

Kenai Peninsula Borough School District

Policy Review Committee

February 6, 2012

1:00 – 2:00 PM

Conference Room C, Borough Building

AGENDA

Approval of notes from Policy Meeting of November 11, 2011

Review of Policies for Updating

➤ *BP 0210 Vision for Student Learning*

This policy has been up for review by the Board at several worksessions, and by the public on the web. It is now presented to the Policy Review Committee for review. The revised version is presented first followed by the existing version.

As requested, the changes to the revised version have been color coated as follows:

District language is in black

Public comment in red

Board comment in green

At the request of the Board and the attorney, we have reviewed the following policies with attorneys and revised with their recommendations:

➤ *AR 5144.1 Suspension and Expulsion*

- Clarification of determination of suspensions and expulsions

➤ *E 5144.1(a) Long Term Suspension Process*

- Clarification of long term suspension process

➤ *E 5144.1(b) Order of Hearings*

- Informal hearings may be appealed with Formal Hearing I and that may be appealed by Formal Hearing II with no further appeals available.
- The Board will receive recommendations for expulsion for proposed expulsions that have not been appealed.

➤ *AR 5144.11 Due Process*

- Appeal process is clarified
- Appeals of recommendations for expulsion to go to Superintendent

➤ *E 5144.11(a) Request for Reconsideration*

- Title has been changed to **Notice of Appeal** with a minor change in text.

➤ *E 5144.11(c) Procedure for Student Hearings*

- Title change to Procedure for **Contested** Student Hearings

Board Policy Review Committee Meeting Notes
Borough Building, Conference Room C

Meeting Notes

Date/Time: November 8, 2011, 2:15 PM

Members: Liz Downing– Absent
Sunni Hilts - Present
Dave Jones – Present
Sarge Truesdell - Absent
Sammy Crawford – Present
Laurie Olson –Absent
Steve Atwater – Present
Mari Auxier (Secretary) - Present

Guests:
Sean Dusek – Present

Approval of Minutes: The minutes from October 17, 2011 were approved with the correction of a typo.

Review of Policies

- *BP 6020 Parent Involvement*
 - Change addresses a concern brought up by a parent re communicating with parents by adding that schools are to communicate with parents “through a variety of methods.”
- Discussion of specified review of Sections 7000-8000.
 - Section 7000 New Construction – this section of policy only contains seven policies.
 - Section 8000 Advisory School Boards – this section of policy does not contain any policies.
 - Discussions were held and the conclusion was that none of the policies in Section 7000 or Section 8000 need revision at this time.

Revised Policy

Philosophy-Goals-Objectives and Comprehensive Plans BP 0210(a)

VISION FOR STUDENT LEARNING

The Kenai Peninsula Borough School District will empower all students to acquire the knowledge, skills, and insights necessary to live rewarding, productive lives, prepared to contribute to the global community. The KPBSD is **comprised of diverse communities and is committed** to being a district that is recognized for educational excellence and equity, providing a rigorous, innovative educational program that supports and challenges each student to achieve at a high level and graduate from high school prepared for the future.

The KPBSD believes that learning occurs when students are directly involved and invested in the discovery of their own knowledge as a partner with their teacher by engaging in meaningful learning experiences. This is facilitated through effective instruction. Effective instruction occurs through intentional planning, intentional teaching and intentional assessments to meet the individual learning needs and abilities of the student

The KPBSD Board recognizes its responsibility to set high expectations for each student to learn, achieve and fulfill his/her potential. In addition to providing a basic education program as prescribed by the State of Alaska Board of Education, the Board believes that the district's educational program must ensure that every student achieves high levels of success in a rigorous course of study that is designed to provide a skill set that will prepare our students for their future in a global setting.

