


KENAI PENINSULA BOROUGH SCHOOL DISTRICT

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SCHOOL BOARD COMMUNICATION

Title:	Policies for Approval		
Date:	August 18, 2011	Item Number:	10b.
Administrator:	Dave Jones 		
Attachments:	BP 1321 Solicitation of Funds From and By Students ... Page 1 BP 5124 Communicating with Parents ... Page 2 BP 5131.6 Alcohol and Other Drugs ... Page 3 BP 5131.7 Weapons and Dangerous Instruments ... Page 5 AR 5131.7 Weapons and Dangerous Instruments ... Page 7		

Action Needed For Discussion Information Other: _____

BACKGROUND INFORMATION

- *BP 1321 Solicitation of Funds From and By Students*
 - A number of schools have charitable gaming permits. The State indicated we need to change our policy in order to continue with our gaming fundraising. We advised the State that this policy would be recommended for passage at the September Board meeting.
- *BP 5124 Communication with Parents/Guardians*
 - The administration recommends editing this policy to reflect the change in the student information system.
- *BP 5131.6 Alcohol and Other Drugs*
 - The administration recommends specifying "synthetic drugs" and specifically "K12 and Spice" to the Prohibited and Substances and Items list.
- *BP 5131.7 Weapons and Dangerous Instruments*
AR 5131.7 Weapons and Dangerous Instruments

The administration recommends aligning this Policy and AR with the current AASB policy. The policy further defines "firearm". The AR goes into detail on the method which may be used by the student to seek early reinstatement.

ADMINISTRATIVE RECOMMENDATION

The administration recommends approving the above proposed policy changes.

SOLICITATION OF FUNDS FROM AND BY STUDENTS

Fund raising campaigns or drives that involve students, and are approved at the school level, shall be reported to the Superintendent. In approved drives, no individual or group quotas shall be required for students, donations shall be voluntary and without pressure. Due to safety concerns, door-to-door solicitation by students without parental accompaniment is discouraged, especially at the elementary level.

Schools must apply to the state annually for gaming permits to operate any games of chance and contests of skill (raffle, bingo, etc.). Any use of the permit for other than raffles must have approval from the Superintendent.

Upon the dissolution of the ~~organization~~ Kenai Peninsula Borough School District, the disposition of net proceeds from charitable gaming conducted under AS 05.15 will go to a ~~charitable organization or another qualified organization that is authorized to conduct an activity~~ permittee, other than a multiple-beneficiary permittee.

When approved in advance by the Superintendent, funds may be solicited or materials distributed for those nonprofit, nonpartisan charitable organizations that are properly chartered or licensed by state or federal law.

(cf. 3452 - Student Activity Funds)
(cf. 1240 - Organizations Supporting Student Activities)
(cf. 3290 - Gifts, Grants, and Bequests)

The Superintendent may limit fund raising activities in order to prevent interference with the instructional program or to protect students from dangerous or unsafe situations. No students shall be barred from a curricular or cocurricular activity because they did not participate in fund-raising activities.

No student shall be denied admission to a class for failure to raise a specified amount of money for activities associated with a class. Enrichment activities outside the normal requirements of a course may have individual fees required for attendance or participation.

Legal Reference

AS 05.15.690 - Games of Chance and Contests of Skill

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: ~~November 15, 2004~~ _____

COMMUNICATION WITH PARENTS/GUARDIANS

Because parental involvement contributes greatly to student achievement and conduct, the School Board encourages frequent communication between parents/guardians and teachers by means of parent-teacher conferences, class newsletters, mail, telephone, and school visits by parents/guardians.

(cf. 1260 – Visits to the Schools)
(cf. 6020 – Parent Involvement)

As part of this communication, ~~teachers-schools~~ shall provide appropriate access to ~~Edline—the District student information system~~ or send progress reports to parents/guardians at regular intervals and shall encourage parents/guardians to communicate any concerns to the teacher. Report cards will be sent to parents/guardians quarterly.

