liability for the school, its employees, and agents. The release of liability shall include an agreement to indemnify and hold harmless the school and its employees or agents from claims arising out of the storage or self-administration of medication.

A student who uses the medication in a manner other than prescribed is subject to disciplinary action.

*Legal Reference:*

*ALASKA STATUTES*

*09.65.090 Civil liability for emergency aid*

*14.30.141 Self-administration and documentation of medication*

*Revised 2/06*

**9/92**

Adopted 6/23

## **AR 5141.21 ADMINISTERING MEDICATION**

Before a designated employee administers any prescription or over-the-counter medication to any student during school hours, the district shall have received:

1. A written statement from the student's physician or pharmacy label detailing the prescribed method, amount and time schedules by which the medication is to be taken, and
2. A written statement from the student's parent/guardian requesting the district to assist the student in taking the medication as prescribed by the physician.
3. Medication shall be in a properly labeled pharmacy bottle containing the name and telephone number of the pharmacy, the student's identification, name of the physician, and dosage of the medication to be given. The designated employee shall be responsible for the medication at school and shall administer it in accordance with the physician's indicated dosage schedule.
4. All medications must be delivered to the school by the parent/guardian or his/her adult representative.
5. The designated employee shall maintain a list of students needing medication during school hours, including the type of medication, times, and dosage. This list will be kept in the principal's and/or school nurse's office and shall be reviewed and updated periodically.
6. The designated employee shall maintain a log recording the student's name and the time and date when medications were given.
7. All medication shall be kept in a locked drawer or cabinet.

### **Anaphylactic Injections**

Parents/guardians of students who may require emergency anaphylactic injections shall provide explicit written permission for authorized staff to administer such injections.

Each year, school employees designated by the principal shall receive training in administering anaphylactic injections. Qualified medical personnel shall provide this training.

The principal or designee shall schedule inservice meetings to:

1. Familiarize authorized staff with the prescribed medications and their location.

2. Ensure that authorized staff are competent to administer anaphylactic injections.
3. Train all school personnel to recognize the symptoms of anaphylactic reactions.

Physicians and parents/guardians of students who may require anaphylactic injections may be invited to attend these meetings.

The principal or designee shall prepare a list naming the students who may need emergency anaphylactic injections. This list shall be posted in the school health office, given to all concerned staff, and updated annually.

All medication for injections shall be labeled with the student's name, medicine name, and expiration date. It shall be stored in a locked cabinet with easy access by authorized staff.

The principal or designee shall post in the school health office a list of symptoms usually associated with anaphylactic reactions and a clear, specific procedure for administering injections in case of emergency. If authorized staff are not available at the time of an emergency, this written procedure will be followed by anyone who must administer the injection in order to save a life.

### **Self-Administration of Anaphylactic Injections (EpiPen) and Asthma Inhalers**

Students will be permitted to carry and self-administer asthma and anaphylaxis medication if the parents/guardians provide the school with the following:

1. written authorization from a parent or legal guardian for the self-administration of the medication.
2. written certification from a student's health care provider that the student: (1) has asthma or a condition that may lead to anaphylaxis; and (2) has received instruction in the proper method of self-administration of the medication; and (3) has demonstrated to the health care provider the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed.
3. an Asthma and/or Allergy/Anaphylaxis Action Plan (written treatment plan) signed by the student's health care provider.
4. a release of liability for the school and its employees or agents for injury arising from self-administration.
5. an agreement to indemnify and hold harmless the school and its employees for claims arising from self-administration.

All of the information identified in number 1 above must be updated annually.

Schools shall provide a written notice to the student's parents or guardians of the school's absence of liability related to the self-administration of medication according to the law.

The principal or designee shall prepare a list of students authorized to carry and self-administer medication. The list shall be posted in the school health office, given to all concerned staff, and updated annually.

All inhalers and injection kits shall be clearly labeled with the student's name, medicine name, and expiration date.

The student shall report each use of the asthma inhaler or anaphylactic injection to [his or her teacher/principal/school health office] so that a record of administration may be kept.

Students are not permitted to misuse an inhaler or EpiPen in any way, including sharing the medication with another student, or sticking or spraying it at anyone. Doing so will result in disciplinary action, up to and including, suspension or expulsion. Disciplinary action will not limit the student's immediate access to the prescribed medication.

*Revised 2/06*

**9/92**

Adopted 6/23

## **BP 5141.22 INFECTIOUS DISEASES**

The School Board recognizes its dual responsibility to protect the health of students from risks posed by infectious diseases and to uphold the rights of students to a free and appropriate education. The district requires all staff to routinely observe universal precautions to prevent against exposure to bloodborne pathogens and prevent the spread of all infectious disease.

(cf. 4119.43 - Universal Precautions)

(cf. 4119.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 5141.23 - Infectious Disease Prevention)

The admission of a student with an infectious disease identified by state health officials shall be determined by the Superintendent or designee according to standard health procedures. The Superintendent or designee shall consult with the student's parent/guardian and, as required, with the student's physician and/or the local health department.

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.3 - Health Examinations)

### **Students with Bloodborne Pathogen Infections**

Students with bloodborne pathogens are entitled to the rights and services accorded to other students. The sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school. Parents/guardians of students whose educational performance is adversely affected by an infectious disease are encouraged to inform the Superintendent or designee so that any such child will have access to appropriate district programs and services. The Superintendent or designee shall convene a review panel to make recommendations regarding appropriate programs and services for the student.

The Superintendent or designee shall ensure that all of the student's rights to confidentiality are strictly observed in accordance with law.

The Superintendent or designee shall request that parents/guardians sign a release form to provide confidential medical information and records to the review panel.

*Legal Reference:*

*ALASKA STATUTES*

*14.30.045 Grounds for suspension or denial of admission*

*ALASKA ADMINISTRATIVE CODE*

*AAC 06.060 Suspension or denial of admission 4 AAC 06.150  
Confidentiality of AIDS information*

*FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT*

*20 United States Code, 1232g*

*NONDISCRIMINATION UNDER REHABILITATION ACT OF 1973*

*20 United States Code, 794*

*Revised 12/04*

**9/92**

Adopted 6/23



## **AR 5141.22 INFECTIOUS DISEASES**

The Superintendent or designee shall consult with local health officials regarding the criteria for determining the admission or exclusion of a child with a suspected or diagnosed infectious disease. If necessary, the Superintendent or designee shall obtain a written statement from the student's physician that the child does not pose a risk of infection to other students and district personnel.

### **Confidentiality**

The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian. Such information may be shared only with those persons specifically named in the written permission.

### **Students with Infections or Special Susceptibility to Infection**

Before a review panel is convened to develop recommendations for the appropriate placement of students with infections or special susceptibility to infection, the Superintendent or designee shall obtain a written statement from the child's parent/guardian authorizing the Superintendent or designee and the health officer to obtain confidential information from the student's physician and any other source of pertinent medical, psychological or educational information.

A review panel shall be convened, composed of:

1. The student's parent/guardian.
2. The student's physician.
3. The district's appointed medical consultant or public health official.
4. The Superintendent or designee.
5. Other appropriate school personnel.

Upon collecting the required authorizations and statements, the review panel shall evaluate placement options for the child. The panel shall consider:

1. The age, physical condition, neurological development and behavior of the infected student.
6. The expected type of interaction with others in the school environment.
7. Risks to the student.

The review panel shall provide the Superintendent or designee with recommendations regarding the student's placement in regular classes or in an alternative educational program. The panel is encouraged to recommend alternative programs:

1. When a question exists as to whether transfer of infection may occur due to:
  - a. Uncoverable oozing lesions
  - b. Inability to safely control bodily secretions
  - c. behavior
8. When the student is at high risk of acquiring a secondary infection.
9. When the student has a significant health problem that permanently restricts his/her ability to attend class.

The review panel shall also develop a written plan recommending procedures for personal care and for modification, if necessary, of the student's academic program. The panel shall review this plan regularly to determine any need for changes in placement, care or services.

The identity of a student with infection and/or special susceptibility to infection shall be held in confidence. Review panel members shall not share this confidence with anyone outside the panel except in accordance with law.

When infections such as chicken pox, cytomegalovirus, herpes simplex, tuberculosis or measles occur at school, the Superintendent or designee shall so inform the student's parent/guardian and physician, so that the physician who is aware of the student's immune status may assess the student's risks from exposure to these infections.

*Revised 12/04*

**9/92**

Adopted 6/23

## **AR 5141.23 INFECTIOUS DISEASE PREVENTION**

### **Science Laboratory Instruction**

Before a class works with blood or blood products, the teacher must explain the potentially hazardous nature of blood, emphasizing the fact that through blood, various agents can be transmitted from one person to another. Before and after doing laboratory work, students must always wash hands with soap and water, dry hands, and cover any existing cut, wound, or open sore with a sterile dressing.

The following techniques also must be used when students are working with human blood:

1. Specific procedures and safety precautions shall be explained carefully before starting each laboratory exercise.
2. Wherever possible, blood typing experiments shall be conducted by teacher demonstrations rather than being performed by individual students.
3. Students always shall work with their own blood, or shall use prepackaged ABO/Rh blood cell kits that have vials of blood previously tested for transmissible agents.
4. Students shall use individual sterile lancets for finger punctures, and lancets must not be reused.
5. Before the finger is punctured, it shall be wiped with alcohol or other approved disinfectant.
6. If bleeding persists after the finger is punctured, the student shall apply a sterile bandage using moderate pressure.
7. Lancets and any other materials with blood on them must be discarded into sharps containers that will be incinerated by the hospital.
8. At the end of the class, laboratory desks shall be wiped with one to ten dilution of bleach or other approved disinfectant.

Techniques similar to the above shall be used when working with any other body fluids.

*Revised 12/04*

**9/92**

Adopted 6/23

## **E 5141.23 PRECAUTIONS FOR INFECTIOUS DISEASE PREVENTION**

Handwashing is the single most important technique for preventing the spread of casually transmitted diseases. Hands should be washed thoroughly for 15 to 30 seconds with soap and warm running water, rinsed under running water, and thoroughly dried with paper towels:

1. Before eating, drinking or feeding
2. Before handling food, clean utensils or kitchen equipment
3. Before and after using the toilet or diapering

After accidental contact with body secretions such as blood, urine, feces, mucus, saliva or drainage from wounds, or with soiled garments, equipment, diapers or menstrual pads.

Nonsterile disposable gloves should be worn when handling blood (such as providing care for nosebleeds, bleeding gums, cuts or wounds); blood-soiled items (such as menstrual pads, bandages or clothing); secretions (particularly from open sores or wounds); vomit, urine or feces; as well as surfaces, materials, and objects exposed to them.

Gowns or smocks should be worn if soiling of clothing by body fluids, secretions or excretions is anticipated. Hands should be washed thoroughly after removing gowns or gloves.

Personnel and students with open skin lesions (such as chapped or broken skin, eczema, sores, cuts or wounds) should particularly avoid contact with blood, blood-soiled items, or secretions, and should cover their lesions with occlusive dressings or gloves when possible.

Extraordinary care should be taken to prevent accidental wounds from potentially contaminated sharp instruments such as needles, scissors, or knives.

Food and drinks should not be shared. Separate eating utensils, glasses and cups should be used.

Sanitary conditions should be maintained throughout the facility, with established routines for frequently cleaning floors, sinks, faucets, tabletops, door knobs, etc.

Surfaces contaminated with body secretions should be washed with soap and water and disinfected promptly with a freshly prepared solution of bleach (ten parts water to one part bleach) or other approved disinfectant. Disposable towels should be used whenever possible, and mops should be rinsed in the bleach solution.

Articles and clothing soiled with blood, vomit, feces, urine or other body discharges should be placed in leakproof plastic bags for proper disposal or washing.

*Revised 12/04*

**9/92**

## **BP 5141.3 HEALTH EXAMINATIONS**

The School Board recognizes the importance of periodic health examinations. To determine the health status of students, facilitate the removal of handicaps to learning, and determine whether special adaptations of the school program may be necessary, the School Board shall require vision and hearing screening examinations upon entry into school or as soon as practical.

All personnel employed to examine students shall exercise proper care of each student being examined and shall ensure that the examination results are kept confidential.

The district will annually notify parents of physical exams or screenings of students, except for routine vision, hearing, or scoliosis screenings.

(cf. 5112.2 - Exclusions from Attendance) (cf. 5141.22 - Infectious Diseases)

### *Legal Reference:*

#### *ALASKA STATUTES*

*14.30.065 Supervision*

*14.30.070 Physical examination required*

*14.30.127 Vision and hearing screening examinations*

#### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.055 Immunizations required*

#### *UNITED STATES CODE*

*42 U.S.C. §§ 12101 et seq. (2014)*

*20 U.S.C. §§ 1232g (2013)*

*20 U.S.C. §§ 1232h (2002)*

*29 U.S.C. § 794(a) (2002)*

*34 C.F.R. pt. 99 (2011)*

*Revised 10/2016*

**9/92**

Adopted 6/23

## **BP 5141.4 CHILD ABUSE AND NEGLECT**

Abuse and neglect affect the well-being of students. Teachers, school administrators, paid athletic coaches and volunteers who interact with children in a school for more than four hours a week shall be trained on the recognition and reporting of child abuse and neglect in accordance with state law. An athletic coach who is an unpaid volunteer is not required to report child abuse or neglect unless the coach volunteers for more than 4 hours a week for 4 consecutive weeks, or for 20 hours a week in a one-month period, has received training, and signed a form acknowledging the obligation to report.

