



KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Policy Review Committee Meeting

March 7, 2016

1:45 PM

Assembly Chambers, Borough Building

AGENDA

- I. Call to Order
- II. Approval of notes from Policy Meeting of February 1, 2016 Page 3
- III. Information items
- IV. Exhibits
 - 1. E 5144.1 Long-Term Suspension Process Page 4
- V. Previous discussions
 - i. AR 6183 Alternative High School programs Page 6
- VI. New
 - i. AR 5141.21 Administering Medication Page 8
 - 1. Addition of Exhibit 5141.21 (a)
 - ii. E 9130a Board Committee Page 11
 - 1. Question regarding composition of committee and quorum
 - iii. BP 6115 Ceremonies and Observations Page 12
 - 1. Policy regarding Pledge of Allegiance
 - 2. State Statute AS 14.03.130 Display of Flags and Pledge of Allegiance Page 13
 - iv. E 1340 Public Records Request Page 14

Legal opinion regarding litigation language:

“AS 40.25.122 specifically allows for the procedural rules applicable to litigation to apply rather than the standard public request rules where litigation against a public entity is ongoing or anticipated by the person making the public records request. The “non-litigation affiliation” certificate is similar to the one used by the borough clerk. The public entity providing that the requestor commit in writing that the requestor will not use public records access to gather documents for litigation against the public entity has been upheld by the state supreme court in Brady v. State, 965 P2d 1 (Alaska 1998). Any requestor who wishes to use public documents of the public entity against the public entity in litigation will still be able to do so through normal discovery mechanisms allowed by the court rules.

AS 40.25.122 “Litigation Disclosure: states:

A public record that is subject to disclosure and copying under [AS 40.25.110-40.25.120](#) remains a public record subject to disclosure and copying even if the record is used for, included in, or relevant to litigation, including law enforcement proceedings, involving a public agency, except that with respect to a person involved in litigation, the records sought shall be disclosed in accordance with the rules of procedure applicable in a court or an administrative adjudication. In this section, “involved in litigation” means a party to litigation or representing a party to litigation, including obtaining public records for the party.”

- v. Copy of KPB Public Record Request Page 15
- vi. E 3515.8 Variance Request Application Page 16
 - 1. New exhibit to add procedure for request for a variance to 500 foot boundary for licensed alcohol facilities

VII. Review of Section 0000 and 6000

Please bring your laptop

For most current agenda refer to:

http://www.kpbsd.k12.ak.us/students_parents.aspx?id=34112



**Kenai Peninsula Borough School District
Policy Committee Meeting Notes
February 1, 2016
1:00 PM
Assembly Chambers, Borough Building**

ATTENDANCE:

Dan Castimore – Present
Lynn Hohl – Present
Marty Anderson – Absent
Dave Jones – Present
Sarge Truesdell – Present

Guests: Joe Arness, Tim Navarre, John O'Brien, Clayton Holland, Chris Brown,
Loren Reese

CALL TO ORDER:

The meeting convened at 1:06 PM

**APPROVAL OF
NOTES:**

The notes of December 7, 2015 and January 11, 2016 were approved.

TOPICS

DISCUSSED:

E 5144.1 Long-Term Suspension Process
E 5144.1(b) Order of Hearings
E 3550 (a) Active Tax Shelters
E 3540 Transportation
AR 5144.11 Due Process
AR 4111 Recruitment and Selection
BB 9320 Meeting
E 1340 Public Records Request
AR 6146.1 High School Graduation Requirements
AR 6183 Alternative High School Programs
E 9130(a) Board Committees
E 3515.8 Variance Request Application

ACTION TAKEN:

E 5144.1 Long-Term Suspension Process – bring to worksession
E 5144.1(b) Order of Hearings – bring to worksessions
E 3550 (a) Active Tax Shelters – bring to worksession
E 3540 Transportation – bring to worksession
AR 5144.11 Due Process – bring to worksession
AR 4111 Recruitment and Selection – bring to worksession
BB 9320 Meeting – bring to worksession
E 1340 Public Records Request – return to policy review committee
AR 6146.1 High School Graduation Requirements – bring to worksession
AR 6183 Alternative High School Programs – bring to worksession
E 9130(a) Board Committees – bring to worksession
E 3515.8 Variance Request Application – bring back to policy review committee

ADJOURN:

