Board Policy Review Committee

Friday, May 13, 2022 9:00 AM
District Office Conference Room, 2920 3.5 Nome-Teller Hwy, Nome, Alaska 99762

A. **Policies for Review**
1. **AR 4112.5/4212.5/4312.5 Security Check**
2. **BP 6146.1 High School Graduation Requirements**

B. **AASB Policy Updates 2022**
1. **BP 1312.1 Public Complaints Concerning School Personnel**
2. **BP 4119.12 Harassment**
3. **BP 4131 Certified Staff Development**
4. **BP 4222 Teacher Aides/Paraprofessionals**
5. **BP 5030 School Discipline and Safety**
6. **BP 5131.43 Harassment, Intimidation and Bullying**
7. **BP 5141.4 Child Abuse and Neglect**
8. **AR 5141.4 Child Abuse and Neglect**
9. **BP 5145.7 Sexual Harassment**
10. **BP 6142.1 Family Life/Sex Education**
11. **BP 6142.2 AIDS Instruction**

AR 4112.5/4212.5/4312.5 SECURITY CHECK

All Personnel

1. No individual will be hired by the district until a background investigation has been completed. The Superintendent may waive this requirement to allow someone to work until the investigation is complete.

2. No person who has ever been convicted, or plead guilty or no contest (including forfeiture of bail) to a crime involving violence or sexual abuse will be hired by the district.

3. No person who has been convicted, or plead guilty or no contest (including forfeiture of bail) to (1) a felony or (2) a crime or other violation involving a controlled substance within the five years preceding the application, will be hired by the district. If more than five years have elapsed since the crime or violation, a person may apply pursuant to the following paragraph.

4. Applications from persons who have been convicted, or plead guilty or no contest (including forfeiture or bail) to any crime or violation (excluding minor traffic violations)not covered in (2) nor (3) will be considered by the Superintendent on a case by case basis and notice given to the School Board prior to hire or being hired by the district.

5. If charges are pending, no action will be taken on the individual's application until disposition of the charges.

Adopted: June 10, 2003

Nome Public Schools

BP 6146.1 HIGH SCHOOL GRADUATION REQUIREMENTS

***Note**: Transfer students who have earned 13 unit credits in another district may, at the district's discretion, be excused from the district's subject area units-of-credit requirements. 4 AAC 06.075.*

***Note**: Unless otherwise stated in a student's IEP, the district shall require all students in grade 11, and all students in grade 12 who have not previously done so, to take a college and career readiness assessment described in 4 AAC 06.717. However, failure to take one of these assessments shall not be grounds for withholding a diploma from an otherwise qualified student. At the request of a student, the district shall retroactively issue a high school diploma to a student who did not receive one because of failure to pass all or a portion of the previously required High School Graduation Qualifying Exam and instead received a certificate of achievement, provided the person takes a college and career readiness assessment. AS 14.03.075. A person may satisfy the assessment pursuant to the regulations in 4 AAC 06.718. The district is to mail a notice of this option to each such student who qualifies for a diploma to the student's last known address.*

The School Board intends that all District students graduate high school ready for college or a career. The Superintendent or designee shall prepare for School Board approval a plan consisting of district graduation requirements. Students shall receive diplomas of graduation from high school only after meeting the following district graduation requirements, as well as taking a college and career readiness assessment or receiving a waiver from the School Board.

Subject	**Units of Credit**	
Language Arts	4	
Social Studies	3*	
Mathematics	3	- For students graduating from high school **on or after July 1, 2017**
Science	2	
Health/Physical Education	1	<--- Health 0.5 & P.E. 0.5 - for students graduating from high school on or after July 1, 2025
Electives	9	

****Note**: The three units of credit in social studies must include one-half unit of credit in Alaska history or demonstration that the student meets the Alaska history performance standards. This requirement will not apply to a student who (1) transfers into your school after the student's second year of high school; or (2) has already successfully completed a high school state history course in another state. 4 AAC 06.075.*

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 6164.2 - Guidance and Counseling Services)

(cf. 6146.3 – College and Career Readiness Assessments)

(cf. 6184 - Virtual/Online Courses)

Legal Reference:

ALASKA STATUTES

14.03.075 Secondary student competency testing

ALASKA ADMINISTRATIVE CODE

4 AAC 06.075 High school graduation requirements

4 AAC 06.717 College and career readiness assessments

4 AAC 06.718 College and career readiness assessment after student receives a certificate of achievement

4 AAC 06.721 College and career readiness assessment waivers

Revised 05/2017

Revised 03/2016

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Revised 05/2017

Revised 03/2016

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Community Relations

PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL BP 1312.1

The School Board places trust in its employees and desires to support their actions in such manner that employees are free from unwarranted, spiteful or negative criticism and complaints. The Superintendent or designee shall develop procedures which will permit the public to lodge complaints or criticism against staff members, assure full consideration, and protect the rights of the staff members and the district. Verbal complaints against an employee initially made to a School Board member, Advisory School Board member, or at a School Board meeting will be referred to the Superintendent or designee for appropriate consideration and action.

The District will respond to complaints concerning school personnel, investigate as appropriate, and take action as may be necessary or advisable to resolve the concern. Complaints should follow the complaint filing and resolution process set forth in administrative regulation.

The process for complaints concerning school personnel will be administered in a fair and nondiscriminatory manner on behalf of both the complainant and the personnel involved.

(cf. 1312 - Public Complaints Concerning the Schools)
(cf. 4112.6/4212.6/4312.6 - Personnel Records)
(cf. 9323 - Meeting Conduct)

Commented [AP1]: **Added:** */4212.6/4312.6* to match BP number

Note: When public complaints include allegations of child abuse, it is imperative that school officials consult BP 5141.4 - Child Abuse and Neglect (Reporting Procedures). Though a district may implement its complaint procedures in such cases, the duty to report suspected child abuse comes first. We encourage school districts to rely on the child protective agencies for resolving these complaints and determining if the child abuse report is unfounded. The following language is optional.

Commented [AP2]: Language is optional
Added: We encourage school districts to rely on the child protective agencies for resolving these complaints and determining if the child abuse report is unfounded. The following language is optional.

OPTION 1: This policy shall not apply when a public complaint involves accusations of child abuse. W a school employee is accused of child abuse, it shall be investigated by proper authorities in accordance child abuse laws.