(cf. 5113 – Absences and Excuses)
(cf. 5121 – Assessment (Evaluation of Student Achievement))
(cf. 6146.1 – High School Graduation Requirements)

ALCOHOL AND OTHER DRUGS

It is the intent of the Kenai Peninsula Borough School District to maintain a drug-free school environment so learning can take place; to educate students so they are aware of the issues and problems related to the use of drugs, alcohol, and controlled substances; to identify students who have chemical abuse problems; to refer students for treatment services which are beyond the scope of the schools; and to remove students possessing, distributing or selling drugs or alcohol in the school setting from that environment.

Prohibited Substances and Items

The substances and items prohibited by this policy include, but are not limited to: alcohol; prescription drugs (except as authorized by BP 5141.21); anabolic steroids; narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, or any other controlled substance; intoxicants or depressants of any kind; items used as an inhalant, including paints, gasoline, glue, or similar items; over the counter stimulants of any kind, including caffeine-based substances other than beverages, substances containing phenylpropanolamine (PPA), or other similar drugs; drug paraphernalia, and imitation or synthetic drugs (K2, Spice, etc). Imitations or synthetic drugs mean pills, capsules, tablets, powders, liquids, inhalants or other items which are designed to look like or are represented to be prohibited drugs or alcohol.

Possession/Under the Influence During School

A student who is determined to be in possession and/or under the influence of prohibited substance or item as defined by this policy at school or at any school-sponsored activity shall be reported to the appropriate law enforcement personnel, his/her parent(s)/guardian(s), and shall be subject to suspension for up to 45 student school days by the school administrator following a due process hearing pursuant to applicable School Board policies. In more serious cases, violators may be recommended for expulsion to the Board of Education.

(cf. 5144.1 - Suspension and Expulsion)

Refusal to submit to a Breathalyzer and/or urinalysis, or any other lawful, reasonably reliable test as authorized by the Superintendent as required by this policy to determine whether a student has used alcohol or other drugs in violation of School Board policies will result in a suspension of not less than 30 student school days and not to exceed 45 student school days. Refusal to submit to such a test will be treated as a positive determination of drug or alcohol use per this policy.

ALCOHOL AND OTHER DRUGS (continued)

Prior to readmittance to school, the student shall participate in a conference with his/her parents(s)/guardian(s) and the school administrator to determine conditions for readmittance.

Selling, Offering for Sale, Agreeing to Purchase or Distributing

A student selling, offering for sale, agreeing to purchase, or distributing prohibited substances or items defined in this policy shall be reported to the appropriate law enforcement personnel and his/her parent(s)/guardian(s), and will be suspended immediately following a due-process hearing pursuant to applicable School Board policies, and may be recommended for expulsion to the Superintendent who will review the matter. Based on this review, the Superintendent may recommend to the Board of Education that the student be expelled from the Kenai Peninsula Borough School District.

(cf. 5144.11 – (Due Process))

Legal Reference:

ALASKA STATUTES

04.16.080 Sales or consumption at school events

14.20.680 Training required for teachers and other school officials

14.30.360 Curriculum (Health and Safety Education)

14.33.110-.140 Required school disciplinary and safety program

47.37.045 Community action against substance abuse grant fund

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

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: 1/15/07

WEAPONS AND DANGEROUS INSTRUMENTS

Students shall not possess or use weapons, dangerous instruments, or their replicas in school buildings, on school grounds or on District-provided transportation, or at any school-related or school-sponsored activity away from school, unless written permission has been previously obtained from the Superintendent specifically authorizing that possession or use. Students who violate this policy are subject to disciplinary action in accordance with District policy and procedures.

(cf 5144: Discipline Guide)

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

The District shall, by regulation, define the terms "weapon," ~~and~~ "dangerous instrument" and "firearm."