District employees shall cooperate with the child protective agencies responsible for reporting, investigating and prosecuting cases of child abuse.

(cf. 4131 – Staff Development)

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

The district shall provide notice of child abuse and neglect mandatory reporter training to all public and private schools in the district, in addition to the training set forth in BP/AR 5141.42, Professional Boundaries for staff and students. All mandatory reporters, including qualifying volunteers, are invited to participate in the training at no cost.

In addition to the required training provided above, the Superintendent or designee may invite classified personnel who have regular contact with students to participate in child abuse and neglect training. Classified personnel should immediately report instances of suspected child abuse or neglect to the site administrator.

### *Legal Reference:*

#### *ALASKA STATUTES*

*14.08.111 Duties (Regional school boards)*

*14.14.090 Additional duties*

*18.66.310 Continuing education for public employees, court system employees, and for prosecuting authorities*

*47.17.010-47.17.070 Child protection*

*Revised 10/2021*

**9/92**

Adopted 6/23

## **AR 5141.4 CHILD ABUSE AND NEGLECT**

### **Duty to Report**

Teachers, school administrators, and paid athletic coaches and volunteers who work with children at school more than 4 hours a week who have reasonable cause to suspect child abuse or neglect have a legal duty to report to the nearest office of the Department of Health and Social Services immediately. The reporting duties are individual and cannot be delegated to someone else.

### **Reporting Procedures**

1. Any employee or volunteer may report known or suspected child abuse or neglect, by telephone to the nearest office of the Department of Health and Social Services. This phoned report must be followed by a faxed or electronically submitted written report of harm.
2. If contact cannot reasonably be made with child protective services and immediate action is needed to protect the child, the employee or volunteer shall make the report to a peace officer.
3. In addition to reporting to child protective services, employees or volunteers may report harm from known or suspected child abuse or neglect to local law enforcement if the harm is believed to have been caused by a person not responsible for the child's welfare or if the employee or volunteer is unable to determine who caused the harm or whether the person believed to have caused the harm has responsibility for the child's welfare.
4. School employees and volunteers are required to cooperate and collaborate with child welfare agencies and law enforcement to provide the pertinent information needed to protect the health and safety of children.
5. School district employees and volunteers should not contact suspects, nor should the victim be interviewed beyond the initial information disclosed.

### **Legal Responsibility and Liability**

1. Mandatory reporters are not civilly or criminally liable for filing in good faith, a required or authorized report of known or suspected child abuse or neglect, or for participating in related investigative or judicial proceedings.



2. A mandatory reporter who fails or refuses to report an instance of child abuse or neglect and knew or should have known that the circumstances gave rise to the need for a report, is guilty of a misdemeanor.
3. When two or more mandatory reporters have reasonable cause to suspect child abuse or neglect, and when there is agreement among them, the report may be made by any one of them who is selected by mutual agreement, and a single report may be made and signed by the person selected. However, if any person who knows or should know that the person designated to report failed to do so, that person then has a duty to make the report.
4. The duty to report child abuse and neglect is an individual duty and no supervisor or administrator may impede or inhibit such reporting duties. Furthermore, no person making a good faith report shall be subject to any sanction.

(cf. 5145.11 - Questioning and Apprehension)

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

### **Confidentiality**

All school district employees are required to protect students' rights to privacy and confidentiality. As such, all information and reports regarding child abuse or neglect shall be treated as confidential and shall be maintained in a safe place. No employee shall make available or allow access to the written information to other students, staff or members of the public, except as required by school rule, Board Policy or law.

The principal/site administrator shall maintain the confidentiality of all reports of child abuse and neglect received, other than making the reports available to the appropriate agencies to which the reports were initially made. The principal/site administrator shall make provisions to protect and to maintain as confidential, the identity of the employee, employees or volunteers making the report.

*Revised 10/2021*

**9/92**

Adopted 6/23

## **BP 5141.41 SEXUAL ABUSE, SEXUAL ASSAULT AND DATING VIOLENCE AWARENESS AND PREVENTION**

Every child has the right to live free of physical and emotional abuse, including neglect, sexual assault and dating violence. The School Board recognizes that such abuse has severe consequences for the child, sometimes resulting in the child's own violent behavior or in substance abuse. The district shall provide a comprehensive program of health and safety that educates students regarding the recognition and avoidance of sexual abuse and dating violence and includes parents in prevention and intervention services.

### **Sexual Abuse and Sexual Assault Awareness and Prevention**

The district will provide age-appropriate information to students in grades kindergarten through twelve to teach students the difference between appropriate and inappropriate conduct in situations where sexual abuse could occur, and to identify actions students may take to prevent and report sexual abuse or sexual assault.

Students will be informed of referral and resource information, including the availability of student counseling and educational support.

The Superintendent will implement various methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children.

### **Dating Violence and Abuse Awareness and Prevention**

The district will provide age-appropriate information to students in grades seven through twelve to teach students the characteristics of healthy and respectful relationships, the warning signs of dating violence and abusive behavior, and measures to prevent, report, and stop violence and abuse.

Students will be educated about youth violence prevention that reinforces nonviolent solutions to problems so as to recognize and avoid the threat or use of physical, sexual, verbal, emotional, or psychological abuse to control the person's dating partner.

Students will be informed of community and district resources available to victims of dating violence and abuse.

### **Voluntary Participation**

A student may be excused from participation in the district's awareness and prevention programs described above upon written request of a parent or guardian, or of the student if 18 years or older, or legally emancipated.

## **Child Abuse and Neglect**

The Superintendent or designee shall provide coordinated training for teachers who will use the child abuse prevention curriculum, including instruction in the physical and behavioral indicators of abuse, crisis counseling techniques, community resources, rights and responsibilities to report abuse or neglect, and care for a child's needs after a report is made.

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 4131 - Staff Development)

(cf. 1020 - Youth Services)

(cf. 6142.1 - Family Life/Sex Education) Legal Reference:

### *ALASKA STATUTES*

*Sexual abuse and sexual assault awareness and prevention*

*Dating violence and abuse policy, training, awareness, prevention, and notices.*

*14.30.360 Curriculum (Health and Safety Education)*

*47.14.300 Multidisciplinary child protection teams Revised 3/2016*

**9/92**

Adopted 6/23

## **BP 5141.42A PROFESSIONAL BOUNDARIES OF STAFF WITH STUDENTS**

### **Purpose**

The District is committed to protecting children from inappropriate conduct by adults, including school staff and volunteers. The purpose of this policy is to provide all staff, students, volunteers and community members with information about their role in protecting children. This policy applies to all district staff and volunteers. For purposes of this policy and its administrative regulation, the terms “district staff,” “staff member(s),” and “staff” also includes volunteers.

### **General Standards**

**Maintain professional boundaries:** The board expects all staff to maintain the highest professional standards when they interact with students. District staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries with students.

The interactions and relationships between district staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the district’s educational mission.

District staff will not intrude on a student’s physical and/or emotional boundaries unless the intrusion is necessary to serve a bona fide health, safety, or educational purpose. An educational purpose is one that relates to the staff member’s duties as an educator. Additionally, staff members are expected to avoid any appearance of impropriety in their conduct when interacting with students.

**Report violations of professional boundaries:** Whenever a staff member observes another staff member engaging in inappropriate boundary invasions with a student, they must report what they have observed to administration. When in doubt, report it out.

**Preexisting, outside relationships with students:** The board recognizes that staff may have familial and pre-existing social relationships with parents/guardians/caretakers of students and students. This could create dual relationships with students. Staff members should use sound professional judgment when they have a dual relationship with students to avoid violating this policy. In all such relationships staff should avoid any appearance of impropriety with any student and any appearance of favoritism toward any student.

Staff members shall pro-actively discuss dual relationship circumstances with their building administrator or supervisor. Regardless of any preexisting relationship with students outside of work, when on the job as an educator, staff shall abide by this policy and its accompanying administrative regulations.

Use of technology: The board supports the use of technology to communicate for educational purposes. However, unless the student is the staff member's own child, staff are prohibited from communicating privately with students on-line or from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards.

Staff whose conduct violates this policy may face disciplinary and/or termination consistent with the district's policies and procedures, acceptable use agreement, and collective bargaining agreements, as applicable.

## **Training**

The Superintendent or Superintendent's designee will develop staff training relating to this policy, including protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.

(cf. 4131 – Staff development)

(cf. 5131.43 – Harassment, intimidation and bullying)

(cf. 5137 – Positive school climate)

(cf. 5141.4 – Child abuse and neglect) (cf. 6161.4 – Internet)

(cf. 6161.5 – Web sites)

## *ALASKA STATUTES*

*11.61.120 Harassment in the second degree*

*14.08.111 Duties*

*14.14.090 Duties of School Boards*

*14.30.355 Sexual abuse and sexual assault awareness and prevention*

*14.30.360 Curriculum (health and safety education*

*14.33.200 Harassment, intimidation and bullying*

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

*14.33.220 Reporting no reprisals*

*14.33.240 Immunity from suit*

*14.33.250 Definitions*

*47.14.300 Multidisciplinary Child protection teams*

*47.17.010 Child protection*

*47.17.020 Persons required to report*

*47.17.022 Training*

**9/92**

Adopted 6/23

# **AR 5141.42 PROFESSIONAL BOUNDARIES OF STAFF WITH STUDENTS**

## **Boundary Invasions**

School employees and volunteers are professionally and ethically obligated to maintain professional boundaries with students when working in an educator's professional role. Staff is defined as school employees and volunteers. In any staff-student relationship, staff is expected to maintain professional boundaries with students and avoid any boundary invasion which does not have a legitimate health, safety, or educational reason.

Schools must pay attention to boundary invasions and unprofessionalism because inappropriate boundary invasions by staff can morph into sexual grooming of students. If there is no legitimate health, safety, or educational reason for such boundary invasions, such boundary invasions are unwise and prohibited. Curtailing inappropriate boundary invasions reduces the opportunity for sexual grooming.

## **Inappropriate Boundary Invasion Examples**

Examples of possible inappropriate boundary invasions by staff members include, but are not limited to, the following:

1. Taking an undue interest in a Particular Student:
2. Having a "special friend or a "special relationship" with a particular student.
3. Favoring certain students by giving them special privileges.
4. Favoring certain students, inviting them to come to the classroom at non-class times.
5. Getting a particular student out of class to visit the teacher during the teacher's prep period.
6. Engaging in peer-like behavior with students including rough-housing.
7. Using poor judgment in relation to a particular student:
8. Allowing a particular student to get away with inappropriate behavior.
9. Being alone with the student behind closed doors at school.
10. Giving gifts or money to the student.
11. Being overly "touchy" with certain students.

12. Touching students for no educational or health reason.
13. Giving students rides in the educator's personal vehicle, especially alone.
14. Frequent electronic communication or phone contacts with a particular student.

**Becoming involved in the student's private life:**

1. Talking to the student about the educator's personal problems.
2. Talking to the student about the student's personal problems to the extent that the adult becomes a confidant of the student when it is not the adult's job role to do so.
3. Initiating or extending contact with students beyond the school day in a private or non- group setting.
4. Taking a particular student on personal outings, away from protective adults.
5. Using email, text-messaging, instant messaging, or social networking to discuss personal topics or interests with students.

**Not respecting normal boundaries:**

1. Invading the student's physical privacy (i.e., walking in on the student in the bathroom).
2. Inviting students to the educator's home.
3. Visiting the student's home.
4. Asking the student to keep certain things secret from his/her parents.
5. Sexually related conduct:
6. Engaging in sex talk with students (sexual innuendo, sexual banter, or sexual jokes).
7. Talking with a student about sexual topics that are not related to a specific curriculum.
8. Showing pornography to the student.
9. Hugging, kissing, or other affectionate physical contact with a student.



## **Reporting Violations and Administrative Follow Up**

Reporting: Staff members must promptly report to the principal or administrative supervisor of any employee or volunteer suspected of engaging in inappropriate boundary invasions they become aware. Do not inform the employee or volunteer suspected of engaging in appropriate boundary invasions that a report has been made.

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a staff member may be engaging in conduct that violates this policy or procedure.

Administrative Follow Up: The administrator to whom a boundary invasion concern is initially reported must document the concern and promptly provide a copy of that documentation to the Superintendent or Superintendent's designee. The Superintendent or Superintendent's designee shall see to it that (a) the alleged conduct is investigated, (b) any students involved are protected, (c) parents are informed, (d) where appropriate Office of Children's Services (OCS) and/or law enforcement are contacted, and (e) where appropriate, remedial and/or disciplinary action is taken.

## **Reporting Sexual Abuse**

A.S. 47.17.020 and Board Policy require that persons who are mandatory reporters who, in the performance of their occupational duties have reasonable cause to suspect that a child has suffered harm as a result of child abuse or neglect, shall immediately report the harm to OCS or to a peace officer if OCS cannot be reached and immediate action is necessary for the well-being of the child. If there is reasonable cause to suspect sexual abuse, a report must be promptly made to OCS. Any situation where a school employee or volunteer is believed to have engaged in sexual abuse of a student should also be reported to law enforcement.