Commented [AP3]: (Pick an option)
Option 1 is part of our current policy

OPTION 2: When public complaints involve accusations of child abuse, the provisions of this policy ar regulation shall be implemented only after the child abuse reporting requirements specified in law have been fulfilled

Commented [AP4]: (Pick an option)

(cf. AR 5141.4 - Child Abuse and Neglect (Reporting Procedures))
(cf. 5141.42 - Professional Boundaries of Staff with Students)

Commented [AP5]: **Added:** AR

Legal Reference:
ALASKA STATUTES
44.62.310 Government meetings public

Revised 10/2021

Deleted: *3/2019*

AASB POLICY REFERENCE MANUAL
9/92

BP 1312.1 PUBLIC COMPLAINTS CONCERNING SCHOOL PERSONNEL

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(cf. 5141.4 - Child Abuse and Neglect (Reporting Procedures)

Legal References:

ALASKA STATUTES

44.62.310 Government meetings public

Revised 04/2019

Adopted: June 10, 2003

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Personnel

ALL PERSONNEL BP 4119.12(a)

HARASSMENT

The School Board recognizes that harassment can cause embarrassment, feelings of powerlessness, loss of self-confidence, reduced ability to perform school work, and increased absenteeism or tardiness. The School Board shall not tolerate the harassment of any student by any other student or district employee. Any student or employee who is found guilty of harassment shall be subject to disciplinary action.

Harassment means intimidation by threats of or actual physical violence; the creation by whatever means of a climate of hostility or intimidation; or the use of language, conduct, or symbols in such a manner as to convey hatred, contempt, or prejudice or to have the effect of insulting or stigmatizing an individual. Harassment includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, religion, marital status, or disability.

(cf. 5131.43 – Harassment, Intimidation and Bullying)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319 – Sexual Harassment)
(cf. 4119.21/4219.21-4319 – Code of Ethics)

To promote an environment free of 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. Principals shall discuss this policy with their employees and shall assure them that they need not endure any form of harassment.

The School Board encourages students or staff to immediately report incidences of harassment to the principal or designee. The Superintendent or designee shall promptly investigate each complaint of harassment in a way that ensures the privacy of all parties concerned. In no case shall the student or staff member 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 - Public Complaints Concerning Discrimination)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 5141.42 - Professional Boundaries of Staff with Students)

Legal Reference (see next page):

Commented [AP1]: Added: */4219.11/4319* to match BP number

Commented [AP2]: Added: */4219.21/4319* to match BP number

Commented [AP3]: Added: *Public* to match BP title

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Personnel

ALL PERSONNEL BP 4119.12(b)

HARASSMENT

Legal References:

ALASKA STATUTES
AS 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
TITLE VI, CIVIL RIGHTS ACT OF 1964
TITLE IX, EDUCATION AMENDMENTS OF 1972
INDIVIDUALS WITH DISABILITIES EDUCATION ACT
AMERICANS WITH DISABILITIES ACT

Revised 10/2021

Deleted: *3/2015*¶

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(cf. 5131.43 - Harassment, intimidation and bullying)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4119.11 - Sexual Harassment)

(cf. 4119.21 - Code of Ethics)

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

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UNITED STATES CODE

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TITLE IX, EDUCATION AMENDMENTS OF 1972

INDIVIDUALS WITH DISABILITIES EDUCATION ACT

AMERICANS WITH DISABILITIES ACT

Revised 3/2015

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Personnel

CERTIFICATED STAFF DEVELOPMENT BP 4131(a)

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

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

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

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

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

(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5141.4 - Child Abuse Reporting)
(cf. 5141.41 – Child Abuse Prevention)
(cf. 5141.42 - Professional Boundaries of Staff with Students)
(cf. 5141.52 – Suicide Prevention)
(cf. 5142.3 – Restraint and Seclusion)

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We do not have an AR for 5141.42

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Deleted: *5*

Commented [AP3]: Added: *Child Abuse* to match BP title

Deleted: *Sexual Abuse, Sexual Assault and Dating Violence Awareness and*

CERTIFICATED STAFF DEVELOPMENT (continued) BP 4131(b)

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

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

(cf. 4116 - Nontenured/Tenured Status)

Legal Reference:

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

ALASKA STATUTES
14.08.111 Duties (Regional School Boards)
14.14.090 Duties of school boards
14.16.020 Operation of state boarding schools
14.18.060 Discrimination in textbooks and instructional materials prohibited
14.20.020 Requirements for issuance of certificate; fingerprints
14.20.680 Required alcohol and drug related disabilities training
14.30.355 Sexual abuse and sexual assault awareness and prevention
14.30.356 Dating violence and abuse policy, training, awareness, prevention, and notices
14.30.362 Suicide awareness and prevention training
47.17.022 Training (child protection)

ALASKA ADMINISTRATIVE CODE
4 AAC 06.530 Guidance and counseling services
4 AAC 06.550 Review of instructional materials
4 AAC 12.397 Mandatory training requirements
4 AAC 19.060 Evaluation Training
4 AAC 52.260 Personnel Development

BP 4131 CERTIFICATED STAFF DEVELOPMENT

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

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

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

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

(cf. 5131.6 – Alcohol and Other Drugs)

(cf. 5141.4 – Child Abuse and Neglect)

(cf. 5141.41 – Child Abuse Prevention)

(cf. 5141.52 – Suicide Prevention)

(cf. 5142.3 – Restraint and Seclusion)

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4 AAC 12.397 Mandatory training requirements

4 AAC 19.060 Evaluation Training

4 AAC 52.260 Personnel Development

Revised: 09/2017

Revised: 12/2016

Revised: 08/2016

Revised: 07/2015

Adopted: June 10, 2003

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Personnel

TEACHER AIDES/PARAPROFESSIONALS BP 4222(a)

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

The School Board favors the use of paid and volunteer teacher aides/paraprofessionals and considers them to be members of a professional team dedicated to the best interests of students. By relieving teachers of duties that do not require professional training, noncertificated persons allow teachers to dedicate their skills, knowledge and efforts primarily to teaching. Paraprofessionals also can help teachers to provide individualized student instruction and an enriched educational program.

(cf. 1250 - Volunteer Assistance)

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

The Superintendent or designee shall ensure that all paraprofessionals have appropriate training and supervision, including the training set forth in BP 5141.42, *Professional Boundaries of Staff with Students*.

(cf. 5141.42 - Professional Boundaries of Staff with Students)

Note: Special Education aides must serve under the supervision of qualified personnel and receive training in accordance with 4 AAC 52.250.