In order to meet this vision the Board has established the following goals:

1. All students will graduate prepared for the future as high-achieving, **creative thinking**, life-long learners with the skills to be competitive in a constantly changing international environment. These students will possess:
 - a. Competencies in the use of current technology to access and demonstrate new knowledge and skills
 - b. Skills **including spoken and written**, to communicate, effectively and appropriately, for a variety of purposes and audiences
 - c. Experiences that foster self-expression and creativity
 - d. Critical thinking, problem-solving skills

Philosophy-Goals-Objectives and Comprehensive Plans BP 0210(b)

VISION FOR STUDENT LEARNING

- e. The ability to work effectively *and* **respectfully** as a member of a diverse team
2. All educators will provide an effective educational program for students by:
 - a. Ensuring consistent high-quality curricula and engaging learning experiences
 - b. Ensuring instruction is effective and intentional to meet the learning needs of a diverse student population
 - c. Using appropriate and timely assessments to improve learning and
 - d. Providing immediate and effective interventions to support students
3. All learning environments will be safe, inviting, and respectful, in which:
 - a. Parents, staff and students have positive perceptions of the learning environment
 - b. Students feel a sense of belonging and connectedness with their school
 - c. Students feel supported by all school personnel
 - d. Every school promotes a healthy, active lifestyle where students are encouraged to make responsible choices by developing skills and attitudes necessary for good mental, physical and emotional health
 - e. Every school focuses on helping students develop
 - Skills necessary for self-advocacy, self-direction, personal responsibility accountability and **conflict resolution**
 - Knowledge and skills necessary to become positive, productive members of society
 - Skills to make healthy choices about activities and lifelong goals
 - f. Every school fosters respect and appreciation for diversity
 - g. **Students feel a sense of personal safety among staff**
 - h. **There is no tolerance for bullying**

Philosophy-Goals-Objectives and Comprehensive Plans BP 0210(c)

VISION FOR STUDENT LEARNING

This vision will be used to guide the board and all members of each school community in all of their duties.

(cf. 6143 - Courses of Study)

Legal Reference:

ALASKA STATUTES

14.03.015 State education policy

Existing Policy

~~Philosophy Goals Objectives and Comprehensive Plans~~ BP 0210(a)

~~GOALS FOR STUDENT LEARNING~~

~~The School Board believes that a quality education develops in students competencies in the following areas of performance:~~

- ~~1. Arts: Apply knowledge of language arts, fine arts, creative arts, and performing arts.~~
- ~~2. Civic Responsibility: Participate responsibly in their school, community, country, and the world.~~
- ~~3. Collaboration: Work with others willingly, respectfully, cooperatively, and effectively.~~
- ~~4. Communication: Communicate effectively in reading, writing, listening, speaking, and numbers.~~
- ~~5. Creativity: Utilize creative thinking and expression in varied situations.~~
- ~~6. Life Planning: Apply knowledge of economics, personal finance, goal setting, and career planning.~~
- ~~7. Mathematics: Apply mathematical principles and operations to solve a wide range of problems.~~
- ~~8. Problem Solving: Make decisions and apply solutions in real life situations both independently and collaboratively.~~
- ~~9. Sciences: Apply skills and scientific concepts to explain the world, find solutions for its problems, and suggest improvements.~~
- ~~10. Social Sciences: Apply knowledge of history, geography, and government to the present and future.~~
- ~~11. Technology: Use technology as a tool for learning and expression.~~
- ~~12. Wellness: Integrate into everyday life an awareness of health, wellness, and leisure time activities.~~

(cf. 6143 - Courses of Study)

Legal Reference:

ALASKA STATUTES

14.03.015 *State education policy*

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: ~~7/1/96~~ _____

SUSPENSION AND EXPULSION

Notice of Regulations

At the beginning of each school year, the Principal of each school shall notify ~~all~~ students and parents/guardians in writing of all school rules related to discipline, suspension and expulsion. Staff, students, and parents/guardians shall be notified about District policies and regulations. Transfer students and their parents/guardians shall be notified at the time of enrollment.

Grounds for Suspension and Expulsion

A student may be suspended or expelled for the following causes:

1. Continued willful disobedience or open and persistent defiance of reasonable school authority;
2. Behavior which is in some way harmful to the welfare, safety or morals of other students;
3. Conviction of a felony which the Board determines will cause the attendance of the ~~child-student~~ to be in some way harmful to the welfare or education of other students.

(cf. 5112.2 - Exclusions from Attendance)

A student may be suspended or expelled for behavior occurring at any time, including but not limited to the following circumstances:

- ~~1. 1.~~ While on school grounds, whether or not school is in session;
- ~~1-2.~~ While at school-sponsored activities on or off-campus;
- ~~2.~~ ~~3.~~ While going to or coming from school or a school-sponsored activity; and
- ~~3.~~ ~~4.~~ During the lunch period, whether on or off the school campus.

