

KENAI PENINSULA BOROUGH SCHOOL DISTRICT  
148 N. Binkley Street  
Soldotna, AK 99669

REGULAR SCHOOL BOARD MEETING: June 4, 2001 - 7:30 p.m. at the Borough Administration Building, Soldotna, AK.

SCHOOL BOARD MEMBERS: Ms. Deborah Germano, President  
Mrs. Sammy Crawford, Vice President  
Mrs. Debra Mullins, Clerk  
Mr. Joe Arness, Treasurer  
Dr. Nels Anderson, Member  
Mr. Al Poindexter, Member  
Mrs. Sandra Wassilie, Member  
Miss Sara Hart, Student Representative

Work Sessions

9:30 a.m. Superintendent Evaluation  
10:30 a.m. School Board Self-Evaluation  
11:30 a.m. Grievance Hearing  
1:00 p.m. Challenger Mission  
5:00 p.m. Reception for Dr. McLain

A-G-E-N-D-A

1. Opening Activities
  - a. Call to Order
  - b. Pledge of Allegiance/National Anthem/Alaska Flag Song
  - c. Roll Call
  - d. Approval of Agenda
  - e. Approval of Minutes/[May 7, 2001](#)
2. School Reports
3. Public Presentations (Items not on agenda, 3 minutes per speaker, 30 minutes aggregate)
4. Hearing of Delegations
5. Communications and Petitions
6. Advisory Committee, Site Councils and/or P.T.A., K.P.A.A., K.P.E.A., K.P.E.S.A.
7. Awards and Presentations
  - a. Districtwide Recognition of Service
  - b. John Andrews, Skyview High School Athletic/Activities Director
8. Superintendent's Report
9. Reports
  - a. Financial Report
  - b. Board Reports
10. Action Items

Consent Agenda

a.

- (1) [Approval of Budget Transfer](#)
- (2) [Approval of New Teacher Assignments 2001-2002](#)
- (3) [Approval of Leave of Absence Requests – Certified](#)
- (4) [Approval of Leave of Absence Request – Support](#)
- (5) [Approval of Long-Term Substitute Teacher Contracts](#)
- (6) [Approval of Resignations](#)
- (7) [Approval of Tentative Nontenure Teacher Assignment](#)
- (8) [Approval of Tentative Nontenure Teacher for Tenure](#)

Instruction

- b. [Approval of BP 1312.2, Reconsideration of Instructional Materials](#)

Operations and Business Management

- c. [Approval of FY02 Budget Revision](#)
- d. [Approval of BP and AR 3342, Tax Sheltered Annuity](#)
- e. [Approval of Resolution 00-01-12, Susan B. English Cocurricular Center](#)
- f. [Approval of Cocurricular Activities and Handbooks](#)

Superintendent

- g. [Approval of Administrator Appointment](#)
- h. Approval of Kenai Peninsula Student Activities Association Board Appointment

11. First Reading of Policy Revisions

12. Public Presentations

13. Board Comments

14. Executive Session

15. Adjourn

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KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 N. Binkley Street  
Soldotna, AK 99669

May 7, 2001

SCHOOL BOARD MEMBERS:

Ms. Deborah Germano, President  
Mrs. Sammy Crawford, Vice President  
Mrs. Debra Mullins, Clerk  
Mr. Joe Arness, Treasurer  
Dr. Nels Anderson, Member  
Mrs. Sandra Wassilie, Member  
Mr. Al Poindexter, Member  
Miss Sara Hart, Student Representative

STAFF PRESENT:

Dr. Donna Peterson, Superintendent of Schools  
Mr. Patrick Hickey, Assistant Superintendent, Operations and Business Management  
Dr. Ed McLain, Assistant Superintendent, Instruction  
Mr. Todd Syverson, Assistant Superintendent, Human Resources

OTHERS PRESENT:

Mr. Tim Peterson	Mr. Lary Kuhns
Mr. John Andrews	Ms. Lynne Hohll
Ms. Melody Douglas	Mr. Jerry Olive
Mr. Mark Leal	Mr. Skip Reiersen
Mr. Jim White	Ms. Rhonda Anderson Hubbard
Mr. Malcolm Fleming	Mr. Dick Dieckgraff
Mr. Rick Matiya	

Others present not identified.