The meeting was adjourned at 1:59 PM

Submitted by: Natalie Bates

LONG-TERM SUSPENSION PROCESS

- I. Be familiar with the following district Policies and Regulations:
 - a. BP 5131.6 Alcohol and Other Drugs (if related to substance abuse)
 - b. BP 5145.12 Search and Seizure and AR 5145.12 Search and Seizure (if related to search and seizure)
 - c. AR 5144.2 Suspension and Expulsion (Students with Disabilities), BP 5144.11 Due Process and AR 5144.11 Due Process (all hearings regardless of whether formal or informal follow due process)
 - d. BP 5144.1 Suspension and Expulsion and AR 5144.1 Suspension and Expulsion
- II. Contact the following:
 - a. Parents/guardian by phone and in writing and describe the process to be followed
 - b. Police (if a violation of the law has occurred)
 - c. Assistant Superintendent of Instruction
- III. Ascertain if the student has an IEP and, if yes, follow AR 5144.2 Suspension and Expulsion (Students with Disabilities)
- IV. Conduct an informal hearing and provide the following:
 - a. Oral or written notice of charges
 - b. An explanation of the evidence
 - c. An opportunity to present the student's point of view of the incident
 - d. An explanation of the sanctions
 - e. An explanation of the appeal process
 - f. Provide a written summary of hearing to student/parents and Assistant Superintendent
- V. The hearing officer submits a hearing summary of each hearing that must include the following information:
 - a. Student's name (legal and other names the student went by)
 - b. Time and place of the hearing
 - c. A list of those present
 - d. The violation(s) that the student is charged with
 - e. The facts of the case
 - f. The conclusion of guilt or innocence
 - g. The sanctions to be placed upon the student
 - h. Copies of the hearing summary are sent to:
 1. Parent or guardian
 2. Principal
 3. Assistant Superintendent of Instruction
- VI. A decision of the principal suspending the student from school for eleven (11) or more days may be appealed in writing within five (5) school days of receipt of the suspension notice. If appealed, formal hearings are conducted in the following order:

LONG-TERM SUSPENSION PROCESS

Level I: This hearing is conducted by a hearing officer within five (5) school days of the appeal request and according to procedures defined herein. A decision will be rendered by the hearing officer within three (3) school days of the hearing.

Level II: The hearing is conducted by the Superintendent within five (5) school days of receipt of an appeal from Level I. Decisions are to be rendered within three (3) school days of the hearing and sent via certified mail to the student and parent.

Level III: This hearing is conducted by the Board at the next available Board meeting following receipt of an appeal from Level I. The decision is to be announced within three (3) school days and mailed to parent and student via certified mail.

When a suspension occurs preceding summer break, administration will make every attempt to conduct the appeal hearing prior to the start of the new school year.

- VII. At all levels of appeal, the Hearing Officer, Superintendent, or Board will prepare a hearing summary of the hearing that must include the following information:
- a. Student's name (legal and other names the student went by)
 - b. Time and place of hearing
 - c. A list of those present
 - d. The violation(s) that the student is charged with
 - e. The facts of the case, including the student's disciplinary record
 - f. The conclusion of whether or not the student committed the violation(s)
 - g. The sanctions to be placed upon the student
 - h. Copies of the hearing summary are sent to:
 1. Parent or guardian
 2. Principal
 3. Assistant Superintendent of Instruction

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
REVISED: 04/02/2012

ALTERNATIVE HIGH SCHOOL PROGRAMS

To create the following described alternative program: Kenai Alternative

Purpose: To provide high school level educational opportunity for students at risk who are either not attending public school, or are having life issues which make participation in public schools difficult.

Location of Program: Kenai, Alaska

Geographical Area Served: Kenai, Soldotna, Nikiski, Kasilof, Sterling

Student Population Served: Ages 15-20 by approval of program administrator.

Enrollment: 85

Staffing

Administrative: Principal/Teacher 1.0 FTE

Certified:

Regular Ed: ~~4.75~~ 4.25FTE

Special Ed: Per District special services staffing formula.

Classified: Per staffing formula.

~~**Effective Date:** July 1, 2004~~

ALTERNATIVE HIGH SCHOOL PROGRAMS

To create the following described alternative program: Homer Flex

Purpose: To provide high school level educational opportunity for students at risk who are either not attending public school, or are having life issues which make participation in public schools difficult.

Location of Program: Homer, Alaska

Geographical Area Served: Southern Kenai Peninsula

Student Population Served: Ages 15-20 by approval of program administrator.

Enrollment: 50

Staffing

Administrative: Principal/-Teacher 1.0 FTE

Certified:

Regular Ed: ~~2.75~~-2.25 FTE

Special Ed: Per District special services staffing formula.

Classified: Per staffing formula.