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

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

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

Commented [AP1]: Added: *5* to match BP number

Deleted: *4*

Commented [AP2]: Deleted: /AR
We do not have an AR for 5141.42

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Personnel

TEACHER AIDES/PARAPROFESSIONALS BP 4222(b)

Paraprofessionals Working in Title I Programs

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

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

Exceptions to the above requirements may be made for paraprofessionals who act as translators, who have instructional-support duties that consist solely of parent involvement activities, or who have only non-instructional duties.

Note: Non-instructional duties include providing computer technical support, personal care duties, and clerical duties. 4 AAC 04.220(e).

Legal Reference: (See next page)

TEACHER AIDES/PARAPROFESSIONALS (continued) BP 4222(b)

Legal Reference:
ALASKA ADMINISTRATIVE CODE
4 AAC 04.220 Paraprofessional standards
4 AAC 05.080 School curriculum and personnel
4 AAC 52.250 Special education aides
4 AAC 52.255 Interpreters

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

Revised 10/2021

Deleted: *9/2016*

BP 4222 TEACHER AIDES/ PARAPROFESSIONALS

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

The School Board favors the use of paid and volunteer teacher aides/paraprofessionals and considers them to be members of a professional team dedicated to the best interests of students. By relieving teachers of duties that do not require professional training, noncertificated persons allow teachers to dedicate their skills, knowledge and efforts primarily to teaching. Paraprofessionals also can help teachers to provide individualized student instruction and an enriched educational program.

(cf. 1240 – School-Connected Organizations)

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

The Superintendent or designee shall ensure that all paraprofessionals have appropriate training and supervision.

Note: *Special Education aides must serve under the supervision of qualified personnel and receive training in accordance with 4 AAC 52.250.*

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

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

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

Paraprofessionals Working in Title I Programs

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

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

Exceptions to the above requirements may be made for paraprofessionals who act as translators, who have instructional-support duties that consist solely of parent involvement activities, or who have only non-instructional duties.

Note: *Non-instructional duties include providing computer technical support, personal care duties, and clerical duties. 4 AAC 04.220(e).*

Legal Reference:

ALASKA ADMINISTRATIVE CODE

4 AAC 04.220 *Paraprofessional standards*

4 AAC 05.080 *School curriculum and personnel*

4 AAC 52.250 *Special education aides*

4 AAC 52.255 *Interpreters*

UNITED STATES CODE

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

Revised 12/2016

Revised 8/2016

Revised 06/2011

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Students

SCHOOL DISCIPLINE AND SAFETY BP 5030(a)

Note: Each school district must have in place a school disciplinary and safety program. AS 14.33.110-.140. The purpose of the program is to implement community standards of school behavior that are developed with the collaboration of students, parents, guardians, teachers, school administrators, and advisory school boards in each community; and to protect and support teachers who enforce standards of student behavior and safety in the classroom. Effective October 2014, the program must be made available to students, parents, legal guardians, and the public, and must include written policies and procedures consistent with standards for use of restraint and seclusion, outlined in AS 14.33.125. The Every Student Succeeds Act requires states to implement a system of school safety assessment. Under ESSA, districts are required to offer a school choice option in two instances: (1) when a student attends a "persistently dangerous school," or (2) when a student has been the victim of a violent criminal offense. Alaska's implementation of these federal mandates is found at 4 AAC 06 in newly added Article 2, Safe Schools.

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 conductive 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. 4158/4258/4358 –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 of Staff with Students)
(cf. 5141.51- At-Risk Youth)
(cf. 5142.3 – Restraint and Seclusion)
(cf. 5144 – Discipline)
(cf. 5144.1 – Suspension and Expulsion)
(cf. AR 5144.2 – Suspension and Expulsion (Students with Disabilities))
(cf. 5145.11 – Questioning and Apprehension)
(cf. 5145.12 – Search and Seizure)
(cf. 5145.5 – Nondiscrimination)

Commented [AP1]: Added: */4258/4358* to match BP number

Commented [AP2]: Deleted: *(cf. 5142.2 – School Safety Patrol)*
We do not have this policy

Commented [AP3]: Added: *(Students with Disabilities)* to match AR title

Commented [AP4]: Deleted: */Due Process (Individuals with Exceptional Needs)*

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Students

SCHOOL DISCIPLINE AND SAFETY (continued) BP 5030(b)

(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. 6172 – Special Education)

Commented [AP5]: Deleted: *(cf. 6164.5 – Student Study Teams)*
We do not have this policy

Note: School districts must adopt policies for implementing a student conflict resolution strategy. The strategy must provide for the nonviolent resolution or mediation of conflicts, and procedures for reporting and resolving conflicts. AS 14.33.120(a)(7). A district's school disciplinary and safety program must provide for a student conflict resolution strategy.

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.

Commented [AP6]: Deleted: , cultural,

Commented [AP7]: Deleted: and other protected classes

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.

Commented [AP8]: Deleted: , and recognition of regional cultural practices in community, respect, self-respect, and self-control

Note: Effective October 2014, districts must include in the school disciplinary and safety program written policies and procedures consistent with standards for use of restraint and seclusion. The following language incorporates this requirement.

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.

Commented [AP9]: Deleted: , and understanding family safety practices

(cf. 5142.3 – Restraint and Seclusion)

Note: AS 14.33.120 requires the discipline and safety program to have procedures for periodic revision and review. 4 AAC 07.050 requires that a district's student rights and responsibilities policies be reviewed at least once every three years. The following language utilizes a maximum three-year duration for the review process.

SCHOOL DISCIPLINE AND SAFETY (continued) BP 5030(c)

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 – Board Policies)
(cf. 9313 – Administrative Regulations)

Commented [AP10]: **Deleted:** *School* to match BP title

Note: Annually, the district is to submit a report to the Department of Education and Early Development relating to the district's disciplinary and safety program, including incident numbers for infractions involving violence or weapons. This report is to be submitted at the same time the district submits its annual report on goals and priorities as required by AS 14.03.120(a). Additionally, the district is to report all incidents of suspension and expulsion resulting from harassment, intimidation, or bullying. Effective October 2014, the district is to annually report, not later than June 30, the total number of incidents involving the restraint or seclusion of a student as required by AS 14.33.125 and 4 AAC 06.175 (see BP 5142.3). The following language incorporates the reporting requirements for school discipline as set forth in AS 14.33.120, 14.33.210, 4 AAC 06.172 and 4 AAC 06.250.