CALL TO ORDER:

Ms. Germano called the meeting to order at 7:41 p.m.

PLEDGE OF ALLEGIANCE:

Ms. Germano invited those present to participate in the Pledge of Allegiance.

ROLL CALL:

Ms. Deborah Germano	Present
Mrs. Sammy Crawford	Present
Mrs. Debra Mullins	Present
Mr. Joe Arness	Present
Dr. Nels Anderson	Present
Mrs. Sandra Wassilie	Present
Mr. Al Poindexter	Present
Miss Sara Hart	Present

APPROVAL OF AGENDA:

The agenda was approved with the removal of item Number 10h., Approval of Seldovia Boys and Girls Club Recommendation.

APPROVAL OF MINUTES:

The School Board Minutes of April 16, 2001, were approved with corrections on page 253. The word "includes" was inserted in place of the word "is" in the second sentence of paragraph two. The word "two" was inserted in place of the word "three" and the word "onsite" was inserted after the word "program" in the third sentence of paragraph two.

## PUBLIC PRESENTATIONS:

Ms. Rhonda Anderson Hubbard, requested that the Kenai Peninsula Student Activities Association (KPSAA) raise the student eligibility requirements from a “D” to a “C.” She stated that there are 10 different sports available in the Seward community for approximately 245 students throughout the school year. She noted that scheduling sporting events is consuming to the point that most other cocurricular activities revolve around the sports schedule. She noted that when teams leave school on Friday other students who are not in sports feel disenfranchised because they are left with a substitute teacher and substantially fewer classmates. She reported that maintaining a “C” average is attainable because block scheduling at Seward Middle/High School allows 10 extra periods as well as a tutor program and a mentor program. She suggested that study time be mandatory on overnight trips. She recommended that participating teams who have above-average GPAs be recognized, and students who are not involved in sports be encouraged to raise their grades. She suggested that special conditions be given for special education students. She requested that the Board, KPSAA, administration, teachers, coaches, students and parents work together to raise student academic expectations.

Mr. Jerry Olive, Seward Elementary special education teacher, commented that he was pleased that a Seward resident is now serving on the Board of Education. He stated that young children who are in grave danger need counselors in schools. He said that counselors are necessary to educate children in the area of social skills. He noted that next year, Seward Elementary will have two, fourth grade classes with 30 students in each class and asked the Board when it will change. He stated that the District needs money for more teachers. He stated that he is a resource teacher and has 31 students to manage. He suggested that a publicity campaign be put into action to educate the public about the lack of adequate funding for education.

Mr. Skip Reiersen, Seward parent, thanked the Board for coming to Seward. He stated that after many years of being involved in the local schools, it is apparent that the Seward Middle/High School has major safety issues that need to be addressed. He encouraged the Board to support future development of the Seward schools.

## COMMUNICATIONS AND PETITIONS:

Dr. Peterson noted that the School Climate Report, which is an update of the Aspirations Program, is included in the Board information packet. She called the Board’s attention to a picture of Dr. Don Boehmer, Special Education director, on page 30 of the Education Summit 2000 Report. She thanked Laidlaw Services for providing the District with a \$500 check to be awarded to a graduate from Nikolaevsk High, Niniichik High or Susan B. English High Schools.

## ADVISORY COMMITTEE, SITE COUNCIL, AND/OR P.T.A., K.P.A.A., K.P.E.A., K.P.E.S.A.:

Mr. Tim Peterson, KPESA president, stated that the Homer News reported that outsourcing of student activities was a “done deal.” He stated that the article was published well before the Board meeting. He reported that KPSAA sent a letter to the Board dated April 27 stating that they are looking forward to receiving and reviewing a proposal from the Outsource Committee. He stated that KPSAA still has not seen the proposal. He reported that KPSAA and Dr. Peterson, superintendent, recommend that the District not pursue outsourcing of student activities. He noted that the attorney for the District advised the Board that there are questions that need to be answered before the District moves forward with outsourcing. He stated that KPAA, KPESA and KPEA are against the proposal to outsource student activities without studying all of the components of the issue.