## **Disciplinary Action**

Staff violations of this policy may result in disciplinary action up to and including dismissal.

## **Training**

Staff (including volunteers) will receive training on professional boundaries, inappropriate boundary invasions, and the relationship of inappropriate boundary invasions to sexual grooming. Such training shall take place at least every three years. All new employees and volunteers will receive such training within three months of employment or service. Such training will cover the information included in the training handout, E 5141.42-1, "School Guidelines for Preventing Sexual Abuse Against Students."

## **Dissemination of Policy and Reporting Protocols**

This policy and procedure will be included on the district website and in all employee, student, and volunteer handbooks.

Adopted 6/23

# **E 5141.42-1 SCHOOL EMPLOYEE TRAINING HANDOUT**

## **School Guidelines for Preventing Sexual Abuse against Students**

### **Introduction**

These guidelines are aimed at assisting school employees in protecting students from sexual misconduct by other school employees. The key to prevention is for each employee to report behaviors which put students at risk for sexual misconduct. The principles identified in this handout are based on what sex offender treatment providers identify as the most effective way of protecting students from sexual abuse in the schools:

1. being able to identify “risk behaviors,”
2. reporting such “risk behaviors” to administration, and
3. follow-up by administration.

Sexual abuse of students by a small number of school employees causes disproportionate harm to children, families, schools, and the public’s perceptions of and confidence in public education. It is every educator’s responsibility to understand how offenders typically engage in sexual misconduct in schools and to know what to report and to whom reports should be made regarding conduct that constitutes “risk behaviors.”

The purposes of these Guidelines are:

1. To inform school employees about how sexual offenders prey on children so that with timely reporting, such misconduct may be prevented in our schools;
2. To provide a checklist of “risk behaviors” which may be sexual grooming and need to be reported; and
3. To provide additional Guidelines for practices that will protect students from sexual abuse by providing educators the tools to stop potential grooming behaviors.

### **Basic Principles Professionalism is the Best Protection**

While educators need to establish good relationships with students in order to teach them, educators must not rely upon students to meet their own social needs. If an educator relies on a student to meet the educator’s social needs, their relationship is not a professional relationship. Nor is it a true friendship since educator-student relationship is by its very nature, not an equal or even relationship.

The relationship between educator and student is a relationship of trust where the educator has power over the student, making it inappropriate and unprofessional for the educator to try and meet his/her social needs through that relationship. While good relationships with students are very important for the education process that does not mean that the educator may become personal friends with his/her students. Failure to follow this basic principle of professionalism can result in an educator fitting the profile of someone attempting to engage in sexual misconduct with students, even if that is not the educator's intent.

At the same time, a sound and trusting relationship with students is often necessary to advance educational goals. To strike an appropriate balance an educator must consider whether s/he is attempting to have personal needs met through the relationship, or to have a peer-to-peer or "special relationship" with a student. The educator is the adult and is responsible for establishing professional boundaries.

Even in small villages where everyone knows everyone and school employees may be related to some of their students, these principles of professional relationships with students apply whenever educators are on the job.

### **"Grabbers" and "Groomers"**

Sexual predator experts have identified two types of sexual predators of children based on their basic approach — "grabbers" and "groomers." (Carla van Dam, Ph.D., *Identifying Child Molesters* (2001).), In schools, "grabbers" usually victimize young children. Although "groomers" may also be involved with young children, nearly all offenders in schools who victimize teen youth are groomers.

What social scientists tell us about sexual grooming reveals that other educators are the key to stopping sexual misconduct against students.

Unless a child reports misconduct, it is easier to notice risk behaviors which might be sexual grooming than it is to see signs that a student is being molested by a "grabber." These guidelines address preventing sexual grooming by preventing inappropriate boundary invasion risk behaviors.

### **Dealing with Groomers**

**How sexual grooming works:** Grooming is the process by which much of the serious sexual misconduct against children occurs in schools. An adult befriends a child, creating a connection with the child, a special relationship, lowering the child's natural inhibitions in order to eventually take advantage of the child sexually. In the education context, sexual abusers often target students who are passive or needy and then engage in personal boundary invasion behaviors that are increasingly invasive of the child's boundaries. The child gets used to the boundary invasions and their increasing intrusiveness and starts to accept them as normal. Eventually, when the student's inhibitions are down, sexual misconduct may occur. Commonly the child may even blame him/herself for what happened.

**Student victim profile:** Students who become victims are often in special need of adult attention, and at first may find the special relationship with the educator to be grounding and centering. They end up trusting the educator, feel that they are personal friends with the educator, allow the boundary invasions because they are friends, and then if something inappropriate happens, may end up blaming themselves. The victim can also be a relative of the abuser or a friend of the abuser's children.

### **Principles Which Are the Key to How Educators Can Stop Sexual Grooming and Thereby Most Sexual Molestations**

Sexual molesters may victimize children either by “grabbing” or “grooming” children. (Carla van Dam, Ph.D., Identifying Child Molesters (2001).)

The majority of educators who sexually molest students accomplish their molestations through the sexual grooming process.

Sexual grooming of students begins with and is accomplished by a process of increasingly invasive inappropriate boundary invasions.

Therefore: If we stop inappropriate boundary invasions, we can prevent most molestations by educators.

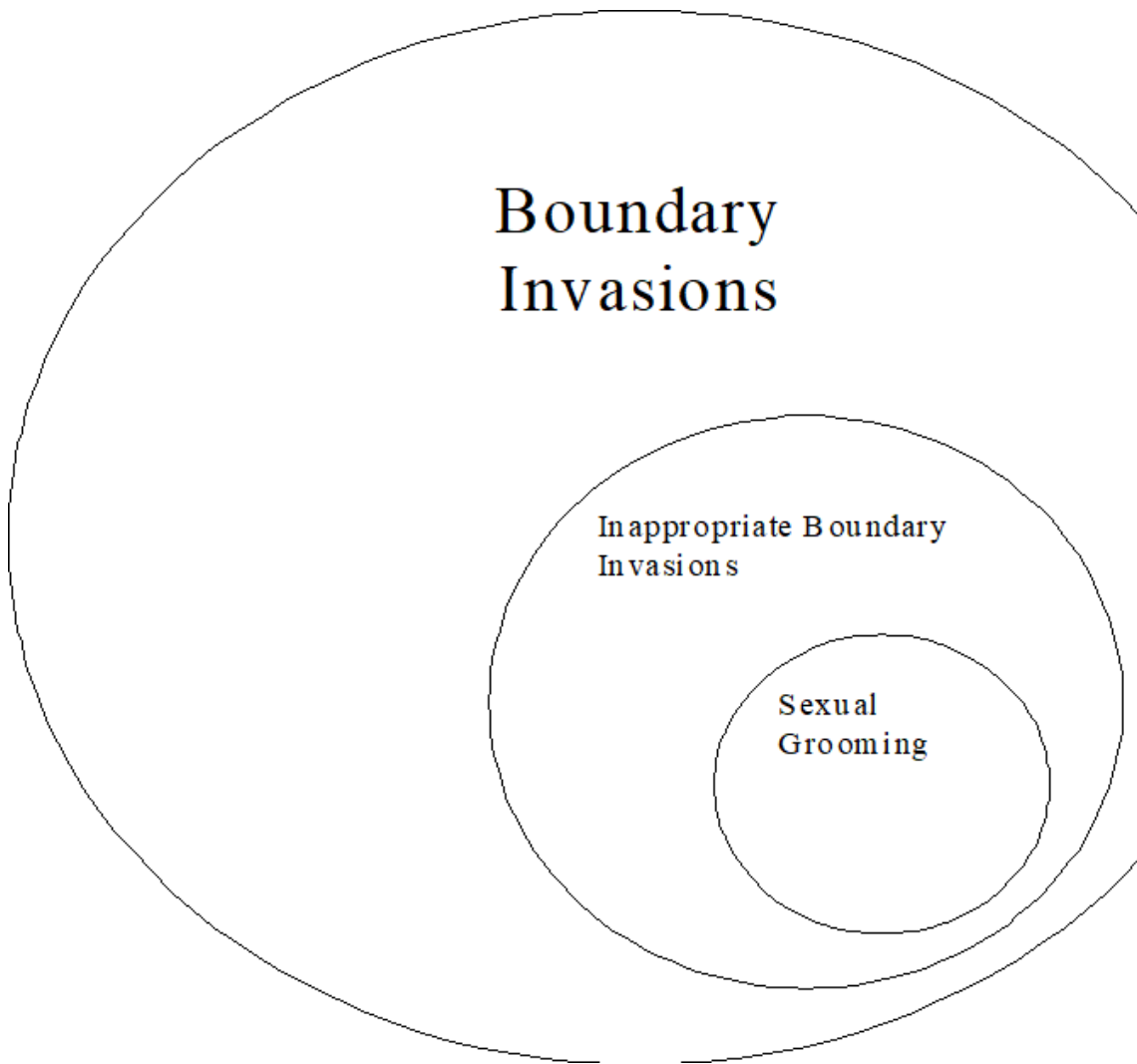


Diagram Showing Relationship of Grooming to Boundary Invasions

## Definitions

Inappropriate: “Inappropriate” in conjunction with “inappropriate boundary invasions” means conduct which under the totality of the circumstances **does not have valid and bona fide educational, health, or safety reasons.**

**Boundary invasions:** Boundary invasions are situations where the educator does not respect the student’s personal physical and psychological boundaries. In predatory situations, the boundary invasions become increasingly invasive, with the student becoming used to the invasions and allowing increasing invasions to occur. Not all boundary invasions are inappropriate, and not all inappropriate boundary invasions result in sexual misconduct with students. However, inappropriate Boundary invasions are something which other adults may become aware of. Since inappropriate boundary invasions may be the only clue by which other adults could detect that an educator-student relationship may be headed in the wrong direction, it

is important for educators to avoid inappropriate boundary invasions and for administration to address them promptly with the educator when they occur.

Whether boundary invasion behaviors have “questionable educational benefit” can be determined by examining the relationship established by the educator with the student to see whether that relationship moved from being professional to becoming personal.

**Possible “inappropriate boundary invasion”** (i.e., “risk behaviors,” are behaviors which show that a risky relationship is being established and may include:

### **Inappropriate Boundary Invasions**

The following are “risk behaviors” which might be sexual grooming.

1. Taking an undue interest in a particular student:
2. Having a "special" friend or a “special relationship” with a particular student.
3. Favoring certain students by giving them special privileges.
4. Favoring certain students, inviting them to come to the classroom at non-class times.
5. Getting a particular student out of class to visit the teacher during the teacher’s prep period.
6. Engaging in peer-like behavior with students including rough-housing.
7. Using poor judgment in relation to a particular student:
8. Allowing a particular student to get away with inappropriate behavior.
9. Being alone with the student behind closed doors at school.
10. Giving gifts or money to the student.
11. Being overly “touchy” with certain students.
12. Touching students for no educational or health reason.
13. Giving students rides in the educator’s personal vehicle, especially alone.
14. Frequent electronic communication or phone contacts with a particular student.
15. Becoming Involved in the Student’s Private Life:

16. Talking to the student about the educator's personal problems.
17. Talking to the student about the student's personal problems to the extent that the adult becomes a confidant of the student when it is not the adult's job role to do so.
18. Initiating or extending contact with students beyond the school day in a private or non-group setting.
19. Taking a particular student on personal outings, away from protective adults.
20. Using e-mail, text-messaging, instant messaging, or social networking to discuss personal topics or interests with students.

### **Not Respecting Normal Boundaries:**

1. Invading the student's physical privacy (e.g., walking in on the student in the bathroom).
2. Inviting students to the educator's home.
3. Visiting the student's home.
4. Asking the student to keep certain things secret from his/her parents.

### **Sexually Related Conduct:**

1. Engaging in sex talk with students (sexual innuendo, sexual banter, or sexual jokes).
2. Talking with a student about sexual topics that are not related to a specific curriculum.
3. Showing pornography to the student.
4. Hugging, kissing, touching, or other affectionate physical contact with a student.

### **Small Communities**

In small communities it is more likely that people working in the schools will already know students before they become students. Children in the community may be friends of the family or part of the educator's extended family. The child may be the educator's babysitter, someone who is hired to do chores, and someone often seen at community events. The educator may belong to the same community organizations as the child, be an elder, the child's uncle, aunt, cousin, or best friend's parent.



These Guidelines recognize the realities of small communities where everyone knows everyone and people who grew up in the community have close ties and blood relationships with a large segment of the community.

The additional guidance for small communities is:

1. Even if the child is a relative, professional boundaries are to be observed at school or when the educator is on the job (in his/her role as an educator).
2. If students come to the educator's home, it should be to visit the educator's children, not the educator, unless the visit is arranged by the parent (e.g., the child might be staying with the educator and his/her family while the parent is in the hospital).
3. The parent of the child visiting the educator's home should be aware that the child is there. If there is any ambiguity about whether the parent of the visiting child knows where that child is, it is up to the educator to so inform the parent.
4. If children visit the educator's home on more than an occasional basis, the educator should inform the school principal and explain the circumstances.
5. Regardless of contacts outside of school, it is still inappropriate for the educator to engage in a peer-to-peer behaviors with a student unless the educator is the child's parent.