~~**Effective Date:** July 1, 2004~~

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

~~**Adoption Date:** _____~~ **REVISED:**

ADMINISTERING MEDICATION

Procedures for the safe and timely administration of medication to students while at school shall incorporate the following:

1. For students in Grades K–8
 - a. A current signed medication request form must be on file in the nurse’s office. (Refer to the Health Services Manual for appropriate use and information on medication forms.)
 - b. Medication dispensed by the nurse or other school employee must be secured in a locked cabinet. Students will be allowed to carry asthma inhalers and Epipens® for anaphylaxis with health provider, parent, administrator and school nurse approval as well as student written agreement.
2. For students in Grades 9–12
 - a. For prescription medication, a current signed medication form must be on file. Medication dispensed by the nurse or designated school employee must be secured in a locked cabinet. Students will be allowed to carry asthma inhalers, antibiotics, diabetic medications and other approved non-narcotic prescription medications with parent, administrator and school nurse approval.
 - b. For over-the-counter (OTC) medications, students may be allowed to carry common, recognizable OTC medications under the following conditions:
 1. Medication must be in its original container.
 2. Container must be of small size or hold only a reasonable supply of medication.
 3. Container must contain only the medication identified on its label.
 4. Medication must be used for self only. Under no condition is sharing medication with another student acceptable.
 5. The contents of the OTC container must be available immediately upon request for viewing by school

ADMINISTERING MEDICATION

administration to determine compliance with this and other school policies.

Any questions regarding protocol or acceptability of medications should be directed to the school nurse or school administrator.

3. Training of unlicensed school personnel shall include the following:
 - a. The school nurse will use material approved by the State of Alaska Board of Nursing and the State of Alaska Division of Public Health to provide the training for unlicensed school staff.
 - b. Training will be provided annually before October 1 and re-evaluation will occur at least every 90 days.
 - c. Documentation of the training will be kept by the school nurse.
 - d. The State of Alaska Board of Nursing states that the parent/guardian must designate the person(s) who may administer ~~the~~ ~~any~~ injectable medication, as well as p.r.n. controlled substances in the nurse's absence.
4. A medication record (E 5141.21 [\(a\)](#), (b) and/or (c) shall be maintained and must include the student's name, name of medication, dosage, time and initials of the person administering medication. A photo of the student may be placed on the long-term administration form.

All students taking medication during school hours are to follow the above procedures through the school nurse. Failure to do so releases the District of any liability resulting from incorrect or improper use of this medication.

Emergency Care and Medications

On-site provisions for first aid and emergency care shall be developed and made known to the staff at each school. These provisions should incorporate the following:

1. First Aid: The nurse or another identified, trained person(s) shall be responsible for administering first aid. The First Aid and Emergency Protocol (located in the Health Services Manual) shall be visibly posted and verbally identified in order to facilitate quick action.
2. Emergency Care: In emergencies, the nurse or Principal should make whatever arrangements are necessary for the immediate emergency care of injured or ill students. Every effort will be made to contact parents

ADMINISTERING MEDICATION

3. Incident Reports: The teacher or other staff member responsible for the child at the time of the incident shall complete a District Student/Visitor Injury/Incident Report (E 3530a).
4. Student Medical Records: Cumulative medical records shall include known information regarding allergies, current medications, medication reactions, medical conditions, immunizations and other pertinent information. If emergency medical treatment is necessary, a copy of this will be made available to the emergency personnel.
5. Sending a Student Home: A student who is ill or injured shall be released to a parent/guardian or, if not available, to a person the parent/guardian has identified as an emergency contact. Older students with a minor illness or injury may be sent home after receiving verbal parental permission. The name of the person granting permission should be documented.

Legal Reference

ALASKA STATUTES

14.30.141 Self-administration and documentation of medication

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Revision Date: ~~June 1, 2015~~

BOARD COMMITTEES

Committees of the Board

Policy Committee

- Name:** Board Policy Review
- Department:** Board of Education
- Focus Area:** Policy Manual
- Membership:** School Board Members with District Facilitator and School Administrators
- Type:** Standing
- Meeting Dates:** As needed
- Duration:** Ongoing annually

The Board of Education Policy Committee is charged with regular review and rewrite as necessary of school district policies. The three member committee includes a district level administrative liaison and a principal representative. The committee accomplishes their work specifically through a regular process of reviewing two sections of policy manual each year, reviewing updates proposed by the Alaska Association of School Boards, and reviewing policies which have been called into question or concerns expressed about. Members of the community and staff are included in discussions on specific issues. Once the policy committee completes their review, formatted policy updates are brought forward to the entire Board, usually first in worksession format and then through two official readings/action by the entire Board of Education.

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: 6/2/2008

CEREMONIES AND OBSERVANCES

Patriotic Exercises

The School Board encourages activities that instill pride in our country. The Pledge of Allegiance shall be recited or patriotic exercises conducted each day.