Authority to Suspend

A *Superintendent or Principal* may suspend a student from school for any of the acts listed under "Grounds for Suspension and Expulsion" for not more than forty-five (45) consecutive days.

Suspension may be imposed upon a first offense if the Principal determines the student's behavior ~~to be in some way harmful to the welfare of other students or the student's presence represents a danger to persons or property or threatens to disrupt the instructional process~~ warrants suspension.

SUSPENSION AND EXPULSION (continued)

If the expulsion of a suspended student is being considered by the Board, the Superintendent may, in writing, extend the suspension until such time as the Board has made a decision.

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

Suspension

Suspension is defined as the temporary prohibition of a student from physically attending school activities on the school grounds or from participation in school-related or supervised activities on or off the school grounds.

Suspensions shall not exceed three (3) days for first offenses or ten (10) days for second offenses except in instances ~~where it has been determined by hearing procedures that~~ a violation of drug ~~use~~ or alcohol ~~use~~ policy and regulation has occurred, or in the event of chronic truancy, ~~repeated~~ violent behavior, weapons, or actions posing a threat threatening to person, property, or the academic program.

Action imposing suspensions of ten (10) days or less or eleven (11) to forty-five (45) days shall follow hearing procedures defined in E 5144.1(a) Long-Term Suspension/Expulsion Process and *E 5144.1(b) Order of Suspensions*.

Notice to Parents

At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever the student is suspended, the parent/guardian shall be notified in writing of the suspension.

This notice shall state the reasons for suspension and the date and time when the student may return to school, the appeal process, if any, and may request that the parent/guardian confer with school authorities regarding matters pertinent to the suspension.

Record Keeping

The ~~Principal-District~~ shall keep a dated, ~~confidential~~ record of ~~each~~ student ~~whose behavior is considered detrimental to the health, safety and welfare of him/herself or others~~. The record shall specify ~~in detail~~ the behavior, ~~all~~ courses of action taken to remediate the behavior, ~~a log of~~ student and parent contacts made, ~~the names of persons involved, other facts pertinent to the incident~~ and the punishment imposed. Any report of formal or informal hearings shall be included in the record.

SUSPENSION AND EXPULSION (continued)

The Superintendent shall be informed of all relevant information and actions.

Denial of Admission

A student of school age may be denied admission to District schools upon recommendation from administration and approval by the Board when such action complies with law.

~~Excused Admission~~

~~A student may be excused from attendance in District schools upon recommendation from administration and approval by the Board when such action complies with law.~~

Expulsion

Expulsion is defined as the ~~denial of admission to~~ removal for more than forty-five (45) days from any and all District schools ~~to of~~ a student whose behavior is found ~~in hearing~~ to constitute a serious, continuing threat to the welfare of him/herself, others, property, or the academic program. Students recommended to the Board for expulsion shall have displayed a pattern of repeated disruptive behavior or have committed an individual act of significant misconduct that warrants ~~denial of admission~~ expulsion as the most appropriate action.

A student may be expelled from the District schools following a hearing and approval by the Board ~~in regular or special meeting~~ in a written decision after affording the student, parent, and legal counsel the right to be heard. The expulsion hearing is a confidential proceeding; however, a vote to expel a student may be announced at a regular or special board meeting without identifying the student who is the subject of the expulsion vote.

Terms of expulsion may be for a specified period ~~or the balance of the school year~~ in excess of forty-five (45) days, or may be permanent. The Board may place conditions on the expulsion which include, but are not limited to, limited access to school district services which will not present a threat to the academic environment or health, safety or welfare of the KPBSD students and employees. The Board shall set forth any required conditions for readmission. Readmission to school shall be considered ~~when the student has served the term of the expulsion~~ and under the procedures set forth below when there is cause to believe that the behavior leading to the expulsion shall not be repeated.