### **Additional Guidelines**

In addition to avoiding inappropriate boundary invasions with students at school:

1. Classroom doors should have windows.
2. Windows should not be covered except in school lockdown situations.
3. Educators should not be meeting in private with students to "mentor" or "counsel" the student unless that is the educator's official role in the school.

If a student needs counseling, non-counselor educators should send the student to the counselor or person whose role it would be to help the child. If there is no such person, then administration should consult with the District Office.

When an educator meets alone with a student, the door should be open unless it is a counselor or administrator meeting with a student. The counselor's or administrator's door should have a window on it which is not covered.

When dealing with a child's toileting accident, two adults should assist the child.

Do not initiate hugs with students.

The following forms of behavior are not appropriate and should be reported immediately to administration:

1. Private text-messaging, social media contacts, other private electronic communication, or phone calls, unless the child is an immediate family member;
2. full frontal hugs, lengthy hugs;
3. kisses;
4. holding children over three years old on the lap;
5. touching any child anywhere below the waist [except for toileting or diapering with younger children, helping younger children with their footwear, or in organized games like softball where one might tag the other person out].
6. showing inappropriate affection;
7. occupying a bed with a child or youth;
8. being in the same hotel room with a student other than an immediate family member;
9. touching knees or legs of children or youth;
10. wrestling with children or youth, unless coaching wrestling;
11. tickling children or youth;
12. piggyback rides;
13. massages, shoulder rubs, neck rubs, etc.;
14. comments or compliments relating to a youth's body;
15. snapping bras, giving wedgies, or similar touch on underwear; giving gifts or money to individual children or youth;
16. Visits to the child's home to visit the child or visits by the child to the educator's home to visit the educator.

## **Coaching:**

When coaching sports, it is occasionally necessary for a coach to touch a player to demonstrate various positions or moves. Coaches should discuss this necessity with players and their parents at the beginning of the year/season and explain that anyone uncomfortable with that should let him/her know privately, or inform another adult who can inform the coach. Students' privacy should be protected.

Opposite gender wrestling coaches should not be demonstrating holds on

1. opposite gender wrestlers unless to demonstrate wrestling moves, and only when there has been a meeting at the beginning of the year with parents where the wrestler and parents agree whom the child would feel comfortable doing the demonstrating. Parents should be allowed to attend wrestling practices if they wish.
2. In track, if there is a need to have a runner lift his or her hips in the starting blocks, this can be accomplished without touching by using a cell phone (preferably the student's) to show the deficiency in the position. A side view would be used.
3. In basketball, an opposite gender coach should discuss with opposite gender players that s/he may need to touch them in demonstrating various moves in the game and that anyone uncomfortable with that should let him/her know privately, or inform another adult who can inform the coach. The student's privacy should be protected.
4. If there is touching involved in coaching other sports, similar principles should be applied.
5. If possible, having two coaches at practices is desirable.
6. If there is touching involved in coaching other sports, similar principles should be applied.
7. If possible, having two coaches at practices is desirable.

When you are aware of inappropriate boundary invasions by another educator, Board Policy 5141.42 and professional ethics require you to report the matter to administration. What administration does next will depend on the situation, though the first step is to contact the District Office for guidance.

If the boundary invasions are inappropriate, reminding the employee of appropriate professional boundaries and/or verbal or written reprimands may occur. In situations where an employee continues to engage in inappropriate boundary invasions, progressive discipline up to and including termination may be warranted.

In situations where sexual abuse may have occurred, law enforcement and Office of Children's Services (OCS) will be contacted; a full investigation should be conducted; and depending on the results of the investigation, the employee could be terminated.

In situations involving sexual abuse of a student, loss of credentialing, and possible criminal conviction could also result.

In any case involving suspected abuse, mandatory child abuse reporting obligations must be met.

### **Staff Member Duties**

The staff member's role in preventing sexual abuse of students is two-fold: first, to avoid engaging in risk behaviors which could be mistaken for boundary invasion or grooming behaviors; and second, to report situations where such behaviors by other employees take place.

1. Do not engage in inappropriate boundary invasion behaviors described above or behaviors like them. Keep your interactions with students at school and at school related events on a professional level.
2. Refer students who need emotional or other support to appropriately trained staff such as counselors or school psychologists. In small or remote communities, where appropriately trained staff may not be available, consult with District Office leadership for workable alternatives. Staff can be caring while maintaining an appropriate level of professional decorum.
3. Report the Boundary Invasion: If a staff member observes any adult engaging in the behaviors described above with students, or other behaviors which raise concerns, the staff member must:
4. **WHEN IN DOUBT, REPORT IT OUT!** Inform your principal or the appropriate person at the District Office at your earliest opportunity. Do not wait or mull things over or attempt to determine for yourself whether the behavior you have observed has a plausible, innocent explanation. You may not be aware of or understand the entire situation, and allowing the conduct to continue could be harmful for both the staff member and students.
5. DO NOT confront or discuss the matter with the adult.
6. Do not inform the person of your concern, unless it is a situation where immediate intervention is necessary to protect a child.
7. Maintain confidentiality. Failure to do so may impede official investigations, foster untrue rumors, or violate privacy. You owe a legal

duty of confidentiality to students on matters which a reasonable person would want to remain confidential.

8. Follow rules for mandatory reporting of child abuse and/or sexual abuse to law enforcement and/or Office of Children's Services.
9. Document who you notified, where and when and what you reported for your own records.

### **What if the Person Is a Friend?**

If the person engaging in the boundary invasion or misconduct is your friend, it is still necessary to report the conduct to administration in order to protect students, yourself, and your friend. Sometimes an employee ends up getting too close to a student without originally intending anything sexual.

Eventually an opportunity may present itself for something unprofessional to occur, and the employee may make a career-ending mistake which harms the student, the student's family, the employee's family, and the employee. Reporting boundary invasions to administration early on helps to prevent such problems from developing.

## E 5141.42-2 ADMINISTRATIVE RESPONSE CHECKLIST

This checklist identifies proactive, best practices and subjects to consider in addressing situations in which a school employee has been accused of inappropriate boundaries or sexual misconduct involving a student.

Overall duties: A school district has three duties in relation to allegations of such misconduct. First, protect any students involved. Second, investigate the allegations. And third, take action after the investigation where appropriate. There may be many moving parts to the school district's response to the allegations. It is best that district administration is guided through the process by an attorney with an understanding of how school districts should respond to such situations.

The size of the problem: There are big problems and little problems with employees ignoring professional boundaries. Be cautious. What looks like a little problem may be the tip of the iceberg of an even bigger problem. There may be a pattern of other boundary invasions that school employees are not aware of.

When there are allegations of something that appears minor, it may be appropriate to have site administration do any investigation. It may also be appropriate to forego placing the employee in question on administrative leave. Outside help may be called in at any point. If it becomes apparent that the problem is a bigger problem, District Office should be consulted.

The checklist below may assist in determining whether the problem is a big problem or little problem in consultation with an attorney, superintendent, insurance person, and site administrator.

### First Day Checklist

First notice: When a site or District Office administrator hears of an allegation that an employee has engaged in inappropriate boundary invasions or sexual misconduct with a student that administrator should promptly do the following:

1. Do not immediately investigate. Others will do that. **Obtain specific information about what is alleged from the person making the initial report** when that person makes the initial report. (Write down the information.)
2. Do not immediately inform the employee whose conduct is in question. Others will do that.
3. Without delay, report the allegations to the Superintendent or designee.
4. Other than meeting mandatory reporting duties, administrator reporting the situation should **hold off doing anything** after this, unless instructed, other than **seeing to it that the student is protected**. There may be

other steps site administration is asked to take, like taking part in placing an employee on administrative leave.

5. **Mandatory reporting and discussion with law enforcement** has either occurred or occurs. (A.S. 47.17.020 and Board Policy 5141.4) When appropriate make a report to Office of Children's Services (OCS) and/or law enforcement. If sexual misconduct involving touching is alleged, law enforcement should be called. Document these conversations.
6. Inform law enforcement that the employee will be placed on administrative leave by the end of the day, if that is to occur. They may want to speak with the employee first.
7. Also let law enforcement know you need to report to the parent. They may ask you to hold off to allow them to make the contact.
8. **Contact insurance.** Many insurers will want to take part in any investigation and in some circumstances will pay for the investigation.
9. **Contact legal counsel.** This may be a person insurance puts you in contact with.
10. **Teleconference call to plan response:** This call would include the attorney who will be guiding the school district through the process, the Superintendent, possibly the insurance person, and the administrator who received the initial notice of the allegations. The purpose is to plan the school district's response to the allegations and assure that each person knows their role. Depending on the situation, the following items might be discussed:
  11. Discuss investigation:
  12. Identify who will investigate. With big problems and potential big problems, an outside investigator is preferred where feasible.
  13. Preliminarily, identify people who should be interviewed.
  14. Gather records for the investigator to review including board policies and procedures, professional boundaries training records for the employee, site administrator's notes of the initial report, and the personnel file of the employee in question, including any prior discipline.
  15. Review the collective bargaining agreement governing employment of each employee whose conduct is at issue to determine whether there are any applicable requirements.
  16. Determine whether the employee will be placed on administrative leave. If it seems that you are dealing with sexual misconduct or a pattern of

inappropriate boundary invasions, administrative leave may be warranted. If it seems you are dealing with a minor, isolated incident, it may be a little problem that you are dealing with.

17. When placing an employee on administrative leave, secure the employee's workspace and district technology simultaneously with placing the employee on leave. Lock the employee out of the district's email system. Isolate and preserve any school computers the employee uses.
18. **Mandatory reporting:** Verify that OCS and/law enforcement have been notified where such notification is appropriate.
19. **Inform the parent:** Determine who will contact the parent or parents and when that will happen.
20. If the parent is unaware of the situation, it should be done immediately. If the parent is aware of the situation, someone should be reporting back to the parent to inform them of the process that is being followed so the parent knows what to expect.
21. In addition to informing the parent of the allegations, inform the parent of what measures are being taken to protect the child.
22. In situations where sexual misconduct may have occurred, the superintendent and site principal should meet with the parent to go through what is known, what is being done, and to answer any questions the parent may have. As part of this discussion, let the parent know that the District would pay for psychological counseling for the child up to a certain dollar amount if counseling is something the parent wishes to pursue. Also inform the parents that the results of the investigation will be provided to them. (Document this in a confirming letter to the parent.)
23. Prepare to respond to any media inquiries.
24. Discuss response to staff or community questions which may arise.
25. Contact the parent.
26. Administrative leave



## **BP 5141.51 AT-RISK YOUTHS**

The School Board believes that, in order to benefit from a learning environment, students must be as free as possible from the dilemma imposed by personal and societal problems. Danger signs for the various at-risk categories must be taken seriously. District personnel must be concerned for the personal development of students, as well as their academic development.

The Superintendent or designee shall investigate and recommend programs which will address the needs of at-risk youths. At-risk youths include, but are not limited to, those students who abuse drugs or alcohol, are suicidal, exhibit serious attendance problems, drop out of school, are abused or disadvantaged children, or are pregnant or parenting minors.

Program planning should examine, but is not limited, to the following:

1. Classroom learning experiences and the integration of primary prevention programs into the classroom.
2. Staff development requirements.
3. District liability.
4. Community resources.
5. Crisis response/intervention teams.
6. Peer counseling.
7. Parent/guardian education.
8. Student Study Teams.
9. Kindergarten through 12 counseling and guidance curriculum.
10. Attendance and policy procedures.
11. Student discipline.
12. Alternative programs.

(cf. 5131.6 - Drugs, Alcohol and Tobacco)

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

(cf. 5141.41 - Sexual Abuse, Sexual Assault and Dating Violence Awareness and Prevention)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 5147 - Dropout Prevention Program) (cf. 5148 - Child Care)

*Revised 3/2016*

**9/92**

Adopted 6/23

## **BP 5141.52 SUICIDE PREVENTION**

The School Board finds it important that the tragic situation of adolescent suicide be openly addressed and that staff, students and parents/guardians be made aware of warning signs and procedures by which they may help suicidal students at this especially vulnerable age.

The Board recognizes that all suicide threats must be taken seriously. The Superintendent or designee shall provide appropriate staff members with procedures for intervening in low-risk and in high-risk crisis situations. These procedures shall include guidelines by which staff members may assess the seriousness of a student's risk for suicide.

The Board believes that school staff, students and parents/guardians all can contribute significantly towards the prevention of adolescent suicide. The district shall make available suicide prevention training for each of these segments of the school community.

### **Parent/Guardian Awareness**

The Board believes all parents/guardians should be aware of the severity of the youth suicide problem. Before suicide prevention is taught in classrooms, parents/guardians shall be advised and invited to review the curriculum goals and the district suicide prevention policy. Parent/guardian information may be provided, and meetings may be held, to help parents/guardians recognize warning signs of suicide, learn basic steps for helping suicidal youths, and identify community resources that can help teenagers in crisis.

### **Staff Awareness & Training**

Note: Effective July 1, 2016, AS 14.30.362 requires districts to provide training on a schedule adopted by the Board on youth suicide awareness and prevention to the following staff: each teacher, administrator, counselor, and specialist who is employed by the district to provide services to students.. The training must be approved by the Commissioner of Education and provided to teachers at no cost. Training may be offered through videoconferencing or an individual program of study.