The District respects the legal right of individuals not to participate in the salute to the flag for personal reasons.

(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Special Days and Events

District schools shall commemorate special days and events in accordance with law. Schools are encouraged to recognize days and events of local significance.

District schools shall be closed in observance of Labor Day, Thanksgiving Day and the day after, Christmas Day, New Year's Day, Memorial Day, and the Fourth of July.

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday.

(cf. 6111 - School Calendar)

Legal Reference:

ALASKA STATUTES

14.03.050 School holidays

14.03.130 Display of flag and pledge of allegiance

41.15.900 Observance of Arbor Day

West Virginia State Board of Education, et al. v. Burnette, et al 319 U.S. 624 (1943)4

Banks v. Board of Public Instruction, 314 F. Supp. 285

Hanover v. Northrup, 325 F. Supp. 170

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: 1/16/2006

AS 14.03.130. Display of Flags and Pledge of Allegiance.

- (a)** United States and Alaska flags shall be displayed upon or near each principal school building during school hours and at other times the governing body considers proper. The governing body shall require that the pledge of allegiance be recited regularly, as determined by the governing body. A person may recite the following salute to the flag of the United States or maintain a respectful silence: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."
- (b)** A school district shall inform all affected persons at the school of their right not to participate in the pledge of allegiance. The exercise of the right not to participate in the pledge of allegiance may not be used to evaluate a student or employee or for any other purpose.

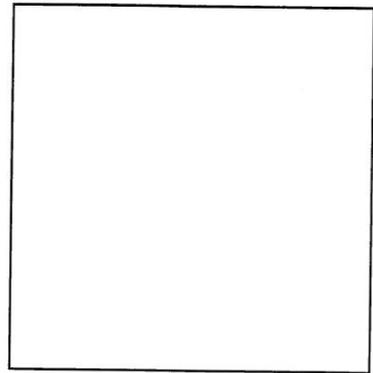
PUBLIC RECORD REQUEST

KENAI PENINSULA BOROUGH

Office of the Borough Clerk

144 N. Binkley Street
 Soldotna, Alaska 99669-7599
 assemblyclerk@borough.kenai.ak.us

Phone: (907) 714-2160
 Toll Free: 1-800-478-4441
 Fax: (907) 714-2388



FOR OFFICIAL USE ONLY

Name:		
Address:		
City:	State:	Zip:
Email Address:		Telephone:

DOCUMENTS REQUESTED

I hereby request to inspect the following documents:

Title of Record:

Date of Record:

Description of Record:

I would like the requested documents to be delivered to me by:

- Mail (address listed above)
 Fax No.
 Email (address listed above)

I understand that I will be charged a fee of .25 cents plus sales tax for each page that I request to be copied. I further understand that if it is determined that my request(s) will require more than five hours of staff time per calendar month that I will pay, upon notification, the total actual personnel costs required to complete the search and/or copying tasks, per AS 40.25.110 (c).

CERTIFICATE OF NON-LITIGATION AFFILIATION

I hereby certify that:

1. I am not involved in litigation, in a judicial or administrative forum, nor am I acting on behalf of or otherwise representing any party who is involved in litigation with the Kenai Peninsula Borough to which the requested record is relevant; and

2. The requested public record is strictly for:

my own personal use.

use on behalf of:

_____ (Name of business, organization)

I certify under penalty of perjury, that the foregoing statements are true.

Print Name:

Signature:

Date:

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

VARIANCE APPLICATION

Return to: Kenai Peninsula School District
Attn: Assistant Superintendent
148 N. Binkley Street
Soldotna, AK 99669
Phone (907) 714-8888
Fax (907) 714-5867

Please answer all questions. An incomplete application will be returned.

I. APPLICANT INFORMATION

Applicant: Click here to enter text. Phone: Click here to enter text.
Address: Click here to enter text. City, State, Zip: Click here to enter text.
Owner Name, if other than Applicant: Click here to enter text.

II. PARCEL INFORMATION

Parcel No.: Click here to enter text. Legal Description: Click here to enter text.

III. VARIANCE INFORMATION (attached a site map and other documentation pertinent to the variance)

Exact portion of State Statute and Regulation requesting a variance from: Click here to enter text.

Describe variance requested: Click here to enter text.

Describe special conditions or circumstances necessitating this variance: Click here to enter text.

IV. PUBLIC HEARING BEFORE KPBSD SCHOOL BOARD

A public hearing will be held on all variances. You will receive further notice of the date, place and time of the hearing.

V. CERTIFICATION

The information contained on this form and the attachments are true and complete to the best of my knowledge.

Signature of Applicant: _____ Dated: _____