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

The Superintendent may, on a case-by-case basis, recommend a modification of this period of expulsion. Such modification recommendation shall involve consideration of all relevant factors, including those in aggravation and mitigation of the violation, and, for students with disabilities, whether ~~suspension is appropriate if the student has an individual education plan~~ violation of this policy is a manifestation of the student's disability.

The Superintendent shall be responsible for reporting all violations of this policy to the Board and shall make all required reports to state, local, and federal agencies.

(cf. 3515 – School Safety and Security)

(cf. 4158/4358 - Employee Security)

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

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

Legal Reference:

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

Individuals with Disabilities Education Act (Pub.L. 94-142)

1973 Rehabilitation Act, Section 504

Elementary and Secondary Educational Act of 1965

Americans with Disabilities Act, 42 U.S.C. Sec. 12183(b)

ALASKA STATUTES

11.61.210 - Misconduct involving weapons in the fourth degree

11.81.900 - Definitions

14.03.160 - Suspension or expulsion of students for possessing weapons

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: ~~10/18/2004~~

WEAPONS AND DANGEROUS INSTRUMENTS

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

Law enforcement officials are exempt from the firearm provisions of the search and seizure policy.

Weapons Reports

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

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

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

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

Disciplinary Action

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

(cf. AR 5144 Discipline Guide)

WEAPONS AND DANGEROUS INSTRUMENTS (CONTINUED)

When the weapon involved is a firearm, as defined in Section 921 of Title 18 of the United States Code, or a deadly weapon as prohibited in AS 14.03.160, the Principal shall immediately refer the matter to the Superintendent for appropriate action. In ~~that event~~cases of firearms, the Superintendent shall recommend the student's expulsion from school for a period of not less than one (1) calendar year, unless a different period of expulsion is justified after consideration of the matter on a case-by-case basis. A different period of suspension or expulsion may be justified after consideration of the matter on a case-by-case basis. The Superintendent shall consider any special circumstances involved in the violation, including those in aggravation or mitigation. The Superintendent shall also be responsible for referring to law enforcement authorities any student who violates this policy.

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

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

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

WEAPONS AND DANGEROUS INSTRUMENTS (CONTINUED)

Reports to State of Alaska

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

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

Definitions

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

The terms "~~Deadly weapons-Weapons,~~ "Weapon," ~~or dangerous and Dangerous instrumentsInstruments~~", ~~as used in School District policy, includes:~~

- ~~(1) —firearms or explosive materials;~~
 - ~~(2) —knives, including hunting knives, sheath knives or any other knife;~~
- ~~or~~

~~(3) —any other object that can reasonably be considered a weapon or dangerous instrument.~~ are defined as anything designed for and capable of causing death or serious physical injury, including to the extent that they are not already included in the above definition, any pistol, revolver, rifle, shotgun, air gun, spring gun or zip gun, any bomb or explosive, including fireworks, any poison, any dangerous or deadly gas, any slingshot, bludgeon, nightstick, straight razor or throwing star, brass knuckles or artificial knuckles of any kind, any knife, axe, or club.

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

~~The term "items the possession of which violates a law or School District policy or regulation" includes stolen property.~~

WEAPONS AND DANGEROUS INSTRUMENTS (CONTINUED)

~~Parents or guardians may be notified by the appropriate school official when prohibited items are seized from a student.~~

~~School officials shall report to the appropriate law enforcement agency any firearms or explosive material seized or any violation of state criminal law.~~

~~Law enforcement officials are exempt from the firearm provisions of the search and seizure policy.~~

Disposal

~~Prohibited items seized by school officials may be disposed of as follows:~~

- ~~1. to the student's parent or guardian, to be removed safely from the school grounds;~~
- ~~2. to the appropriate law enforcement agency; or~~
- ~~3. in any other manner deemed appropriate by the responsible school official.~~

(cf. 3515 – School Safety and Security)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5144.1 - Suspension and Expulsion/Due Process)