(cf. 4131- Staff Development)

The Board strongly encourages teachers to help students of all ages develop both a positive self- image and a realistic attitude towards potential accomplishments.

In order that district staff may learn suicide prevention strategies, to recognize the warning signs of suicidal crisis, to understand how to help suicidal youths, and to identify helpful community resources, the Superintendent or designee shall arrange annual suicide awareness and prevention training as required by law. Additional certificated and classified staff may also be included. The district suicide prevention

policy and procedures shall be thoroughly reviewed at this time. Staff shall be expected to learn to identify potentially suicidal students, to assess the degree of risk, to take preventive precautions and to report suicide threats to the appropriate authorities.

## **Curriculum**

The Board finds it appropriate that suicide prevention instruction be incorporated into the curriculum. This instruction shall help students:

1. Understand how feelings of depression and despair can lead to suicide. Identify alternatives to suicide and develop new coping skills.
2. Recognize the warning signs of suicidal intentions in their friends.
3. Learn to listen, be honest, share feelings and get help when communicating with friends who show signs of suicidal intent.
4. Identify community resources where teenagers can get crisis intervention help.

## **Peer Counseling**

The Board endorses the use of peer counselors who can provide an effective support system for students who are uncomfortable communicating with adults. Peer counselors shall be expected to have completed the suicide prevention curriculum and demonstrated that they are able to identify the warning signs of suicidal behavior, make contact rapidly, and get a suicidal student to adult help.

### *Legal Reference:*

#### *ALASKA STATUTES*

*14.30.362 Suicide awareness and prevention training Revised 9/2016*

**9/92**

Adopted 6/23

## **BP 5142 SAFETY**

The School Board places a high priority on safety and on the prevention of student injury. The district shall make reasonable effort to ensure the safety and proper conduct of students from the time they come under school supervision until they leave school supervision, whether on school premises or not. The Superintendent or designee shall establish procedures as necessary to protect students from dangerous situations.

(cf. 3514 - Environmental Safety)

(cf. 3515 - School Safety and Security)

(cf. 3515.2 - Intruders on Campus)

(cf. 5131.1 - Bus Conduct)

(cf. 5141 - Health Care and Emergencies) (cf. 5144 - Discipline)

(cf. 6114 - Emergencies and Disaster Preparedness Plan)

Personnel responsible for releasing a student from school custody shall exercise extreme diligence to prevent such release to any unauthorized or unidentified person.

### **Playgrounds**

The Board recognizes that playgrounds present children with visible challenges which they may choose to take in order to test their skills and courage. Playground equipment shall be carefully selected and installed, so that while presenting such challenges, it minimizes accidents and present no unseen hazards. Safety shall receive prime consideration whenever playgrounds are planned or upgraded.

The principal or designee shall ensure that playgrounds and other school facilities are regularly inspected, well maintained, and adequately supervised whenever in use by students during the school day or at school-sponsored activities. The principal or designee shall establish playground safety rules.

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## **AR 5142 SAFETY**

### **Supervision**

The principal of each school shall ensure that certificated employees, teacher aides or yard aides supervise the conduct and safety, and direct the play, of students at the school who are on school grounds during school hours before and after school, during recess, and during other intermissions.

The principal shall inform parents/guardians of the hours before or after school that students may be on campus.

Safety rules for the use of facilities and equipment shall include as appropriate:

Rules on acceptable playground behavior and on the proper use of play apparatus in elementary schools.

Rules relating to gymnasium and field areas in high schools.

Safety rules clearly posted in chemistry classes.

Shop class rules, including the requirement that power equipment never be used without the teacher's presence in the shop. Students must pass safety tests at mastery level before using such equipment, and test results must be kept on record.

School staff shall train students on the above rules and include safety instruction in their lesson plans when appropriate. Copies of the rules shall be sent to parents/guardians and be readily available at the school at all times.

The principal or designee shall:

1. Clearly identify supervision zones on the playground and require that supervisors remain outside at a location from which they can observe their entire zone of supervision.
2. Require that all individuals supervising students remain alert in spotting dangerous conditions and report any such conditions to the principal or designee promptly and in writing.
3. Establish emergency procedures that ensure swift response to accidents, fighting, and situations that could become dangerous, such as overcrowding or unusual gatherings of students.

The Superintendent or designee shall ensure that teachers, teacher aides, yard aides and volunteers who supervise students receive training in the above safety practices and in supervisory techniques which will help them to forestall problems and resolve conflicts.

When determining the ratio of playground supervisors to students, the Superintendent or designee shall consider the size of the playground area, the number of blind spots that are not immediately visible, the age and gender of the students, and the general nature of their behavior.

### **Release of Student to Adult**

Students shall be released during the school day in the custody of an adult only if:

1. The adult is the student's parent/legal guardian.
2. The adult has appropriate identification and the verified authorization of the student's parent/legal guardian.
3. The adult is a properly authorized law officer acting in accordance with law.
4. The adult is taking the student to emergency medical care.

(cf. 5021 - Noncustodial Parents)

(cf. 5141.4 - Child Abuse and Neglect (Reporting Procedures))

(cf. 5145.11 - Questioning and Apprehension)

### **Laboratory Safety**

The principal of each school offering laboratory work to students shall designate a trained certificated employee to regularly review and update the school's procedures for laboratory safety.

### **Playground Design, Equipment and Maintenance**

Teachers, teacher aides, maintenance staff, parents/guardians and students are encouraged to contribute their ideas for making the playground as safe as possible.

Playgrounds should be designed for ease of supervision and should have:

1. Clearly defined entry and exit routes that lead to and from play areas without crossing other major activities.
2. Fences or other barriers limiting vehicle access to play areas.
3. Proper water drainage.

4. Bicycle racks that are fenced and located where easily visible.
5. Safety rules posted at the entrance and near play equipment.

The age, size and ability of the students who will use playground equipment shall determine the choice of equipment, the height of platforms and slides, and the diameter of climbing bars.

Whenever possible, playground equipment shall be installed by the manufacturer, by the manufacturer's representative, or by district maintenance staff under the direct supervision of the manufacturer's representative. A signed statement shall be secured from the manufacturer's representative stating that the equipment has been properly installed in accordance with the manufacturer's specifications.

The following guidelines shall be observed when playground equipment is installed:

1. Concrete footings shall be kept from six to twelve inches below finished grade.
2. Appropriate cushioning material shall be installed under the equipment before it is used. Except for tetherball poles and basketball standards, playground equipment shall not be installed over blacktop.
3. Cushioning material shall be placed in all areas where a student might fall when using the equipment.
4. Cushioning material shall be maintained at the depth recommended by the manufacturer, always at least eight inches.
5. Cushioning material shall be resupplied on a regular basis to ensure adequate depth at all times, including vacation breaks.
6. The equipment and its cushioning border shall be set back at least eight feet from other equipment. Swings shall be set back at least two times the crossbar height, both front and back.

Maintenance staff shall:

1. Rake cushioning material daily and remove foreign objects.
2. Regularly clean cushioning material from areas surrounding the cushioned area so as to minimize slipping.



3. Regularly inspect playground equipment and fences to ensure that all parts are in good condition.
4. Check wooden structures for holes, cracks, splinters, and possible rot at ground level.
5. Look for protruding nails or sharp edges and repair as needed.

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## **BP 5142.2 SCHOOL SAFETY PATROL**

The School Board is concerned for the safety of students and recognizes that responsible supervision may be needed to help elementary children in safely crossing high traffic or hazardous streets and highways.

Where deemed necessary, the Superintendent or designee may establish school safety patrols in accordance with law for the purpose of assisting students in safely crossing streets and highways adjacent to or near the school.

The Superintendent or designee shall periodically examine traffic patterns within the boundaries of each elementary school attendance area, so as to properly identify locations where crossing assistance is needed.

*Legal Reference:*

*ALASKA STATUTES*

*14.33.010-14.33.060 School safety patrols*

**9/92**

Adopted 6/23

## **AR 5142.2 SCHOOL SAFETY PATROLS**

The principal shall consult with local law enforcement to determine the most advantageous locations for patrols where the nature of the traffic permits their safe operation. (AS 14.33.020)

Student safety patrol members shall be selected by the principal and serve only with written parental consent. Patrol members shall be under the supervision and control of a certificated employee designated by the principal. (AS 14.33.020)

Patrol members may encourage students to cross only at regular crossings, direct students not to cross when unsafe, and assist students to board or leave school buses. Patrol members shall not direct traffic or be stationed in the street while performing their duties (AS 14.33.030)

Whenever on duty, patrol members shall wear appropriate insignia and perform their duties in accordance with state laws and regulations.

**9/92**

## **BP 5142.3 RESTRAINT AND SECLUSION**

The Board believes that a safe educational environment is necessary for learning and understands there are times when student behavior may impact on the safety of that student or others. To the maximum extent appropriate, the safety and welfare of students and staff should be secured through positive behavioral interventions. The use of physical restraint and seclusion is prohibited except in emergency situations as set forth below.

Chemical or mechanical restraint of students is never allowed. Chemical restraint means a psychopharmacological drug that is administered to a student for discipline or convenience and that is not required to treat a medical symptom. Mechanical restraint refers to the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional and are used for the specific and approved purposes for which such devices were designed, such as: 1) adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; 2) vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

This policy shall be annually reviewed with school personnel.

(cf. 5030 – School Discipline and Safety) (cf. 5137 - Positive School Climate) Physical Restraint

Physical restraint means a personal restriction that immobilizes or reduces the ability of a student to move the student's arms, legs, or head freely. Physical restraint does not include briefly holding a student in order to calm or comfort, or the use of contact that is reasonably necessary to safely escort a person from one area to another.

Physical restraint is prohibited unless the student's behavior poses an imminent danger of physical injury to the student or others and less restrictive interventions would be ineffective at stopping the imminent danger. To the extent possible without compromising safety, other interventions should be attempted prior to the use of restraint. Restraint must be limited to that necessary to address the emergency and must be immediately discontinued when the student no longer poses an imminent danger or when a less restrictive intervention is effective to stop the danger.

(cf. 4158 – Employee Security)

(cf. 5131.41 – Violent and Aggressive Conduct)

(cf. 5131.7 – Weapons and Dangerous Instruments)

Restraint may not be used as a form of discipline, to force compliance, as a convenience for staff, or as a substitute for appropriate educational support. The use of emergency restraint under this policy does not constitute corporal punishment.

Physical restraint must be implemented in a manner that protects the health and safety of the student and others. Restraint may be administered only by staff trained in crisis intervention, de-escalation, and safe restraint, unless a trained person is not immediately available, and the circumstances are rare and present an unavoidable and unforeseen emergency. Restraint may not prevent or restrict the student from breathing or speaking nor may it restrict circulation. Prone or supine restraint, which occurs when the student is placed on his or her stomach or back, is expressly prohibited. A student's well-being must be monitored during restraint through the use of continuous face-to face contact or, if face-to-face contact is unsafe, by continuous direct visual supervision.

### **Seclusion**

Seclusion means the involuntary confinement of a student alone in a room or area that the student is physically prevented from leaving. Seclusion does not include time-outs, a student's voluntary choice to enter a secluded environment, supervised detention or in-school suspension rooms that are utilized for instructional purposes, or suspension from school. "Time-outs" are behavior interventions to provide a student with an opportunity to regain self-control or engage in problem solving where the student is separated from other students for a limited period in a setting from which the student is not physically prevented from leaving. Time-out includes placing a student in an area of the classroom where the student observes classroom instruction but does not participate.

Seclusion of a student is prohibited unless the student's behavior poses an imminent danger of physical injury to the student or others and less restrictive interventions would be ineffective at stopping the imminent danger.

(cf. 4158 – Employee Security)

(cf. 5131.41 – Violent and Aggressive Conduct)

(cf. 5131.7 – Weapons and Dangerous Instruments)

Seclusion should last only as long as necessary to resolve the actual risk of imminent danger or when a less restrictive intervention is effective to stop the danger. Seclusion should never be used as a form of discipline, to force compliance, as a convenience for staff, or as a substitute for appropriate educational support.

While in a seclusion setting, a student must be continuously monitored by an adult in face-to-face contact or, if face-to-face contact is unsafe, by continuous direct visual contact with the student. Students must be provided necessities such as restroom breaks and food and water as needed. Any signs of medical distress should be

immediately addressed. Seclusion must be sensitive to any particular vulnerabilities of the student and to the student's developmental level.

### **Follow-up and Review**

As soon as practicable after restraint or seclusion have been used, staff shall review the incident. The review shall include review of and recommendations for adjusting or amending, as applicable, procedures, strategies, accommodations, the IEP, a student behavior plan, or additional staff training. Follow-up communication shall occur with the student and parent/legal guardian regarding the review process and outcomes.

### **Students with Disabilities**

This policy does not prohibit the inclusion of safe restraint or seclusion in a student's Individualized Education Plan or behavioral intervention plan if determined appropriate by the IEP team after considering all less restrictive alternatives. However, in all instances, the use of physical restraint or seclusion must be in compliance with this policy and federal and state law regarding the restraint and seclusion of students with disabilities.