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 dis aggregated 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.

Note: One of the purposes of the school disciplinary and safety program is to protect and support teachers who enforce standards of student behavior and safety in the classroom. AS 14.33.110(3). The law provides that a teacher, teacher's assistant, a principal, or another person responsible for students may not be terminated or otherwise subjected to formal disciplinary action for lawful enforcement of a school disciplinary and safety program, including behavior standards. AS 14.33.130. It is recommended that a district desiring to take disciplinary action against a staff member for unreasonable or unlawful enforcement of student discipline should contact legal counsel. Finally, school employees are also protected from civil liability for acts or omissions arising out of enforcement of the disciplinary and safety program while in the course of employment, unless the act constitutes gross negligence or reckless or intentional misconduct. AS 14.33.140 and the No Child Left Behind Act.

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.

SCHOOL DISCIPLINE AND SAFETY (continued) BP 5030(d)

(cf. 2110 – Organization Chart/Lines of Responsibility)
(cf. 4158/4258/4358 – Employee Security)
(cf. 5144 – Discipline)
(cf. 4119.21/4219.21/4319 - Codes of Ethics)
(cf. 4119.3/4219.3/4319.3 – Duties of Personnel)
(cf. 5141.42 - Professional Boundaries of Staff with Students)

Commented [AP11]: **Added:** *4258/4358* to match BP number

Commented [AP12]: **Added:** */4219.21/4319* to match BP number

Commented [AP13]: **Added:** *s* to match BP title

Commented [AP14]: **Added:** */4219.3/4319.3* to match BP title

Note: On July 15 of each year, the Department of Education and Early Development will determine the safety status of the schools in the state. The Department will designate a school as safe, at-risk, or persistently dangerous. A district that has a school identified as persistently dangerous must provide notice within 10 days to all parents of students who attend the school that the school has been designated as persistently dangerous and that the parent has 30 days to request that the district transfer the student to a safe school within the district. A transfer must occur within 30 days of a transfer request. A district that has only one public school of the appropriate grade level is not required to create a second public school in order to offer a transfer option. Additionally, within 10 days of an incident in which a student is a victim of a violent criminal offense at school, a district shall notify the parents of the student that they may have their student transferred. If a parent requests a transfer, the district shall provide the transfer within 30 days. A student shall be eligible for a transfer if substantial evidence indicates that the student was a victim of a violent criminal offense on the grounds of the school attended by the student. If a district refuses to offer to transfer a student whom the student's parent believes was the victim of a violent criminal offense, the parent may, within 30 days of the refusal, appeal to the Commissioner of Education. Again, a district that has only one public school of the appropriate grade level is not required to create an additional public school in order to provide the option to transfer. A violent criminal offense does not have to be the subject of a criminal charge, and includes incidents that would establish the elements of the following violent criminal offenses: (1) an offense against the person under the Alaska Criminal Code, AS 11.41.100-11.41.530; (2) recruiting a gang member in the first degree, AS 11.61.160; and (3) misconduct involving weapons in the first degree, AS 11.61.195. A parent who has exercised the parent's option to transfer a student may have the student remain in the receiving school until the student completes the highest grade level offered by that school. A district that is required to offer a student a transfer to a safe school, but that does not contain a safe school of an appropriate grade level, must offer to transfer the student to the parent's choice of any school designated at Level 2 or higher under 4 AAC 06.835 and work with the parent to identify other suitable educational opportunities for the student, including transfer to another district or attending a statewide correspondence school. 4 AAC 06.200-.270.

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 (see next page)

SCHOOL DISCIPLINE AND SAFETY (continued) BP 5030(e)

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

Deleted: *3/2019*

BP 5030 SCHOOL DISCIPLINE AND SAFETY

***Note**: Each school district must have in place a school disciplinary and safety program. AS 14.33.110-140. The purpose of the program is to implement community standards of school behavior that are developed with the collaboration of students, parents, guardians, teachers, school administrators, and advisory school boards in each community; and to protect and support teachers who enforce standards of student behavior and safety in the classroom. Effective October 2014, the program must be made available to students, parents, legal guardians, and the public, and must include written policies and procedures consistent with standards for use of restraint and seclusion, outlined in AS 14.33.125. The Every Student Succeeds Act requires states to implement a system of school safety assessment. Under ESSA, districts are required to offer a school choice option in two instances: (1) when a student attends a "persistently dangerous school," or (2) when a student has been the victim of a violent criminal offense. Alaska's implementation of these federal mandates is found at 4 AAC 06 in newly added Article 2, Safe Schools.*

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(cf. 1230 – Citizen Advisory Committees)

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

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

(cf. 5131 – Conduct)

(cf. 5131.1 – Bus Conduct)

(cf. 5131.41 – Violent and Aggressive Conduct)

(cf. 5131.42 – Threats of Violence)

(cf. 5131.43 – Harassment, Intimidation and Bullying)

(cf. 5131.5 – Vandalism, Theft and Graffiti)

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(cf. 5131.62 – Tobacco)

(cf. 5131.63 – Performance Enhancing Drugs)

(cf. 5131.7 – Weapons and Dangerous Instruments)

(cf. 5131.9 – Academic Honesty)

(cf. 5132 – Dress and Grooming)

(cf. 5136 – Gangs)

(cf. 5137 – Positive School Climate)

(cf. 5141.51- At-Risk Youths)

(cf. 5142.3 – Restraint and Seclusion)

(cf. 5144 – Discipline)

(cf. 5144.1 – Suspension and Expulsion)

(cf. 5144.2(AR) – Suspension and Expulsion (Students with Disabilities)

(cf. 5145.11 – Questioning and Apprehension)

(cf. 5145.12 – Search and Seizure)

(cf. 5145.3 – 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. 6172 – Special Education)

***Note**: School districts must adopt policies for implementing a student conflict resolution strategy. The strategy must provide for the nonviolent resolution or mediation of conflicts, and procedures for reporting and resolving conflicts. AS 14.33.120(a)(7). A district's school disciplinary and safety program must provide for a student conflict resolution strategy.*

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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, positive behavior support approaches, and recognition of regional cultural practices in community, respect, self-respect, and self-control.