ADVISORY COMMITTEE, SITE  
COUNCIL, AND/OR P.T.A., K.P.A.A., K.  
P.E.A., K.P.E.S.A. (continued):

Ms. Cindy Ecklund, site council president, thanked the Board for coming to Seward and for the administration's assistance with hiring. She stated that she is looking forward to a good transition. She reminded those present that the next council meeting is Thursday, May 10, at 7:00 p.m.

AWARDS AND PRESENTATIONS:

The Board presented a certificate of appreciation to Mr. Malcolm Fleming for being chosen as the 2001 Secondary Principal of the Year. Mr. Hemstock was not able to attend and will be honored at a later time.

SUPERINTENDENT'S REPORT:

Dr. Peterson announced that over 100 District teachers are registered to attend the Quality Schools Institute at Skyview High School on August 6 through 10. She invited the Board to attend the Institute. She noted that she has had a frustrating week with the legislature and that, even with the intense District lobbying efforts for additional educational funding, it appears the increase will amount only to approximately \$70 additional per student. She stated that the additional funding is appreciated, but the District will still have a shortfall of over \$600,000 for the coming year.

BOARD REPORTS:

Mrs. Wassilie reported that she attended the AASB Spring Boardmanship and Fly-in. She noted that the Academy focused on roles of the superintendent and school board and how they are different. The Academy also provided updates on special education legislation. She reported that time was also spent strategizing with each other and visiting with local and key legislators. She reported that the group stood united across the state to deliver the message to increase the foundation formula funding base, allow diplomas for special education students who take the high school graduation qualifying exam and provide for the need for major maintenance and capital funding. She reported that the Board members were well received and added that she appreciated getting to know her colleagues better. She noted that Mrs. Mari-Anne Gross also attended and lobbied for additional educational funding. She extended her appreciation to the Board for allowing her to attend.

Mrs. Mullins reported that she, Mrs. Wassilie and Ms. Germano attended the AASB Legislative Fly-In in Juneau. She noted that the Board met with approximately 30 legislators in a two-day period. She stated that the prospect of additional funding for education looked promising two weeks ago but has since deteriorated. She reported that she attended the KPSAA meeting last week and referred the Board to a letter in the information packet from the KPSAA Board regarding their position on outsourcing. She reported that KPSAA's position is not to outsource student activities at this time. Mrs. Mullins reported that she attended the Borough Space Allocation Committee meeting and that the Committee was informed that the Kenai Courthouse will not be surplus and is not an option for use by the District. She stated that Committee discussions have centered around leasing space while a building is constructed to house District staff. She stated that she will apprise the Board as more information is available.

## BOARD REPORTS (continued):

Ms. Germano reported that Board members left Juneau at the conclusion of the AASB Fly-In feeling as if there was hope for additional educational funding. She provided an update on legislation and stated that public process was ignored. She stated that she is frustrated and encouraged those present to send a message to legislators informing them that the proposed educational funding increase is not enough. She acknowledged District legislators who have been working hard and expressed special appreciation for Representative Lancaster who is under an incredible amount of pressure. She thanked Representatives Scalzi and Chenault and Senator Torgerson for their hard work. Ms. Germano reported that Alaskans United is reorganizing and will conduct meetings throughout Alaska to promote a long-range fiscal plan. She encouraged those present to attend the meetings, share ideas and provide input.

## Technology Report:

Dr. Peterson presented the Technology Report, which included minutes from the October 2000 and April 2001 meetings as well as a revised plan to compress the six-year plan to four years. She expressed her appreciation to the Kenai Peninsula Borough Assembly for their assistance in making the Technology Plan possible.

## CONSENT AGENDA:

Items presented on the Consent Agenda were Approval of Resignations; Certified Leave of Absence Request – Certified; Long-Term Substitute Teacher Contract; 2001-2002 Teacher Assignments; and Budget Transfer Numbers 355, 356, and 357.

## Resignations:

Mr. Syverson recommended the Board approve resignations effective the end of the 2000-2001 school year for Robert Thompson, school psychologist, districtwide special services; Robert Barnwell, Grade 3/4, Seward Elementary; Mark Burgener, art/photography, Kenai Central High; Diana Marsh, speech pathologist, districtwide special services; Josanne Breeding, school psychologist, districtwide special services; Carlton Kuhns, principal, Nikolaevsk Elementary/High School; and Mike Stockburger, math/science/vocational education, Voznesenka School.