(cf. 6159 – Individualized Education Program)

### **Reporting/Notification Requirements**

The parent/legal guardian of a student who has been physically restrained or secluded shall be notified on the same day and provided information about the incident.

Instances of physical restraint or seclusion shall be documented. A written report must be prepared by school personnel who restrain or seclude a student and provided to the school administrator. The report must include: the date and time of the incident; names and job titles of the school personnel who participated or supervised; a description of the conduct that preceded the incident, including efforts and strategies utilized prior to restraint or seclusion; a description of the restraint or seclusion, including duration; and a description of how the incident ended, including any further action taken. A copy of the written report shall be provided to the parent/legal guardian.

Annually, the District shall report to the Department of Education and Early Development the following information: the total number of restraints and seclusion; the number of injuries or deaths of students or personnel; the number of restraints or seclusion by untrained personnel; and the number of students with a disability who were restrained or secluded, including the category of disability.

### **Crisis Intervention Training**

The Superintendent or designee shall provide for periodic crisis intervention training for a sufficient number of school staff members to meet the needs of the school

population. Training should include evidence based techniques effective at preventing restraint and seclusion; evidence-based skills related to positive behavior supports, conflict prevention and management techniques, skills to de-escalate student behavior, and understanding antecedents; the safe use of restraint or seclusion in emergency situations; first aid and cardiopulmonary resuscitations; and applicable policies and procedures. The form of training may vary depending upon the staff member's role and the instructional setting.

(cf. 4131 – Staff Development)

### **Policy Not Applicable to Law Enforcement**

This policy is applicable to District employees. It is not intended to limit the use or type of restraint or seclusion by law enforcement personnel who may need to utilize these methods while on District property.

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

#### *Legal Reference:*

##### *UNITED STATES CODE*

*20 U.S.C. §§ 1400, et seq. Individuals with Disabilities Education Act*

*Every Student Succeeds Act, 20 U.S.C. §§ 7941-7948 (P.L. 114-95, December 10, 2015)*

##### *ALASKA STATUTES*

*11.81.430 Justification, use of force, special relationships*

*11.81.900 Definitions*

*14.03.078 Report*

*14.30.180-.350 Education for Exceptional Children*

*14.33.120 School disciplinary and safety program*

*14.33.125 Student restraint or seclusion; limitations*

*14.33.127 Crisis Intervention Training*

##### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 06.172 -177 Reporting of school disciplinary and safety programs and incidents of R&S and crisis intervention programs*

*4 AAC 06.200-.270 Safe schools*

*4 AAC 06.250 Reporting*

*4 AAC 07.010-4 AAC 07.900 Student rights and responsibilities 4 AAC  
52.010-.990 Education for exceptional children*

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**9/92**

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## **BP 5144 DISCIPLINE**

The School Board believes that one of the major functions of the public schools is the preparation of youth for responsible citizenship. The district shall foster a learning environment which reinforces the concepts of self-discipline and the acceptance of personal responsibility. Students are expected to progress from being adult-directed to self-directed with minimal application of disciplinary measures.

The Board recognizes that there must exist certain disciplinary policies and regulations relating to student conduct which delineate acceptable behavior and provides the basis for sound disciplinary practices within each school in the district in order to maintain an environment conducive to learning. These policies and regulations will be enforced fairly and uniformly and consistently without regard to race, creed, color or sex.

(cf. 5131 et seq. - Student Conduct)

The administration, teachers and classified staff share mutual responsibility for the enforcement of district policies and regulations pertaining to student conduct and safety. The Board shall give reasonable support and assistance to employees with respect to student discipline. The Board shall review its policies related to student rights and responsibility at least once every three years and shall modify its policies as needed in accordance with law.

The Board recognizes that not all students will adhere to district rules for appropriate behavior. Sufficient support services shall be provided so that continually disruptive students will not be returned to regular classes without some modification of behavior. Students may be assigned to other alternative programs or be subject to removal from school.

### **In-School Suspension**

In an effort to establish disciplinary procedures that are effective in reducing student truancy and misbehavior and do not interrupt the educational process, the School Board, Superintendent, or designee may authorize in-school suspension as an alternative to out-of-school suspension. In-school suspension removes the student from the school social scene while still requiring him/her to maintain the same basic school day schedule and to keep up with required academic assignments. Failure to serve in-school suspension or removal from the in-school suspension program for disciplinary reasons shall result in out-of-school suspension or additional time assigned.

(cf. 5144.1 - Suspension and Expulsion)

Each principal shall publish school rules for student discipline which describe the school's behavior management plan and consequences for student misconduct. Special care shall be taken when developing school rules to solicit the views of the

school community, including administrators, teachers, school security personnel, parents/guardians and students.

School site rules must be strictly based on district policy, regulation and state and federal laws and be enforced fairly and uniformly. The Superintendent or designee shall establish procedures for the approval of such rules.

At the beginning of each school year, the Superintendent or designee shall ensure that every student and his/her parents/guardians are notified in writing of the availability of Board policies and administrative regulations related to student rights and responsibilities. Such policies shall be posted in accordance with law.

### **Corporal Punishment**

Corporal punishment is prohibited by law as a disciplinary measure against any student. School administrators and teachers shall employ other means of disciplining students. Restraint and seclusion, if used in full compliance with applicable law, is not corporal punishment.

(cf. 3514 - Safety)

(cf. 4158 - Employee Security)

(cf 5142.3 - Restraint and Seclusion)

### **Reporting to Law Enforcement**

In addition to subjecting a student to discipline, any crime committed by a student while at school, on school grounds, or during any school sponsored activity on or off campus shall be reported to law enforcement. Criminal proceedings are independent of actions taken by the School District. The District may impose discipline for misconduct regardless of whether criminal charges are filed or a conviction is obtained. The Superintendent should ensure cooperation with law enforcement in the criminal investigation of students who commit crimes while under the jurisdiction of the school.

(cf. 1410 - Interagency Cooperation for Student and Staff Safety) Legal Reference:

#### *ALASKA STATUTES*

*11.81.430 Justification, use of force, special relationships 11.81.900 Definitions*

*14.33.120-.140 School disciplinary and safety program and student restraint and seclusion*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 07.010-4 AAC 07.900 Student rights and responsibilities*

*4 AAC 06.175-177 Reporting and training on restraint and seclusion  
Revised 3/2015*

**9/92**

Adopted 6/23

## **AR 5144.1 SUSPENSION AND EXPULSION**

### **Notice of Regulations**

At the beginning of each school year, the principal of each school shall notify all students and parents/guardians in writing of all school rules related to discipline, suspension and expulsion. Staff, students, and parent/guardian shall be notified about district policies and regulations. Transfer students and their parents/guardians shall be notified at the time of enrollment.

### **Grounds for Suspension and Expulsion**

A student may be suspended or expelled for the following causes:

1. Continued willful disobedience or open and persistent defiance of reasonable school authority;
2. Behavior which is in some way harmful to the welfare, safety or morals of other students;
3. Conviction of a felony which the Board determines will cause the attendance of the child to be in some way harmful to the welfare or education of other students.

(cf. 5112.2 - Exclusions from Attendance)

A student may be suspended or expelled for behavior occurring at any time, including but not limited to the following circumstances:

1. While on school grounds.
2. While going to or coming from school or a school-sponsored activity.
3. During the lunch period, whether on or off the school campus.

### **Authority to Suspend**

A Superintendent or Principal may suspend a student from school for any of the acts listed above under "Grounds for Suspension and Expulsion," for not more than 10 consecutive days.

Suspension may be imposed upon a first offense if the principal determines the student's behavior to be in some way harmful to the welfare, safety or morals of other students or the student's presence represents a danger to persons or property or threatens to disrupt the instructional process.

If the expulsion of a suspended student is being considered by the Board, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision.

(cf. 5144.2 - Suspension and Expulsion/Due Process - Individuals with Exceptional Needs)

### **Short Term Suspension Procedures (10 days or less)**

1. Informal Conference
2. Suspension shall be preceded by an informal conference conducted by the Superintendent or principal, and shall include the student, and whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action and the evidence against him/her and shall be given the opportunity to explain his/her version and evidence in support of his/her defense.
3. If at the end of this discussion the Superintendent or principal believes the student is guilty of the misconduct charged, the student may be suspended for 10 days or less.
4. This conference may be omitted if the principal, designee or the Superintendent determines that an emergency situation exists. An "emergency situation" involves a clear and present danger to the lives, safety or health of students or school personnel. If the pre-suspension conference is not held, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of a conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference will be held as soon as the student is physically able to return to school.
5. Administrative Actions
6. All requests for student suspension are to be processed by the principal of the school in which the student is enrolled at the time of the misbehavior.
7. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee, who in turn will inform the Board.
8. Notice to Parents/Guardians

9. At the time of the suspension, a school employee shall make a reasonable effort to contact the student's parent/guardian by telephone or in person. Whenever a student is suspended, the parent/ guardian shall be notified in writing of the suspension.
10. This notice shall state the reasons for suspension and the date and time when the student may return to school and may request that the parent/guardian confer with school authorities regarding matters pertinent to the suspension.
11. No penalties may be imposed on the student for the failure or refusal of the parent/guardian to meet with school authorities. The student may not be denied readmission solely because the parent/ guardian failed to meet with school authorities.

### **Long-Term Suspension (more than 10 days)**

Where alleged misconduct of a student warrants a suspension of more than 10 days, the student will be provided the opportunity for a hearing as outlined under the expulsion procedure. The long-term suspension procedure does not preclude a student from being suspended for up to 10 days if procedures for short term suspension have been followed.

A student requesting a hearing regarding a long-term suspension will be readmitted in the program (at the end of a short term suspension if applicable) pending the outcome of the hearing except where the superintendent determines that the student's presence in school poses a threat of harm to the student or others.

### **Authority to Expel**

A student may be expelled only by the Board.

The Superintendent or principal shall recommend a student's expulsion for any of the following acts, unless the principal or Superintendent finds, and reports in writing to the Board, that expulsion is inappropriate due to particular circumstances which shall be set out in the report of the incident:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any firearm, knife, explosive or other dangerous object at school or at a school activity off school grounds.
3. Unlawful sale or distribution of any controlled substance, under state or federal law.

4. Conviction of a felony which will cause the attendance of the student to be injurious to the welfare or education of other students.

(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Exceptional Needs))

## **Expulsion Procedures**

### **Student's Right to Hearing**

1. The student is entitled to a hearing to challenge the recommendation that the student should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent, or designee determines that cause for expulsion exists.
2. If the Board finds it impracticable to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held.
3. Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay.

### **Written Notice of the Hearing**

Written notice of the hearing shall be forwarded to the student and the student's parent/guardian at least ten calendar days before the date of the hearing. The notice shall include:

1. The date and place of the hearing.
2. A statement of the specific facts and charges upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. The opportunity for the student or the student's parent/guardian to appear in person and/or to employ and be represented by counsel.
5. The right to inspect and obtain copies of all documents to be used at the hearing.
6. The opportunity to confront and question all witnesses who testify at the hearing.
7. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

## **Conduct of Hearing**

**Executive Session:** The Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public.

**Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, so long as a reasonably accurate written and complete transcription of the proceedings can be made.

**Presentation of Evidence:** While technical rules of evidence do not apply to such hearings, evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. Findings of fact shall be based solely on the evidence at the hearing. While no evidence shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure may subject them to an unreasonable risk of harm.

In cases where a search of a student's person or property has occurred, evidence describing the reason for conducting the search shall be included in the hearing record.

(cf. 5145.12 - Search and Seizure)

### **Alternative Hearing: Hearing Officer or Administrative Panel**

Instead of conducting an expulsion hearing itself, the Board may appoint a hearing officer, or an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled.

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board.

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated.



If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order.

The hearing officer or administrative panel may recommend that the Board suspend the expulsion (see below).

### **Final Action by the Board**

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel must be taken by the Board at a public meeting. The Board shall maintain a record of each expulsion, including its cause.

Upon ordering the expulsion, the Board may recommend a plan for the student's rehabilitation, which may include:

1. Periodic review and assessment at the time of application for readmission.
2. Recommendations for counseling, employment, community service and other rehabilitation programs.
3. Such other recommendations as the Board approves, such as enrollment in a drug rehabilitation program, if appropriate, before returning to school.

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

### **Written Notice to Expel**

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian.

### **Readmission**

An expulsion order shall remain in effect until the Board may order the readmission of the student. Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent or designee.
2. The Superintendent or designee will hold a conference with the parent/guardian and the student.

3. At the conference the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the conditions have been met. School regulations will be reviewed, and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.
4. The Superintendent or designee will transmit the request for readmission to the Board, along with his/her recommendation.
5. The Superintendent or designee will notify the student or parent/guardian, by registered mail, of the Board's decision regarding readmission.

### **Suspension of Expulsion**

The Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for not more than one calendar year and may, as a condition of the suspension of enforcement, assign the student to a school, class or program appropriate for the student's rehabilitation. When deciding whether to suspend an expulsion, the Board shall take into account the following criteria:

1. The student's previous behavior.
2. The seriousness of the misconduct.
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program.
4. During this period the student shall be on probationary status.
5. The suspension of expulsion order may be revoked by the Board if the student commits any of the acts which would constitute grounds for suspension or expulsion or violates any of the district's rules and regulations governing student conduct.
6. When the suspension of expulsion order is revoked, a student may be expelled under the terms of the original expulsion order.
7. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expungement of any or all records of the expulsion proceedings.
8. Suspension of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order.

9. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian.

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## **AR 5144.2 SUSPENSION AND EXPULSION (STUDENTS WITH DISABILITIES)**

A student receiving special education services is expected to follow the same behavior and conduct rules applicable to all students and is subject to discipline as set forth in those rules. The procedural safeguards established by district policies and regulations shall be observed in considering the suspension of special education students. In addition, students receiving special education may have additional rights relating to discipline and continuing services as set forth in the Individuals with Disabilities Education Act ("IDEA").

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this section, is appropriate for a student with a disability who violates behavior and conduct rules.

A student who has not been identified as a student with disabilities pursuant to the IDEA and who has violated the district's disciplinary procedures may assert the procedural safeguards under this administrative regulation only if the district had a basis of knowledge that the student had a disability before the behavior occurred.

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

(cf. 5144.1 - Suspension and Expulsion) (cf. 6164.4 - Child Find)

### **Removal for Up to 10 Days**

District personnel may suspend a special education student for up to ten school days per year without providing educational services. The days need not be consecutive. Removals for up to ten school days may be out of school suspensions, or, alternatively, an interim alternative educational setting or another setting. Parents must be immediately notified of the discipline decision.

### **Removal for More Than 10 Days or Placement in an Interim Alternative Educational Setting**

Students whose suspension constitutes a change in placement must continue to receive a free and appropriate public education. This means that beginning with the change in placement for disciplinary purposes, educational services must continue to be provided and procedural protections are triggered.

A change in placement occurs if:

1. The removal is for more than 10 consecutive school days; or
2. The student has been subjected to a series of removals that constitute a pattern because:
  - a. the series of removals total more than 10 school days in a school year;
  - b. the student's behavior is substantially similar to the behavior in previous incidents that resulted in removal; and
  - c. such additional factors support a pattern such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.

The District shall determine whether a pattern of removals constitutes a change in placement. This determination is subject to review through due process or judicial proceedings.

The parents shall be immediately notified of the discipline decision and provided a notice of procedural safeguards on the day the change in placement decision is made.

### **Manifestation Determination**

When a change in placement is contemplated for disciplinary purposes, the District must conduct a manifestation determination.

#### Timeframe for Making Determination

Within ten (10) school days of any decision to change the placement of a student with a disability because of a violation of student conduct rules, a manifestation determination shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action.

### **How Determination is Made**

In making a manifestation determination, the District, the parent, and relevant members of the student's IEP team (as determined by the District and the parent) must review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine:

1. if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
2. if the conduct in question was the direct result of the District's failure to implement the IEP. Manifestation is Found

If the District, the parent, and relevant members of the IEP team determine that either of the conditions above is met, the conduct shall be determined to be a manifestation of the student's disability. If the team determines that the student's conduct is a manifestation, then the child's placement cannot be changed except via the IEP team process. If a manifestation is found, the IEP team must either:

1. conduct a functional behavioral assessment, unless the District had already conducted one prior to the behavior leading to the change in placement, and implement a behavioral intervention plan for the student; or
2. if a behavior intervention plan has already been developed, review the plan and modify it, as necessary, to address the behavior; and
3. except under special circumstances for drugs, weapons or serious bodily injury as set forth below, return the student to the placement from which the student was removed, unless the parent and the District agree to a change of placement as part of the behavior intervention plan.

### **No Manifestation is Found**

If it is determined that the conduct is not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration as applied to students without disabilities, except that a free appropriate public education must continue to be provided. The educational services may be provided in an alternate setting.

### **Drugs, Weapons, or Serious Bodily Injury**

For violations of school policies involving weapons, drugs, or serious bodily injury, school personnel may remove a student to an interim alternative educational setting for up to a maximum of 45 school days without regard to whether the behavior is a manifestation of the student's disability. The interim alternative educational setting shall be determined by the IEP team.

Removal under these special circumstances is available for infractions where a student: carries or possesses a weapon to school or at school, on school premises, or to or at a school function; or

1. knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
2. has inflicted serious bodily injury upon another person while at school, or on school premises, or at a school function.

## **Disciplinary Appeals**

In accordance with IDEA, the parent of a student with a disability who disagrees with any decision regarding a change in placement or a manifestation determination may request a due process hearing. Similarly, the District may request a hearing if it believes that maintaining the current placement of the child is substantially likely to result in injury to the student or to others.

A hearing officer shall hear, and make a determination regarding, an appeal. The State of Alaska Department of Education and Early Development and the District shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing.

In making the determination on appeal, the hearing officer may order a change in placement of a student with a disability. In such situations, the hearing officer may:

1. return the student to the placement from which the student was removed;  
or
2. order a change in placement to an appropriate alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

### **Placement during appeals:**

When an appeal has been requested by either the parent or the District, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for deciding the hearing, whichever occurs first, unless the parent and the District agree otherwise.

**Dangerousness:** A hearing officer may place a student in an appropriate interim alternative educational setting on the grounds of dangerousness if there is a substantial likelihood of injury to the student or others if the student remains in his current placement. Such placement may be ordered for up to 45 days at a time.

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## **BP 5145.11 QUESTIONING AND APPREHENSION**

Law enforcement officers may interview students on school premises, as suspects or witnesses. When such an interview is requested, the principal or designee shall ascertain the officer's identity, official capacity, and the authority under which he/she acts. If the officer needs to interview the student immediately, the principal or designee shall accommodate the questioning in a way that causes the least possible disruption to the school process, gives the student appropriate privacy, and models exemplary cooperation with community law enforcement authorities.

Except when prohibited by law enforcement, such as in cases of child abuse or neglect, the principal or designee shall attempt to notify the student's parent/guardian when a law enforcement officer requests an interview on school premises.

At the law officer's discretion and with the student's approval, the principal or designee may be present during the interview.

When a site administrator releases a student into the custody of a law enforcement officer, he/she shall immediately notify the parent/guardian or responsible relative of the student's release and the place to which the student is reportedly taken, except when prohibited by law enforcement such as in cases of suspected child abuse.

Whenever a student is suspected of being a victim of child abuse and is being removed from the school premises, the Superintendent or designee shall give the telephone number and address of the student's parent/guardian to the law enforcement officer so that the appropriate authorities may contact the parent/guardian.

(cf. 5141.4 - Child Abuse and Neglect)

(cf. 5142 - Safety)

**9/92**

Adopted 6/23



## **BP 5145.12 SEARCH AND SEIZURE**

The School Board is committed to maintaining an environment for students and staff which is safe and conducive to learning and working. The Board recognizes that incidents may occur where the health, safety and welfare of students and staff are jeopardized and which necessitate the search and seizure of students, their property, or their lockers by school officials.

(cf. 5145.11 - Questioning and Apprehension)

The Board authorizes school officials to conduct searches when there are reasonable grounds or suspicion that the search will uncover evidence that the student is violating the law or the rules of the district or the school.

In determining whether reasonable cause for a search exists school officials shall consider:

1. The student's age and previous behavior patterns.
2. The prevalence and seriousness in the school of the problem to which the search was directed.
3. The urgency requiring the search without delay.
4. The substantive value and reliability of the information used as a justification for the search.
5. The location of the student at the time of the incident which gave rise to reasonable suspicion.

The Board urges that discretion, good judgment and common sense be exercised in all cases of search and seizure. Before searching a student's possessions, school officials will seek, but need not receive, the freely offered consent of the student. Whenever reasonably possible, a search of a student's person shall be conducted in the presence of the student's parent/guardian, a staff member, and/or the principal. The parent/guardian of the student being searched shall be notified by the district as soon after the search as possible.

The use of drug-detection dogs and metal detectors, or similar detection devices, may be used upon express authorization of the Board/Superintendent.

Because lockers are under the joint control of the student and the district, school officials shall have the right and ability to open and inspect any school locker without student permission when they have reasonable suspicion that the search will disclose evidence of illegal possessions or activity or when odors, smoke, fire and/or other threats to student health, welfare or safety emanate from the locker.

For health and safety reasons, a general inspection of school properties such as lockers and desks may be conducted on a regular, announced basis. Any items contained in a locker shall be considered to be the property of the student to whom the locker was assigned. Notice of this policy shall be given to all students when lockers are assigned. Notice will also be posted in prominent locations throughout the school.

(cf. 5131.6 - Drugs, Alcohol, Tobacco)

(cf. 5131.7 - Weapons and Dangerous Instruments) Legal Reference:

*ALASKA STATUTES*

*14.03.105 Search of school lockers*

*ALASKA ADMINISTRATIVE CODE*

*4 AAC 07.010 - 4 AAC 07.900 Student rights and responsibilities*

*New Jersey v. T.L.O., 469 U.S. 325 (1985)*

*Revised 9/99*

**9/92**

Adopted 6/23

**E 5145.12 STUDENT SEARCHES CHECKLIST**

## **BP 5145.15 STUDENT AND FAMILY PRIVACY RIGHTS**

The Board believes that personal information gathered from a student may be helpful or necessary to facilitate school safety, student welfare, or the continued success of academic programs. However, these goals must be balanced with the expectations of privacy of our students and their families. The following procedures shall be followed so that parents may make informed choices regarding the disclosure or collection of personal information from their student.

### **Student Surveys**

The Board recognizes that student surveys administered in the public schools may be beneficial for the purposes of study, the improvement of education, for class assignment, and to assist in providing guidance or counseling services to students and their families. In administering surveys or questionnaires to the District's students, the District shall comply with state and federal laws concerning parental notice and consent.

Surveys will not be administered to students without prior parental consent.

**Annual Consent:** The District may seek written parent/guardian permission, on an annual basis, for the administration of anonymous student surveys. Consent to anonymous surveys obtained annually will be valid until the beginning of the subsequent school year, or until written notice of withdrawal of consent is provided to the school principal. Parents or guardians shall receive at least two weeks' notice prior to the administration of an anonymous questionnaire or survey.

**Consent for Surveys that are Not Anonymous:** Prior to the administration of a survey that is not anonymous the District shall obtain written permission from the parent/guardian at least two weeks prior to the survey.

**Notice Requirements:** At least two weeks prior to the administration of a questionnaire or survey, whether anonymous or not, that requires parental consent as identified above, the school shall provide each student's parent or legal guardian with written notice explaining:

1. how and where the parent may preview the survey;
2. how the survey will be administered;
3. how the survey results will be used;
4. who will have access to the questionnaire, survey or results; and
5. for those surveys which are not anonymous, explain that written parental consent is required before participation in the particular survey, and

include a permission form to be returned by the parents, with instructions that the form must be returned at least two weeks before the survey.

### **Instructional Material**

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child's educational curriculum within a reasonable time of their request.

The term "instructional material" means instructional content that is provided to a student regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

### **Physical Exams or Screenings**

A student's parent(s)/guardian(s) may refuse to allow their child to participate in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance, (b) administered by the school and scheduled by the school in advance; and (c) not necessary to protect the immediate health and safety of the student, or of other students. The term "invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

1. Is permitted or required by an applicable state law, including physical examinations or screenings that are permitted without parental notification.
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.)
3. Is otherwise authorized by board policy.

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5131.61 - Drug/Alcohol Testing Policy)

## **Collection of Personal Information from Students for Marketing**

The term "personal information" means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) a telephone number, or (4) a Social Security identification number.

No school official or staff member shall administer or distribute to students a survey or other instrument for the purpose of collecting personal information for marketing or sale.

The above paragraph does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following:

1. College or other post-secondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for school-related or education- related activities.
6. Student recognition programs.

*Legal Reference:*

*ALASKA STATUTES*

*14.03.110 Questionnaires and surveys administered in public schools.*

*14.30.070 Physical Examination required.*

*14.30.127 Vision and hearing screening examinations.*

*UNITED STATES CODE*

*20 U.S.C. 1232(h) Protection of Pupil Rights Act Revised 3/2016*

**9/92**

Adopted 6/23

## **BP 5145.2 FREEDOM OF SPEECH/EXPRESSION**

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

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

(cf. 1325 - Advertising and Promotion) (cf. 6145.5 - Organizations/Associations)

Student free speech extends to religious expression. It is the policy of the School Board not to prevent, or otherwise deny participation in, constitutionally protected prayer in district schools, consistent with guidance issued by the U.S. Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution. This policy supersedes any other School Board policy that is inconsistent with it.

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

(cf. 6145.3 - Publications)

### *Legal Reference:*

#### *ALASKA ADMINISTRATIVE CODE*

*4 AAC 07.10 - 4 AAC 07.900 Student rights and responsibilities*

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

*Hazelwood School District v. Kuhlmer, 484 U.S. 260 (1988)*

*Tinker v. Des Moines, 393 U.S. 503 (1969)*

*Bethel School District v. Fraser, 478 U.S. 675 (1986)*

*Elementary and Secondary Education Act, 20 U.S.C. § 9524, as amended by the No Child*

*Left Behind Act of 2001 (P.L. 107-110) Revised 1/04*

**9/92**

Adopted 6/23



## **BP 5145.3 NONDISCRIMINATION**

District programs and activities shall be free from discrimination with respect to sex, race, color, religion, national origin, ethnic group, sexual orientation, gender identity, marital or parental status, and physical or mental disability. The School Board shall ensure equal opportunities for all students in admission and access to academic courses, guidance and counseling programs, athletic programs, testing procedures, career and technical education and other activities.