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(cf. 5142.3 – Restraint and Seclusion)

***Note**: AS 14.33.120 requires the discipline and safety program to have procedures for periodic revision and review. 4 AAC 07.050 requires that a district's student rights and responsibilities policies be reviewed at least once every three years. The following language utilizes a maximum three-year duration for the review process.*

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(cf. 9310 – Policy Manual)

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***Note**: One of the purposes of the school disciplinary and safety program is to protect and support teachers who enforce standards of student behavior and safety in the classroom. AS 14.33.110(3). The law provides that a teacher, teacher's assistant, a principal, or another person responsible for students may not be terminated or otherwise subjected to formal disciplinary action for lawful enforcement of a school disciplinary and safety program, including behavior standards. AS 14.33.130. It is recommended that a district desiring to take disciplinary action against a staff member for unreasonable or unlawful enforcement of student discipline should contact legal counsel. Finally, school employees are also protected from civil liability for acts or omissions arising out of enforcement of the disciplinary and safety program while in the course of employment, unless the act constitutes gross negligence or reckless or intentional misconduct. AS 14.33.140 and the No Child Left Behind Act.*

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

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

(cf. 5144 – Discipline)

(cf. 4119.21/4219.21/4319 – Codes of Ethics)

(cf. 4119.3/4219.3/4319.3 – Duties of Personnel)

***Note**: On July 15 of each year, the Department of Education and Early Development will determine the safety status of the schools in the state. The Department will designate a school as safe, at-risk, or persistently dangerous. A district that has a school identified as persistently dangerous must provide notice within 10 days to all parents of students who attend the school that the school has been designated as persistently dangerous and that the parent has 30 days to request that the district transfer the student to a safe school within the district. A transfer must occur within 30 days of a transfer request. A district that has only one public school of the appropriate grade level is not required to create a second public school in order to offer a transfer option. Additionally, within 10 days of an incident in which a student is a victim of a violent criminal offense at school, a district shall notify the parents of the student that they may have their student transferred. If a parent requests a transfer, the district shall provide the transfer within 30 days. A student shall be eligible for a transfer if substantial evidence indicates that the student was a victim of a violent criminal offense on the grounds of the school attended by the student. If a district refuses to offer to transfer a student whom the student's parent believes was the victim of a violent criminal offense, the parent may, within 30 days of the refusal, appeal to the Commissioner of Education. Again, a district that has only one public school of the appropriate grade level is not required to create an additional public school in order to provide the option to transfer. A violent criminal offense does not have to*

be the subject of a criminal charge, and includes incidents that would establish the elements of the following violent criminal offenses: (1) an offense against the person under the Alaska Criminal Code, AS 11.41.100-11.41.530; (2) recruiting a gang member in the first degree, AS 11.61.160; and (3) misconduct involving weapons in the first degree, AS 11.61.195. A parent who has exercised the parent's option to transfer a student may have the student remain in the receiving school until the student completes the highest grade level offered by that school. A district that is required to offer a student a transfer to a safe school, but that does not contain a safe school of an appropriate grade level, must offer to transfer the student to the parent's choice of any school designated at Level 2 or higher under 4 AAC 06.835 and work with the parent to identify other suitable educational opportunities for the student, including transfer to another district or attending a statewide correspondence school. 4 AAC 06.200-.270.

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 children with disabilities

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 children with disabilities and gifted children

20 AAC 10.020 Code of ethics and teaching standards

Revised 05/2019

Revised 05/2017

Revised 3/2015

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

HARASSMENT, INTIMIDATION AND BULLYING BP 5131.43(a)

Note: Districts must have a policy prohibiting the harassment, intimidation, or bullying of any student. AS 14.33.200-.250.

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)

Note: Disability-based harassment or bullying may deny a student equal educational opportunities under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA). Harassment or bullying of a student with a disability, on *any* basis, may also adversely impact the school's provision of FAPE to the student, under the Individuals with Disabilities Education Act (IDEA) and under Section 504. (*See* Dear Colleague Letter, Office for Civil Rights, October 21, 2014). A school's inappropriate response to bullying or harassment of a student, based on a disability, may constitute a disability-based harassment violation, *by the school*, under Section 504 and the ADA. Schools should address all harassment and bullying of students with disabilities by taking prompt and effective steps reasonably calculated to end the bullying or harassment, eliminate the hostile environment, prevent it from recurring, investigate if the student's receipt of appropriate services may have been affected by the bullying (if student receives IDEA or Section 504 services) and, as appropriate, remedy its effects.

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 of Staff with 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)

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

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

Note: Technological advances have expanded the ways in which harassment, intimidation, or bullying can occur, including the ability to bully with anonymity and to reach a much broader audience. This language notifies students and staff that cyberbullying is not permitted and will result in disciplinary action. It is a crime, (harassment in the second degree) to repeatedly send or publish an electronic communication that insults, taunts, challenges, or intimidates a person under 18 years of age in a manner that places the person in reasonable fear of physical injury, if done with intent to harass or annoy another person. AS 11.61.120(a)

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

Note: A school employee, student or volunteer who makes a good faith report of harassment, intimidation, or bullying is entitled to statutory immunity from suit. The immunity extends to causes of action for damages arising from a failure to remedy the reported incident or for making the report. AS 14.33.230.

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. 5131.41 – 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

Commented [AP1]: Deleted: *(cf. 5131.4 – Campus Disturbances)*
We do not have this policy

Deleted: *3/2015*

BP 5131.43 HARASSMENT, INTIMIDATION AND BULLYING

Note: *Districts must have a policy prohibiting the harassment, intimidation, or bullying of any student. AS 14.33.200-.250.*

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)

Note: *Disability-based harassment or bullying may deny a student equal educational opportunities under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA). Harassment or bullying of a student with a disability, on any basis, may also adversely impact the school's provision of FAPE to the student, under the Individuals with Disabilities Education Act (IDEA) and under Section 504. (See Dear Colleague Letter, Office for Civil Rights, October 21, 2014). A school's inappropriate response to bullying or harassment of a student, based on a disability, may constitute a disability-based harassment violation, by the school, under Section 504 and the ADA. Schools should address all harassment and bullying of students with disabilities by taking prompt and effective steps reasonably calculated to end the bullying or harassment, eliminate the hostile environment, prevent it from recurring, investigate if the student's receipt of appropriate services may have been affected by the bullying (if student receives IDEA or Section 504 services) and, as appropriate, remedy its effects.*

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 in-service 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.