## Leave of Absence Request – Certified:

Mr. Syverson recommended the Board approve an unpaid leave of absence request (certified) for Robert Summer, Grade 8, Kenai Middle; Bradley Kloeckl, English, Homer High; Theo Lexmond, school psychologist, districtwide special services; and Mary Roed, special education/resource, K-Beach Elementary.

## Long-Term Substitute Teacher Contract:

Mr. Syverson recommended the Board approve a long-term substitute teacher contract for George Harbeson, QUEST/language arts, Chapman School and for Joanne McClain, Special Ed/Severe, Seward Middle/High.

## 2001-2002 Teacher Assignments:

Mr. Syverson recommended the Board approve teaching appointments for the 2001-2002 school year for Linda Sam Adams, home economics, Skyview High and for Belinda Drake, Grades K-2, Tebughna School.

## Budget Transfer Numbers 355, 356, and 357:

Mr. Hickey recommended the Board approve budget transfer Numbers 355 and 357 which respectively transfer \$11,840 and \$18,197 to cover the purchase of computers per the District Technology Plan and budget transfer Number 356 which transfers \$18,150, \$16,500, \$17,250 and \$20,100 to purchase software for computers per the District Technology Plan.

## ACTION

Mr. Arness moved the Board approve Consent Agenda Items Numbers 1 through 5. Mrs. Crawford seconded.

Motion carried unanimously.

Nontenure Teachers for Tenure, 2001-2002: Mr. Syverson recommended the Board approve a list of nontenure teachers for tenure for the 2001-2002 school year.

ACTION Mrs. Crawford moved the Board approve a list of nontenure teachers for tenure for the 2001-2002 school year. Mr. Poindexter seconded.

Ms. Germano expressed concern that the District is placing nontenured teachers in tenured positions where they are not certificated and when there are certificated teachers available. She stated she does not fault the administration but does not support the recommendation.

Mr. Syverson noted that on some of the certifications can be deceiving and cited examples of teachers with assignments that were closely related to their certification.

VOTE:

YES – Anderson, Arness, Mullins, Poindexter, Wassilie

NO – Crawford, Germano

Advisory Vote: ABSTAIN

Motion carried.

Tentative Nontenure Teacher Assignments, 2001-2002: Mr. Syverson recommended the Board approve a list of tentative nontenure teacher assignments beginning the 2001-2002 school year.

ACTION Mrs. Crawford moved the Board approve a list of tentative nontenure teacher assignments beginning the 2001-2002 school year. Mrs. Mullins seconded.

Mrs. Crawford asked how the \$600,000 shortfall will impact the approval of nontenure teachers. Mr. Hickey replied that the goal of the administration is to keep teachers in classrooms and noted that the District is considering a number of possibilities to prevent teacher lay offs.

Motion carried unanimously.

BP 4111.2, 4211.2 and 4311.2, Legal Status Requirement: Mr. Syverson recommended the Board approve revisions to BP4111.2, 4211.2 and 4311.2, Legal Status Requirement.

ACTION Mr. Arness moved the Board approve revisions to BP4111.2, 4211.2 and 4311.2, Legal Status Requirement. Mrs. Crawford seconded.

Motion carried unanimously.

BP 4115, Evaluation/ Supervision: Mr. Syverson recommended the Board approve revisions to BP 4115, Evaluation/ Supervision.

ACTION Mrs. Crawford moved the Board approve revisions to BP 4115, Evaluation/ Supervision. Mrs. Mullins seconded.

Motion carried unanimously.

BP 4119.12, Harassment: Mr. Syverson recommended the Board adopt BP 4119.12, Harassment. He explained that harassment is mentioned in the student section of the Policy Manual but not in the employee section. He noted that legal council has reviewed the proposed policy.

ACTION Mrs. Mullins moved the Board adopt BP 4119.12, Harassment. Mrs. Crawford seconded.

Motion carried unanimously.

BP 4300, Management and Supervisory Personnel – Definitions:

Mr. Syverson recommended the Board approve revisions to BP 4300, Management and Supervisory Personnel – Definitions.