(cf. 0410 - Nondiscrimination) (cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.7 - Sexual Harassment)

Separate arrangements may be made for students according to sex during sex education programs and physical education activities involving bodily contact.

School staff and volunteers must guard against sex discrimination and stereotyping in instruction, guidance and supervision.

(cf. 6164.2- Guidance Services)

### *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*

*4 AAC 51.270 Equal opportunities*

#### *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 10/2015*

**9/92**

Adopted 6/23

## **AR 5145.3 TRANSGENDER STUDENTS AND EMPLOYEES**

The purpose of these guidelines is:

1. to foster inclusive and welcoming learning and working environments that are free from discrimination, harassment, and bullying regardless of sex, sexual orientation, gender identity, or gender expression;
2. to facilitate compliance with local, state and federal laws that prohibit discrimination, harassment and bullying;
3. to provide professional information to school staff on transgender issues; and
4. to create safe and supportive learning and working environments.

For purposes of these guidelines, a transgender individual is an individual that consistently asserts a gender identity or gender expression at school or work that is different from the gender assigned at birth. This involves a consistent declaration of gender identity or expression over time but does not require proof of a formal evaluation and diagnosis. Since individual circumstances, needs, programs, facilities and resources may differ, administrators and school staff are expected to consider the needs of the individual on a case-by-case basis.

### **The Process**

The following process should be used to address the needs of transgender and gender nonconforming students and employees. In addition, this process is available for any student or employee personally impacted by the accommodation of a transgender student or colleague. For example, a student who is uncomfortable about sharing a restroom with a transgender student can request access to an alternative restroom.

1. A transgender or gender nonconforming student or employee is encouraged to contact the site administrator to address any concerns or requests. Students may also contact their counselor, who will immediately notify and work with the principal. Parents/guardians of transgender students may also initiate contact with the principal.
2. The principal or administrator will schedule a meeting to discuss the individual's needs and to develop a plan to address these needs. The plan should address, as appropriate, the name and pronoun desired by the student/employee, restroom and locker room use, participation in athletics, dress code, student/employee transition plans, if any, and other needs or requests of the student/employee.

3. The plan should be developed by the principal or administrator, in consultation with the student or employee, and with others as deemed appropriate by the administrator and approved by the student or employee.
4. While medical documentation is not required, the school may request such documentation if helpful to develop an appropriate plan for the student or employee.
5. If the parties are uncertain or disagree regarding elements to be included in the plan, the site administrator should consult with the appropriate district administration.
6. Students may also use the Student Grievance Process, set forth in BP 1312.3, to address any transgender issue at school.
7. A copy of the final plan should be maintained in the student's health file or the employee's unit file.
8. District staff shall protect the privacy of transgender and gender nonconforming students and employees. All student and personnel information shall be kept strictly confidential as required by district policy and local, state or federal privacy laws.

### **Official Records**

Mandatory permanent student and employee records will include the legal/birth name and legal/birth gender. On other school records or documents, the school will use the name and gender preferred by the student or employee. For example, student ID cards could use the student's preferred name.

Only upon receipt of a court order or other legal documentation should a student's or employee's official record be changed to reflect a change in legal/birth name or gender.

### **Names and Pronouns**

Administrators and staff should respect the right of an individual to be addressed by a name and pronoun that corresponds to their gender identity. A court-ordered name or gender change is not required.

Transgender and gender nonconforming students/employees are encouraged to discuss how they want to be addressed in class, in the workplace, in correspondence to the home, or at conferences with the student's parent/guardian.

When contacting the parent or guardian of a transgender student, school staff should use the student's legal name and the pronoun corresponding to the student's gender assigned at birth, unless the student, parent, or guardian has specified otherwise.

## **Access to Gender-Segregated Activities and Areas**

Schools may maintain separate restrooms and locker rooms for male and female students/employees. Where available, schools are encouraged to designate facilities designed for use by one person at a time as accessible to all students regardless of gender. However, no student should be required to use such facilities because the student is transgender or gender nonconforming.

Upon request, the District will work with transgender students and parents to determine appropriate accommodations in regard to bathrooms and locker rooms. If a student is uncomfortable using a shared restroom or locker room, regardless of the reason, considerations can include safe and non-stigmatizing alternatives such as the addition of a privacy partition or curtain, use of a nearby private restroom or office, or a separate changing schedule.

## **Student Intramural and Interscholastic Athletics**

All students will be permitted to participate in intramural sports in a manner consistent with their gender identity consistently expressed at school. Furthermore, all students will be permitted to participate in District-sponsored interscholastic athletics in a manner consistent with their gender identity. ASAA determines its own rules for interscholastic competitions.

**Notice to the School:** The student and/or parents shall contact the school administrator or athletic director indicating that the student has a consistent gender identity different than the gender listed on the student's school registration records or state birth record, and that the student desires to participate in activities in a manner consistent with his/her gender identity.

Eligibility to participate in a manner consistent with the student's gender identity will remain applicable for the duration of the student's participation and does not need to be renewed every sports season or school year. Throughout high school, a student may only assert a single gender or gender identity for athletic or intramural participation and may not switch between male and female activities. An exception to this rule may be granted by the Superintendent in cases where the student's gender identity only becomes known or consistently asserted at some point during high school.

All communication among involved parties and any documentation shall be kept confidential, unless the student and family choose to reveal discussion or documentation.

Should eligibility be denied because of concerns about whether a student's request to participate in a sports activity consistent with his or her gender identity is bona fide, a student may seek review of his or her eligibility for participation through the Student Grievance Process, set forth in BP 1312.3.

## **Other Gender-Based Activities, Rules, Policies and Practices**

Schools should regularly evaluate all gender-based activities, rules, policies, and practices and maintain only those that have a clear and sound pedagogical purpose.

Students shall be permitted to participate in any such activities or conform to any such rule, policy, or practice consistent with their gender identity.

### **Dress Code**

Students and staff shall have the right to dress in accordance with their gender identity, within the constraints of the dress codes adopted by the district. School staff shall not enforce a school's dress code more strictly against transgender and gender nonconforming students than other students.

### **Student Transitions**

Transition is the process in which a person goes from living and identifying as one gender to living and identifying as another. When a student transitions during the school year, the principal or designee will hold a meeting with the student and parent(s) to discuss their desires and concerns. The principal or designee should discuss the student's timeline for the transition process in order to support a safe and accepting environment at the school.

### **Training and Professional Development**

District administration should provide training to appropriate staff on their responsibilities under applicable laws and this regulation. Training should include the responsibility to prevent, identify and respond to bullying, harassment and discrimination. This includes treating transgender students and employees respectfully to foster a spirit of inclusion and to refrain from making disparaging comments or comments seeking gender conformity.

*Revised 3/2017*

**9/92**

Adopted 6/23

## **BP 5145.7 SEXUAL HARASSMENT**

The School Board recognizes that sexual harassment can cause embarrassment, feelings of powerlessness, loss of self-confidence, reduced ability to perform schoolwork, and increased absenteeism or tardiness.

To promote an environment free of sexual harassment, the principal or designee shall take appropriate actions such as removing vulgar or offending graffiti, establishing site rules, and providing staff inservice or student instruction and counseling. Teachers shall discuss this policy with their students in age-appropriate ways and shall assure them that they need not endure any form of sexual harassment.

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5137 - Positive School Climate)

The Board shall not tolerate the sexual harassment of any student by any other student or any district employee. Any student or employee who is found guilty of sexual harassment shall be subject to disciplinary action.

(cf. 4119.11 - Sexual Harassment)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

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

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

Students or staff should immediately report incidences of sexual harassment to the principal or designee. The Superintendent or designee shall promptly investigate each complaint of sexual harassment in a way that ensures the privacy of all parties concerned. In no case shall the student be required to resolve the complaint directly with the offending person.

Notice of this policy will be circulated to all district schools and departments and incorporated in teacher and student handbooks.

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

(cf. 1312.3 - Complaints Concerning Discrimination)

*Legal Reference:*

*Davis v. Monroe County Bd. of Educ., 119 S.Ct. 1661 (1999) Ellison v. Brady, 924 F.2d 872 (9th Cir., 1991)*

*Franklin v. Gwinnett, 503 U.S. 60 (1992)*

*Meritor Savings Bank v. Vision, 477 U.S. 57 (1986) Revised 10/2021*

**9/92**

Adopted 6/23

## **AR 5145.7 SEXUAL HARASSMENT**

Types of conduct which are prohibited in the district, and which may constitute sexual harassment include:

1. Unwelcome sexual flirtations or propositions.
2. Verbal abuse of a sexual nature.
3. Sexual or "dirty" jokes.
4. Graphic verbal comments about an individual's body.
5. Sexually degrading words used to describe an individual.
6. Display of sexually suggestive objects or pictures in the educational environment.
7. Unwelcome touching, such as patting, pinching, or constant brushing against another's body.
8. Graffiti of a sexual nature.
9. Sexual gestures.
10. Touching oneself sexually or talking about one's sexual activity in front of others.
11. Spreading rumors about or rating other students as to sexual activity, performance or sexual orientation.
12. Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

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**9/92**

Adopted 6/23



## **BP 5146 MARRIED/PREGNANT/PARENTING STUDENTS**

The School Board believes that marriage, pregnancy and parenting should not be barriers to education or a reason for dropping out of school. Married, pregnant and parenting students in the district shall have the same educational opportunities as all students.

The instructional program provided for pregnant students shall be determined on a case-by-case basis and shall be appropriate to the student's individual needs. The student may continue attending school in the regular classroom setting, may attend a separate program established for pregnant students if available, or may pursue a home instruction or correspondence study program.

Wherever possible, program staff shall work closely with the pregnant student's partner and/or parents/guardians and shall collaborate with local public and private agencies in order to expand the student's learning opportunities and support system.

After the birth of her baby, a student may continue in or return to the regular school program or remain in an alternative program. A pregnant student's participation in an alternative program is voluntary.

When necessary, the district shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. A student that breastfeeds may request access to a private location, other than a restroom, to breastfeed or express milk for her infant child.

Pregnant or parenting students may request exemption from attendance because of personal reasons which may relate to the care of the student or child. Further pregnant or parenting students may be excused for absences related to medical appointments.

(cf. 5112.1 - Exemptions)

(cf. 5113 - Absences and Excuses)

The superintendent or designee will grant a student an attendance exemption or excused absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by her physician. At the conclusion of the absences, the student will be reinstated to the status she held when the absence began.

(cf. 5112.1 - Exemptions from attendance)

*Legal Reference:*

*TITLE IX, Education Amendments of 1972*

Revised 3/2015

**9/92**

Adopted 6/23

## **BP 5147 DROPOUT PREVENTION**

The School Board is deeply concerned about the many students who leave school without graduating. The Board particularly desires to provide a learning environment conducive to keeping in school those "high-risk" students who are susceptible to frequent absenteeism, truancy, or tardiness, or who have the potential to drop out because of pregnancy or marriage, financial needs, dislike of school, classes, or teachers, lack of basic skills, disciplinary problems, low self-esteem, emotional or physical problems, or feelings of alienation.

The Board sees every student as a valuable individual to be carefully nurtured and equipped to become a productive citizen.

The Board will review data to understand if there is a disproportional dropout rate of students by race, gender, and economic status. The Board will take action to address and resolve any disproportionality.

The Board recognizes that children who have experienced trauma drop out of school at a significantly higher rate than those who have not experienced trauma. The symptoms of traumatic stress can impact on educational success due to risk factors such as learning challenges, low academic achievement, emotional disturbance, disengagement, and/or truancy. To support the needs of students experiencing trauma, and the needs of all students who may be at risk of dropping out, the District will provide universal and selected evidence-based approaches to create safe, trauma informed, and culturally safe climates and practices. The District will work to identify those students with increased risk for not completing high school in order to provide additional supports, which may include referrals for external services available to support the student or the student's family

Because children all differ, variations of pace, topic and activity are needed to challenge and interest them. Besides seeking continual improvement in the quality and relevancy of our educational programs, the Board encourages the use of appropriate evidence-based dropout prevention strategies at all age and grade levels.

The Board directs the Superintendent to implement this policy with parental and community involvement.

(cf. 5131.6 - Drugs, Alcohol and Tobacco)

(cf. 5141.51 - At-risk Youths)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 5113 - Absences and Excuses)

**9/92**

Adopted 6/23

## **BP 5148 CHILD CARE**

The School Board recognizes that childcare and supervision are a necessity for many working families. The Board is deeply concerned about our community's need for childcare.

As part of our efforts to ensure the well-being of the community's children, the district shall work cooperatively with public and private agencies to provide childcare alternatives to the community. Besides serving community needs, the Board anticipates that these alternatives will generate increased parental involvement and support for the schools.

The Superintendent or designee shall identify locations both at operating and future facilities where day care programs might be placed without adverse impact on the district instructional program.

(cf. 0430 - Community School Program) (cf. 1020 - Youth Services)

(cf. 1330 - Use of School Facilities)

(cf. 3280 - Sale, Lease, Rental of District-owned Real Property)

**9/92**

Adopted 6/23