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

Note: *Technological advances have expanded the ways in which harassment, intimidation, or bullying can occur, including the ability to bully with anonymity and to reach a much broader audience. This language notifies students and staff that cyberbullying is not permitted and will result in disciplinary action. It is a crime, (harassment in the second degree) to repeatedly send or publish an electronic communication that insults, taunts, challenges, or intimidates a person under 18 years of age in a manner that places the person in reasonable fear of physical injury, if done with intent to harass or annoy another person. AS 11.61.120(a)*

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

Note: *A school employee, student or volunteer who makes a good faith report of harassment, intimidation, or bullying is entitled to statutory immunity from suit. The immunity extends to causes of action for damages arising from a failure to remedy the reported incident or for making the report. AS 14.33.230.*

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. (Broken Jump Link - 5131.42) - Threats of Violence)

(cf. 5131.5 - Vandalism, Theft & Graffiti)

(cf. 5137 - Positive School Climate)

Legal References:

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 3/2015

Nome Public Schools

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Students

CHILD ABUSE AND NEGLECT BP 5141.4(a)

Note: AS 14.08.111 and AS 14.14.090 require districts to provide mandatory reporters with training in the recognition and reporting of child abuse and neglect. Pursuant to AS 47.17.020, teachers, school administrators, and paid athletic coaches are mandated to report child abuse and neglect. New employees required to report are to be trained on this obligation within 45 days after the first day of employment. AS 47.17.022. A school district providing training shall provide notice of the training to public and private schools in the district and invite volunteers who are required to report to participate in the training at no cost to the volunteer. Effective June 30, 2017, volunteers who interact with children in public or private school for more than four hours a week are also mandatory reporters of child abuse. AS 18.66.310 requires school districts to offer continuing education at least once every two years on domestic violence for mandatory reporter employees.

Abuse and neglect affects 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 – Certificated Staff Development)
(cf. 5141.42 - Professional Boundaries of Staff with Students)

Commented [AP1]: **Added:** *Certificated* to match BP title

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 5141.42, *Professional Boundaries of Staff with Students*. All mandatory reporters, including qualifying volunteers, are invited to participate in the training at no cost.

Commented [AP2]: **Deleted:** /AR
We do not have an AR for 5141.42

Note: Many school employees may encounter child abuse and neglect. The following optional language expands the number of school employees offered training in child abuse recognition and reporting. It may be revised or deleted as desired.

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.

Note: Pursuant to AS 47.17.068, failing to report child abuse or neglect mandated by law is a misdemeanor if the person knew or should have known that circumstances gave rise to the need for a report.

Legal Reference (see next page):

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Students

CHILD ABUSE AND NEGLECT BP 5141.4(b)

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

Deleted: *3/2016*

BP 5141.4 CHILD ABUSE AND NEGLECT

Note: *AS 14.08.111 and AS 14.14.090 require districts to provide mandatory reporters with training in the recognition and reporting of child abuse and neglect. Pursuant to AS 47.17.020, teachers, school administrators, and paid athletic coaches are mandated to report child abuse and neglect. Newemployees required to report are to be trained on this obligation within 45 days after the first day of employment. AS 47.17.022. A school district providing training shall provide notice of the training to public and private schools in the district and invite volunteers who are required to report to participate in the training at no cost to the volunteer. Effective June 30, 2017, volunteers who interact with children in public or private school for more than four hours a week are also mandatory reporters of child abuse. AS 18.66.310 requires school districts to offer continuing education at least once every two years on domestic violence for mandatory reporter employees.*

Abuse and neglect affects 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).

The district shall provide notice of child abuse and neglect mandatory reporter training to all public and private schools in the district. 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.

Note: *Pursuant to AS 47.17.068, failing to report child abuse or neglect mandated by lawis a misdemeanor if the person knewor should have known that circumstances gave rise to the need for a report.*

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 3/2016

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Students

CHILD ABUSE AND NEGLECT AR 5141.4(a)

Note: The following sample regulation may be revised as needed to reflect district circumstances.

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

Note: AASB recommends that your administrative regulation include the name, address and phone number of the specific child protective agencies and law enforcement to whom reports must be made.

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.

CHILD ABUSE AND NEGLECT (continued) AR 5141.4(b)

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 of Staff with 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

Commented [AP1]: **Deleted:** School employees

Commented [AP2]: **Deleted:** or

Deleted: *3/2016*

AR 5141.4 CHILD ABUSE AND NEGLECT

Duty to Report

Teachers, school administrators, and paid athletic coaches 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 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 shall make the report to a peace officer.

3. In addition to reporting to child protective services, employees 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 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 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 should not contact suspects, nor should the victim be interviewed beyond the initial information disclosed.

Legal Responsibility and Liability

1. School employees 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)

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 or employees making the report.

Adopted June 10, 2003

Revised 4/2014

Revised 12/2014

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

SEXUAL HARASSMENT BP 5145.7(a)

Note: In 1999, the U.S. Supreme Court ruled that a school district can be liable under Title IX when staff members ignore student-to-student sexual harassment. The court found that school districts can be liable when school officials know about and are deliberately indifferent to sexual harassment "so severe, pervasive, and objectively offensive that it can be said to deprive the victim of access to the educational opportunities or benefits provided by the school." This ruling makes it more important than ever to educate students and staff on preventing and handling student-to-student sexual harassment. By setting a liability standard based on "deliberate indifference," the Court has made it possible for school districts to mount a defense based on a policy defining and prohibiting sexual harassment and a grievance procedure that is readily accessible to students.

Note: Districts should be aware that when a student misses school or withdraws from a course to avoid sexual harassment, he/she may be deprived of equal educational opportunities.

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. 4119.11/4219.11/4319 - Sexual Harassment)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion)
(cf. 5141.42 - Professional Boundaries of Staff with 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.

Commented [AP1]: Added: */4219.11/4319* to match BP number

Commented [AP2]: Deleted: */Due Process* to match BP title

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

SEXUAL HARASSMENT BP 5145.7(b)

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 - Public Complaints Concerning Discrimination)

Commented [AP3]: Added: *Public* to match BP title

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

Deleted: *9/99*

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Students

9/92

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. 4199.11 - Sexual Harassment)

(cf. 4188 - Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

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

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 Concering Discrimination)

Legal Reference:

COURT DECISIONS

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)

Adopted: June 10, 2003

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Instruction

FAMILY LIFE/SEX EDUCATION BP 6142.1(a)

Note: The following optional policy may be revised or deleted based on district philosophy and needs.