ACTIoN Mrs. Mullins moved the Board approve revisions to BP 4300, Management and Supervisory Personnel: Definitions. Mrs. Crawford seconded.

Motion carried unanimously.

Administrator Appointments:

Dr. Peterson recommended the Board approve Christine Ermold as principal/teacher of Cooper Landing Elementary; John Cote as assistant principal, Seward Middle/High; Erling Hofseth, as principal/teacher of Connections; Glenn Haupt as assistant director of Pupil Services; and Berry Swenson as principal of Kenai Central High.

ACTION Mrs. Crawford moved the Board approve the administrator appointments as presented. Mrs. Mullins seconded.

Motion carried unanimously.

Outsource of Student Activities  
Administrative Recommendation:

Dr. Peterson recommended the District not pursue the outsourcing of student activities at this time.

Mr. John Andrews, Skyview High School activities director, asked who will be responsible if outsourcing means that all costs will be absorbed by agencies outside the school. He asked who will supervise the student activities, who will hire and fire coaches, who will pay coaches and how much, who will be responsible for student eligibility, who will be responsible for transportation to activities, and who will be responsible for scheduling, equipment, uniforms, and facilities. He stated that in the past the District outsourced soccer for one year and subsequently adopted the soccer program because there were too many difficulties with the previously mentioned responsibilities. He asked the Board if they were prepared to start adopting all activities that could become outsourced. He stated that Juneau and Ketchikan have recently outsourced football, and both programs are having financial difficulties. He noted that the Anchorage School District outsources baseball and softball and that the Anchorage activities directors do not recommend this method because their district does not have control over the two activities. He asked whether outsourcing would allow schools to start any program such as golf or tennis. He asked how much power booster clubs would have over student activities. He stated that the outsourcing issue should be studied thoroughly before a decision is made. He reported that the KPSAA decision has been sent to the Board and encouraged members to listen to their position on the issue.

Outsource of Student Activities  
Administrative Recommendation  
(continued):

Mr. Lary Kuhns, Homer baseball coach, stated that he has not spoken with all of the Board members and that representatives from his organization may have been misquoted or made misstatements. He stated that he has spoken to the Outsource Committee Task Force members and that his club has been working through the sanction process for eight months. He stated that Mr. Andrews made some good points but that in the Outsource Task Force contract they are addressed. He stated that over the past weekend the Homer Baseball Club traveled to the Matanuska Valley to play Colony and Houston and the expenses for the trip were paid. He reported that last year the Homer Baseball Club played a full schedule at no cost to Homer High School and that the Club is offering supervision of 30-50 students for three months, five days each week. Mr. Kuhns stated that his club will handle the scheduling and insurance. He stated that his club does not want to be a part of the District budget process because they wish to eventually include little league and do not want to risk having their budget reduced. He encouraged the Board to vote with their hearts.

ACTION

Mrs. Crawford moved the Board approve the outsource of student activities administrative recommendation. Mrs. Mullins seconded.

ACTION

Mr. Arness moved the Board approve an amendment as follows: "However, it is the sense of the Board that students involved in an ongoing baseball program in Homer be allowed the opportunity to complete this season. The superintendent is hereby authorized to enter into a discussion with ASAA with the goal of sanctioning either the boy's or girls' teams from Homer, should either qualify for the state tournament. The authorization is specifically limited to Homer baseball and only for the term of this years' state tournament. It is the intent of the Board to continue to develop a functional outsource program to be in place for future requests of this nature." Dr. Anderson seconded.

Mr. Arness noted that the question of outsourcing came up two years ago when soccer was discussed and subsequently added to the activities program. He stated that he did not want to see the addition of new program occur like that again. He stated that the purpose for establishing the Outsource Task Force was to solve some of the questions presented by Mr. Andrews. He stated that unfortunately, not all of the decision-makers were headed in the same direction. He stated that the Outsource Contract came in the Board packet and was to be reviewed by KPSAA and the administration before it came to the Board but it arrived too late. He stated that he was offended by the Homer News article and was struck by the observations made by various groups. He stated that Mr. Andrews and Mr. Peterson both made valid points. He stated that he believes that everyone at the meeting wants what is best for the children. He stated that the idea of his amendment is to allow the Homer baseball and softball teams to complete their season and then the Board and administration can continue to solve problem.