(cf. 6164.3 Student Mental Health – Medication and Services)

SUSPENSION AND EXPULSION (continued)

Expulsions of identified special education students must be made in accordance with law. ~~may not be made for behavior that is a condition of the handicap for which their special program has been designed. Any action expelling a special education student is a modification of the individual educational program (IEP) and requires confirmation by the director special services.~~

Readmission

An expulsion order shall remain in effect until the ~~Board may order~~ Superintendent authorizes the readmission of the student. Readmission procedures shall be as follows:

1. A written request for review of expulsion action and request for readmission shall be submitted by the parent/guardian to the Superintendent.
2. The Superintendent will hold a conference with the parent/guardian and the student.

At the conference, the conditions for readmission will be reviewed. The Superintendent shall verify that the conditions have been met. School regulations will be reviewed and the student and parent/guardian will be asked to indicate in writing their willingness to comply with these regulations.

~~3. The Superintendent will transmit the request for readmission to the Board, along with his/her recommendation.~~

4.3. The Superintendent will notify the student or parent/guardian, by registered mail, of the ~~Board's~~ decision regarding readmission.

Legal Reference:

ALASKA STATUTES

AS 14.30.45 Grounds for suspension or denial of admission

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. BP5145.12 *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)* and 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 *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

LONG TERM SUSPENSION PROCESS (continued)

VI. A decision of the ~~hearing officer principal~~ suspending the student from school for eleven (11) or more school days may be appealed in writing within five (5) days of receipt of the ~~hearing officer's decision letter via certified mail-suspension notice~~. If appealed, formal hearings are conducted in the following order ~~after each appeal~~.

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

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 the 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
Order of Hearings
SUSPENSION HEARINGS

E 5144.1(b)

Hearing Type	Description	Appeal
Informal	By Principal or designee when there is cause to believe student has violated law, policy, regulation or school rules. Meeting requires no prior notice.	Suspensions of 10 days or less may not be appealed. Suspensions of 11 days or more may be appealed via <u>Request for Reconsideration E 5144/1(a) Notice of Appeal</u> form submitted within five school days of informal hearing.
Level I – Formal	Hearing to be conducted by the appointed hearing officer within 5 school days of receipt of appeal. Decision to be rendered within 3 school days of hearing and sent via certified mail.	Appealed in writing within 5 school days of receipt of hearing officer’s letter.
Level II – Formal	Hearing to be conducted by the Superintendent within five days of receipt of appeal. Decisions are to be rendered within 3 school days of hearing and sent via certified mail to student and parent.	Appealed in writing within 10 school days of receipt of Superintendent’s letter.
Level III – Formal	Hearing to be conducted by Board at the next available Board meeting. Decision to be announced within 3 <u>school</u> days and mailed to student and parent via certified mail.	No further appeals available.

EXPULSION HEARINGS

Hearing Type	Description	Appeal
Informal	By Principal or designee when there is cause to believe student has violated law, policy, regulation or school rules. Meeting requires no prior notice. Principal <u>places student on suspension with recommends recommendation for expulsion after consultation and approval by the Assistant Superintendent of Instruction.</u>	May be appealed via <u>Request for Reconsideration E 5144.11a Notice of Appeal</u> form submitted within five school days of <u>informal hearing notice of suspension.</u> <u>The appeal proceeds directly to the Superintendent.</u>
<u>Formal I</u>	<u>Hearing to be conducted by</u>	<u>Appealed in writing within 10</u>

	<u>the Superintendent within five days of receipt of appeal. Decisions are to be rendered within 3 school days of hearing and sent via certified mail to student and parent.</u>	<u>school days of the receipt of Superintendent's letter.</u>
Formal <u>II</u>	Hearing to be conducted by Board at the next available Board meeting. Decision to be announced within 3 <u>school</u> days.	No further appeals available.
<u>Board Action Without Appeal</u>	<u>If student does not appeal, the recommendation for expulsion shall be considered by the Board at the next available Board meeting. The Board shall only consider that information considered by the administration in making its recommendation for expulsion. Decision to be announced within 3 school days.</u>	

2/15/10 _____

DUE PROCESS

A Principal or designee shall conduct an informal hearing when there is cause to believe that a student has violated law, policy, regulation or school rules that could result in disciplinary action. The meeting requires no prior notice.

The student shall be provided:

1. Oral or written notice of the charges,
2. An explanation of the evidence,
3. An opportunity to present the student's view of the incident,
4. An explanation of the sanctions.