Note: For districts receiving federal funds, section 7906 of the Every Student Succeeds Act sets limitations on how districts approach sexual subject matter and sex education. The law requires that federal funds *not* be used to (1) develop or distribute materials or programs that encourage or promote sexual activity, (2) distribute or aid in the distribution by any organization of obscene materials to minors on school grounds, (3) provide sex education or HIV prevention education unless that instruction is age appropriate and includes the health benefits of abstinence, or (4) operate a program of contraceptive distribution in schools. Non-federal funds may be used for these activities

The School Board believes that a wholesome, well-planned sequence of instruction about family life and human sexuality is essential to the general education of all students. Lack of information or pervasive misinformation can cause low self-esteem, increased risk for sexually transmitted disease, unintended pregnancy or sterility, and school dropout. The district curriculum shall help students understand the biological, psychological, social, moral, and ethical aspects of human sexuality.

(cf. 5141.41 – Child Abuse Prevention)

(cf. 6141 - Curriculum Development and Evaluation)
(CF 6142.2 – AIDS Instruction)

The family life/sex education program shall encourage students to be abstinent and to conceptualize sexual behavior in the ethical and moral context of marriage. The program shall be age-appropriate and shall address a full range of topics, including parenting and birth control, and shall emphasize that abstinence from sex is the only totally effective protection against unwanted pregnancy and sexually transmitted diseases.

The Superintendent or designee will inform district curriculum specialists, those who teach sex education, school nurses, and other appropriate school staff of federal funding restrictions regarding the distribution of contraceptives and the development and distribution of materials that may promote or encourage sexual activities. Teachers who provide instruction in family life/sex education shall have professional preparation, either preservice or inservice, in the subject area.

(cf. 5141.42 - Professional Boundaries of Staff with Students)

The Superintendent or designee shall ensure that family life/sex education materials and instruction are continuously evaluated in light of information received from students, parents/guardians, and teachers, including information about what students did or did not learn, whether the program was workable for the teachers, and how it can be improved.

The Superintendent or designee may appoint a Family Life/Sex Education Advisory Committee representing a divergence of viewpoints to participate in planning, implementing and evaluating the district's family life/sex education program.

(cf. 1220 - Advisory Committees)

Commented [AP1]: Added: *Child Abuse Prevention* to match BP title

Commented [AP2]: Deleted: *(cf. 6020 Parent Involvement)*

Deleted: *Sexual Abuse, Sexual Assault and Dating Violence Awareness and Prevention*

Commented [AP3]: Deleted: Classes or programs in sex education, human reproduction education, or human sexuality education may only be instructed by a certificated teacher employed by or contracted with the district, or by an individual approved by the School Board who is supervised by a certificated teacher of the district.

Commented [AP4]: Deleted: Before curriculum, literature, or materials related to sex education, human reproduction education, or human sexuality education may be used in a class or distributed in a school, the materials shall be approved by the School Board and made available for parents to review.

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Instruction

FAMILY LIFE/SEX EDUCATION (continued) BP 6142.1(b)

Parents/guardians shall be notified in writing before students are offered any instruction in which human reproductive organs and their functions, processes, or diseases are described, illustrated, or discussed. This notification shall inform parents/guardians that they may review instructional materials to be used in family life, sex education instruction and that they may request in writing that their child not attend the class. At the parent/guardian's request, any student may be excused from any part of family life/sex education instruction.

(cf. 1312.2 - Public Complaints Concerning Instructional Materials)

Legal Reference:

ALASKA STATUTES
14.30.360 Curriculum

UNITED STATES CODE
Elementary and Secondary Education Act, 20 U.S.C. § 7906 as amended by the Every Student Succeeds Act (P.L. 114-95 December 10, 2015)

Revised 10/2021

Commented [AP5]: Deleted: at least two weeks

Commented [AP6]: Deleted: , description, illustration, or discussion on human reproduction or sexual matters, including

Commented [AP7]: Deleted: , may review the credentials of any presenter who is not a certified teacher of the district,

Commented [AP8]: Deleted: , except for awareness and prevention training provided to students concerning sexual assault, sexual abuse, and dating violence and abuse

Commented [AP9]: Added: *Public* to match BP title

Commented [AP10]: Deleted: *(cf. 6020 – Parent Involvement)*

Deleted: *3/2016*

BP 6142.1 FAMILY LIFE/SEX EDUCATION

Note: *The following optional policy may be revised or deleted based on district philosophy and needs.*

Note: *For districts receiving federal funds, section 7906 of the Every Student Succeeds Act sets limitations on howdistricts approach sexual subject matter and sex education. The lawrequires that federal funds not be used to (1) develop or distribute materials or programs that encourage or promote sexual activity, (2) distribute or aid in the distribution by any organization of obscene materials to minors on school grounds, (3) provide sex education or HIV prevention education unless that instruction is age appropriate and includes the health benefits of abstinence, or (4) operate a program of contraceptive distribution in schools. Non-federal funds may be used for these activities*

The School Board believes that a wholesome, well-planned sequence of instruction about family life and human sexuality is essential to the general education of all students. Lack of information or pervasive misinformation can cause low self-esteem, increased risk for sexually transmitted disease, unintended pregnancy or sterility, and school dropout. The district curriculum shall help students understand the biological, psychological, social, moral, and ethical aspects of human sexuality.

(cf. 5141.41 – Child Abuse Prevention)

(cf. 6020 – Parent Involvement)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6142.2 – AIDS Instruction)

The family life/sex education program shall encourage students to be abstinent and to conceptualize sexual behavior in the ethical and moral context of marriage. The program shall be age-appropriate and shall address a full range of topics, including parenting and birth control, and shall emphasize that abstinence from sex is the only totally effective protection against unwanted pregnancy and sexually transmitted diseases.

Classes or programs in sex education, human reproduction education, or human sexuality education may only be instructed by a certificated teacher employed by or contracted with the district, or by an individual approved by the School Board who is supervised by a certificated teacher of the district.

The Superintendent or designee will inform district curriculum specialists, those who teach sex education, school nurses, and other appropriate school staff of federal funding restrictions regarding the distribution of contraceptives and the development and distribution of materials that may promote or encourage sexual activities. Teachers who provide instruction in family life/sex education shall have professional preparation, either preservice or in-service, in the subject area.

Before curriculum, literature, or materials related to sex education, human reproduction education, or human sexuality education may be used in a class or distributed in a school, the materials shall be approved by the School Board and made available for parents to review.