Mrs. Crawford expressed concern about the precedent that the amendment would set. She added that she believes the Board should consider outsourcing but not be pushed into a hasty decision.

Outsource of Student Activities  
Administrative Recommendation  
(continued):

Dr. Anderson stated that he was furious about the outsourcing article in the Homer News that suggested the Board had agreed to the proposed waiver. He stated that he does not interpret Mr. Arness' amendment as being in agreement for an outsource program but as an opportunity for a single exception to allow the children to play in a state tournament. He stated that he also wants to go through the process with KPSAA, the administration and legal council. He stated that he participated on the Student Activities Task Force over the past year and felt that some sort of an outsource program will be necessary because of the funding shortfall and that the Board will put teachers in the classrooms before putting teams on the athletic fields. He stated that he will vote for Mr. Arness' amendment but by doing so is not in disagreement with District unions or KPSAA. He stated that he would like to allow the Homer children to play and have the adults sort out the outsource decision at a later date.

Mr. Poindexter stated that he feels academics are more important than athletics and yet the Board spends more time discussing athletics. He stated that schools do not have to be experts in athletic competition and that other people and organizations can do just as good a job. He stated that he hasn't heard a compelling reason not to allow the Homer children to play when they have worked hard. He explained that competition is all about participating in a sport in order to win the opportunity to compete at the state level. He noted that with the Homer Baseball Club there is no monetary obligation, facility problems, equipment problems, transportation problems, coaching problems, or salary problems and therefore doesn't see why the Board can't allow the children to complete the season. He stated that in 1974 when he began coaching cross-country running and track, he did not get paid for it and he transported the students to the events. He stated that his former students remember their experiences, and he would hate to think that they would have missed out on the opportunity. He encouraged the Board to vote for Mr. Arness' amendment.

Mrs. Mullins stated that she will vote against Mr. Arness' amendment. She stated that the amendment is unwise, not prudent, and that the Board is headed for trouble if they go against the advice of the attorney and administration. She recommended that the Board carefully review the issue of outsourcing. She stated that if the Board is cautious, it will not be harmful to children. She stated that approving the Homer Baseball Club request will open the door to other situations not only in sports activities.

Mrs. Wassilie stated that she will also vote against Mr. Arness' amendment. She stated that the Board should review the possibility of outsourcing activities and that there are too many questions that haven't been answered such as administration and liability. She stated that the liabilities schools now face are far greater than in the past. She stated that she participated in one of the state's first cross-country running teams and was transported to events by parents. She asked what kind of message the Board is sending to juniors and sophomores this year if an exception is made for the Homer Baseball Club and it doesn't work out. She stated that those students will feel cheated. She said that it is not an easy decision to make but, under the circumstances, it is the wisest.

Ms. Germano clarified with Mr. Arness that the amendment states, "if the groups qualify," and noted that the wording puts the administration in another difficult spot because in order to qualify they have to play a certain number of sanctioned games. She noted that if they are not sanctioned by ASAA other teams do not have to play them.

Outsource of Student Activities  
Administrative Recommendation  
(continued):

Mr. Arness stated that the goal of his amendment is to authorize Dr. Peterson to enter into a conversation with ASAA so that if the Homer teams qualify for the state tournament, they will have permission from the Board to be sanctioned by the District to represent Homer High.

Mr. Syverson explained that for the Homer Baseball Club to be eligible for the state tournament, the games they are currently playing must be recognized by ASAA.

Ms. Germano stated that she understood that the home team must apply for a waiver to play a team that is not sanctioned. Mr. Syverson explained that those games are considered exhibition games and do not count.

Mrs. Mullins pointed out that the original motion before the Board concerned outsourcing of student activities and an agreement was presented. She reviewed the appeal process made by the Homer Baseball Club and noted that both the Board and KPSAA denied the Club's request and yet the Board is considering the Club's request again. She stated that the Board is discussing baseball and softball when they should be discussing outsourcing of all student activities.

Dr. Peterson suggested that the administration would need input from the two parties involved. She requested that the Board make a final decision regarding the baseball and softball request.