A reasonable attempt will be made to contact the parent(s)/guardian(s) orally prior to the suspension. The student's parents/guardians shall be notified in writing of the Principal's decision to suspend the student from school as soon as practical.

Suspended students shall not be permitted to access any Kenai Peninsula Borough School District property or to attend or participate in any District school-related or school supervised activities during the period of suspension without prior administrative approval.

When a student's continued presence in school constitutes a threat to persons, property, or to the academic program, he/she may be immediately removed from school. The informal hearing shall be conducted within a reasonable time and any subsequent suspension shall recognize the days removed from school.

Suspensions of 10 days or less are not subject to appeal.

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

1. Parents, or students who have reached the age of majority, who wish to appeal disciplinary decisions exceeding ten (10) day suspensions, shall submit their appeal to the Principal on the prescribed "Request for Reconsideration E 5144.11 Notice of Appeal" form. The appeal must be submitted within five (5) school days of the informal hearing, or, in cases where expulsion is recommended, within five (5) days of receipt of written notice of the recommendation for expulsion. The suspension or other disciplinary action shall not be stayed pending this appeal.

(cf. E 5144.11 ~~Request for Reconsideration~~ Notice of Appeal Student/Parent Discipline Appeal)

DUE PROCESS (continued)

2. The Principal will appoint an appeal hearing officer who will conduct a Level I formal hearing. Such hearing shall be conducted 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. Appeals of recommendations for expulsion will ascend directly to the ~~Board of Education for their consideration~~ Superintendent.

In the event of an appeal the student and parent/guardian will be provided:

- a. Written and, if possible, oral notice of the following: the charges, potential consequences, and the date, time, place and manner of the hearing to be conducted,
 - b. An explanation of the evidence and an opportunity to present the student's view of the incident,
 - c. An opportunity to call witnesses on his/her behalf,
 - d. The right to have parent/guardian present, and to secure and have legal counsel and/or advocate present, and
 - e. The parents/guardian and the student will be given a written decision within 3 days of the hearing.
3. The decision of the hearing officer suspending the student from school for eleven (11) school days or more may be appealed in writing to the Superintendent within ten (10) school days of receipt of the hearing officer's decision letter via certified mail. The Superintendent will conduct the hearing. Hearing procedures shall conform to those of a formal hearing defined elsewhere in this regulation. A decision shall be ~~filed with~~ issued by the Superintendent within three (3) school days and shall be sent to the school, student and parent/guardian.
 4. Decisions of the Superintendent regarding suspensions may be appealed in writing to the Board within ten (10) school days of receipt of the Superintendent's decision ~~letter~~ via certified mail. The Board shall conduct a hearing ~~prior to~~ at the next available regular meeting and the Board's decision shall be ~~announced distributed~~ within three (3) school days.

~~REQUEST FOR RECONSIDERATION NOTICE OF APPEAL~~
STUDENT/PARENT DISCIPLINE APPEAL
(Form must be filed within 5 school days of the alleged violation)

NAME OF STUDENT: _____

NAME OF PARENT/GUARDIAN: _____

ADDRESS: _____

PHONE(DAYTIME): _____ EVENING: _____

PLEASE SPECIFY THE DISCIPLINARY ACTION YOU WISH TO APPEAL: _____

WHAT SPECIFIC RULE, POLICY, ACTION OR ISSUE OF FAIRNESS DO YOU BELIEVE WAS VIOLATED? _____

ON WHAT DATE DID THIS DISCIPLINARY ACTION OCCUR? _____

WHO WAS THE SCHOOL OFFICIAL/EMPLOYEE WITH WHOM YOU DISAGREE? _____

WHAT EFFORTS HAVE YOU MADE TO RESOLVE THIS ISSUE PRIOR TO SUBMITTING THIS APPEAL?(Who contacted, when, disposition) _____

WHAT RELIEF DO YOU ~~EXPECT~~ DESIRE? _____

SIGNED: _____ DATE: _____

Kenai Peninsula Borough School District

PROCEDURE FOR CONTESTED STUDENT HEARINGS
(by the School Board)

Opening Statements (Student)	5 minutes
Opening Statements (District)	5 minutes
Presentations (Student)	20 minutes
Presentations (District)	20 minutes
Closing Remarks (Student)	5 minutes
Closing Remarks (District)	5 minutes