The Superintendent or designee shall ensure that family life/sex education materials and instruction are continuously evaluated in light of information received from students, parents/guardians, and teachers, including information about what students did or did not learn, whether the program was workable for the teachers, and how it can be improved.

The Superintendent or designee may appoint a Family Life/Sex Education Advisory Committee representing a divergence of viewpoints to participate in planning, implementing and evaluating the district's family life/sex education program.

(cf. 1220 - Advisory Committees)

Parents/guardians shall be notified in writing at least two weeks before students are offered any instruction, description, illustration, or discussion on human reproduction or sexual matters, including human reproductive organs and their functions, processes, or diseases. This notification shall inform parents/guardians that they may review instructional materials to be used in family life, sex education instruction, may review the credentials of any presenter who is not a certificated teacher of the district, and that they may request in writing that their child not attend the class. At the parent/guardian's request, any student may be excused from any part of family life/sex education instruction, except for awareness and prevention training provided to students concerning sexual assault, sexual abuse, and dating violence and abuse.

(cf. 1312.2 – Public Complaints Concerning Instructional Materials)
(cf. 6020 – Parent Involvement)

Legal Reference:

ALASKA STATUTES

14.30.016 A parent's right to direct the education of the parent's child

14.30.361 Sex education, human reproductive education, and human sexuality education

14.30.355 Sexual abuse and sexual assault awareness and prevention

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

14.30.360 *Curriculum*

UNITED STATES CODE

Elementary and Secondary Education Act, 20 U.S.C. §7906 as amended by the Every Student Succeeds Act (P.L. 114-95 December 10, 2015)

Revised 12/2016

Revised 10/2016

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Instruction

AIDS INSTRUCTION BP 6142.2(a)

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

Notes: For districts receiving federal funds, section 7906 of the Every Student Succeeds Act sets limitations on how districts approach sexual subject matter and sex education. The law requires that federal funds *not* be used to (1) develop or distribute materials or programs that encourage or promote sexual activity, (2) distribute or aid in the distribution by any organization of obscene materials to minors on school grounds, (3) provide sex education or HIV prevention education unless that instruction is age appropriate and includes the health benefits of abstinence, or (4) operate a program of contraceptive distribution in schools. Non-federal funds may be used for these activities.

The School Board recognizes that acquired immune deficiency syndrome (AIDS) and human immune deficiency virus (HIV) pose a health risk. An effective weapon against the spread of this deadly disease is public education.

The district's health education program will include factual information about the transmission of AIDS and HIV. Students will be informed of voluntary behaviors that can result in infection and will be encouraged to prevent infection by making wise decisions in their daily lives. Instruction shall emphasize that abstinence is the only totally effective protection against AIDS through sexual transmission.

Instruction must be appropriate to the age and grade level of the students receiving it. The School Board particularly desires that students receive proper AIDS education before they reach the age when they may adopt behaviors which put them at risk of contracting AIDS.

Parents/guardians and community members should have input into the selection and/or development of instructional materials to be used in AIDS instruction. The curriculum shall be updated regularly.

(cf. 6142.1 - Family Life/Sex Education)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 5141.41 – Child Abuse Prevention)

Sufficient classroom time should be provided to fully cover essential knowledge appropriate for each grade level and allow students time to ask questions and discuss issues raised by the information presented.

In cooperation with local health agencies, as appropriate, the Superintendent or designee shall provide a program of orientation and information about the AIDS Instructional program for parents/guardians and interested members of the community. This program shall include the opportunity to examine all instructional materials. Staff providing the instruction shall receive training in accordance BP 5141.42, *Professional Boundaries of Staff with Students*.
Before students receive AIDS instruction, parents/guardians shall be notified. Alternative study arrangements will be made for students whose parents/guardians ask that they not receive instruction.

Commented [AP1]: Added: *Evaluation* to match BP title

Deleted: *Design*

Commented [AP2]: Added: *Child Abuse Prevention* to match BP title

Deleted: *Sexual Abuse, Sexual Assault and Dating Violence Awareness and Prevention*

Commented [AP3]: Deleted: /AR
We do not have an AR for 5141.42

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Instruction

AIDS INSTRUCTION BP 6142.2(b)

(cf. 1312.2 - Complaints concerning Instructional Material)
(cf. 5141.23 - Infectious Disease Prevention)
(cf. 5141.42 - Professional Boundaries of Staff with Students)
(cf. 6142.1 - Family Life/Sex Education)

Legal Reference:
ALASKA STATUTES
14.30.360 Curriculum

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Elementary and Secondary Education Act, 20 U.S.C. § 7906 as amended by the Every Student Succeeds Act (P.L. 114-95 December 10, 2015)

Revised 10/2021

Deleted: *3/2016*

BP 6142.2 AIDS INSTRUCTION

Notes: *For districts receiving federal funds, section 7906 of the Every Student Succeeds Act sets limitations on howdistricts approach sexual subject matter and sex education. The lawrequires that federal funds not be used to (1) develop or distribute materials or programs that encourage or promote sexual activity, (2) distribute or aid in the distribution by any organization of obscene materials to minors on school grounds, (3) provide sex education or HIV prevention education unless that instruction is age appropriate and includes the health benefits of abstinence, or (4) operate a program of contraceptive distribution in schools. Non-federal funds may be used for these activities.*

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Parents/guardians and community members should have input into the selection and/or development of instructional materials to be used in AIDS instruction. The curriculum shall be updated regularly.

(cf. 6142.1 - Family Life/Sex Education)

(cf. 6141 - Curriculum Development and Design)

(cf. 5141.41 – Sexual Abuse, Sexual Assault and Dating Violence Awareness and Prevention)

Sufficient classroom time should be provided to fully cover essential knowledge appropriate for each grade level and allow students time to ask questions and discuss issues raised by the information presented.

In cooperation with local health agencies, as appropriate, the Superintendent or designee shall provide a program of orientation and information about the AIDS Instructional program for parents/guardians and interested members of the community. This program shall include the opportunity to examine all instructional materials.

Before students receive AIDS instruction, parents/guardians shall be notified. Alternative study arrangements will be made for students whose parents/guardians ask that they not receive instruction.

(cf. 1312.2 - Complaints concerning Instructional Material)

(cf. 5141.23 - Infectious Disease Prevention)

(cf. 6142.1 - Family Life/Sex Education)

Legal Reference:

ALASKA STATUTES

14.30.360 Curriculum

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Revised 3/2016

Nome Public Schools