Mr. Andrews explained that the waiver that the Homer Baseball Club has received this year has allowed them to play ASAA member schools. He stated that those games are exhibition games and cannot count as part of their record. He explained that the Board must approve Homer High School as an authorized baseball and softball team for them to count their games. He stated he was not sure whether games played can be retroactively counted.

Mr. Kuhns stated that Mr. Gary Matthews, ASAA executive director, told him that it is contingent upon School Board decision as to whether Homer Baseball Club's games can be counted. He stated that Mr. Matthews told him that their games can be retroactive.

Mr. Arness clarified with Mr. Kuhns that the Homer Baseball Club could have participated in the state tournament last year but were not sanctioned. Mr. Kuhns stated that the Homer team missed participating in the tournament by one game and that Colony went to the tournament instead.

Ms. Germano stated that the Outsource Student Activities Task Force was established to consider outsourcing of all student activities because they are not being adequately funded. She stated that the Board will need to discuss the topic further and that KPSAA and the Outsource Task Force should have reviewed the proposed agreement. She stated that there is more work to do on the issue and she does not want to establish a practice that the Board can't retract. She stated the Homer Baseball Club provides an opportunity for the Board to observe outsourcing with a program that has money. She stated that she hates to have children miss opportunities to participate in school activities.

Outsource of Student Activities  
Administrative Recommendation  
(continued):

Mr. Arness stated that he does not want to place the superintendent in an awkward position. He stated that he will continue to support his amendment with the hope that it will be interpreted administratively that if it passes it is to provide the absolute least exposure to the District and the most opportunity for the Homer baseball and softball teams to continue through their season. He stated that the Board does not have the opportunity to establish an outsource agreement prior to the Homer Baseball Club's request and it is not the children's fault.

Mr. Arness reread the amendment. Dr. Anderson clarified that the Arness amendment includes baseball and softball.

Mrs. Mullins asked for the administration's opinion on the amendment because it substantially changes the main motion.

recess:

At 9:11 p.m., Ms. Germano called a recess.

RECONVENE AFTER RECESS:

At 9:19 p.m. the Board reconvened in regular session.

Dr. Peterson stated that Item 10j concern outsourcing of student activities and the Arness amendment concerns Homer Baseball. She stated that the administration believes that no matter the verbiage, the Board's intent with the amendment is to pursue a sanctioned season for boy's baseball and girl's softball for Homer High. She stated that the administration continues to support its earlier recommendation not to pilot softball or baseball at Homer High.

Ms. Germano asked Mr. Arness whether the first part of his amendment addressed outsourcing specifically. He replied that the first part of the amendment addressed the administrative recommendation. Mr. Arness read his amendment again adding the word "softball" after the word "baseball" in the third sentence.

Mrs. Mullins asked where the amendment language fits into the main motion. Mr. Arness replied that the amendment language should come after the administrative recommendation as a new paragraph. Mrs. Mullins stated that she does not believe that the amendment is in order because it substantially changes the recommendation. Mr. Arness read the amendment again.

Mrs. Mullins stated that the amendment substantially changes the original motion and that by voting on the amendment, members would be dismissing the original motion. She stated that the amendment is not in order.

ACTION

Mr. Arness moved the Board approve the substitution of his amendment for the main motion. Dr. Anderson second.

Mrs. Wassilie clarified that baseball and softball teams must play in sanctioned games to qualify to play in the state tournament. Mr. Arness replied that at this moment he cannot support outsourcing as it is proposed in the Board packet. He stated that based upon what he has heard, ASAA is fairly negotiable regarding what constitutes a qualified participant. He stated that if ASAA will not accept the baseball and softball games as sanctioned activities, then his amendment is moot since the District does not offer outsourced activities. He stated that he is not trying to put the administration in a tough spot. He stated that his amendment is only an alternative to allow the Homer teams the opportunity to play in the state tournament if they should qualify.

Outsource of Student Activities  
Administrative Recommendation  
(continued):

Ms. Germano stated that the amendment does place the administration in a difficult situation. She stated that she foresees an incredible amount of time being spent on the waiver by the administration. She expressed concern about the time the administration would be spending negotiating with ASAA. She stated that she would be more comfortable if the administration could discuss the waiver issue with Homer High. She stated that she is concerned that the Board is creating a bigger problem.

VOTE ON ARNESS SUBSTITUTION:

YES – Anderson, Arness, Poindexter  
NO – Crawford, Mullins, Wassilie, Germano  
Advisory Vote – YES

Substitute motion failed.

ACTION

Mr. Poindexter moved the Board approve a thirty-day agreement with the Homer Baseball Club as a sanctioned school sport following KPSAA and District policy. Mr. Arness seconded.

Mr. Poindexter pointed out that students are playing baseball and softball in Homer using Homer facilities and teachers and that the only difference is that the District does not financially support the program, otherwise they are a Homer High team. He stated that the District is currently liable for the students since they are playing on school facilities. He noted that he has seen much looser agreements with school personnel than that of the proposed outsource agreement.

Mrs. Mullins asked where the Poindexter amendment language will be inserted.

ACTION

Mr. Poindexter moved the Board approve the substitution of his amendment for the main motion and to add the words “girl’s softball.” Mr. Arness seconded.

Mr. Arness stated that he does not feel comfortable with the proposed outsource agreement as presented. He stated that the Homer Baseball Club presents a unique situation.

Mrs. Crawford stated that the Board is “beating the same dead horse” since the Homer waiver decision was made earlier by the administration. She stated that she will support the administration’s recommendation.

Ms. Germano stated that the Board agrees that the proposed outsource agreement needs work. She stated that there is some agreement about the issue of the Homer Baseball Club students playing baseball and softball this year. She stated that the Homer baseball and softball program is funded and that program officials are enforcing District eligibility requirements. She asked whether it is possible to call Homer baseball and softball a club sport and allow the students to participate for the rest of the season.

Mr. Poindexter restated the substitute motion.

Mr. Syverson stated that being designated as club sport helps the Homer Baseball Club and added that they have to be recognized as a varsity sport to be able to participate in a state tournament.

Outsource of Student Activities  
Administrative Recommendation  
(continued):

Mr. Andrews stated that a team must be designated as a varsity sport to be authorized to play in a state tournament and that an eligibility sheet must be submitted before the first competition of the season.

Mr. Syverson stated that Mr. Gary Mathews, ASAA executive director, said if the Board would recognize the Homer Baseball Club as a varsity team, the waiver would be in place.

Mrs. Wassilie stated that she did not see how a thirty-day contract will help the waiver request situation.

recess:

At 9:47 p.m., Ms. Germano called a recess.

RECONVENE AFTER RECESS:

At 9:53 p.m., the Board reconvened in regular session.

VOTE ON POINDEXTER SUBSTITUTION:

YES – Poindexter, Germano  
NO – Anderson, Arness, Crawford, Mullins, Wassilie  
Advisory Vote – YES

Substitute motion failed.

ACTION

Ms. Germano moved the Board reconsider the Arness substitute motion.  
Mr. Poindexter seconded.

VOTE TO RECONSIDER:

YES – Anderson, Arness, Poindexter, Germano  
NO – Crawford, Mullins, Wassilie  
Advisory Vote – YES

Reconsideration carried.

VOTE ON ARNESS SUBSTITUTION:

YES – Anderson, Arness, Poindexter, Germano  
NO – Crawford, Mullins, Wassilie  
Advisory Vote – YES

Substitute motion carried.

Dr. Peterson stated that the wording, “at this time” are the key words in item 10j and that the pursuit of outsourcing of student activities will be a major focus for the Board, associations and administration.

FIRST READING OF POLICY  
REVISIONS:

The Board heard a first reading of BP 3342, Tax Sheltered Annuity and of BP 1312.2, Reconsideration of Instructional Materials.

Mr. Arness asked why the reconsideration of instructional materials and non-required instructional materials are separated and handled differently.

FIRST READING OF POLICY  
REVISIONS (continued):

Dr. McLain explained that the Reconsideration Committee felt that there was real difference when an instructional material was a required assignment than when it was supplemental or not required. He stated that the Committee recently reviewed a reconsideration request for a book on the Battle of the Books list. He stated that the Committee felt that when instructional material is required it should be given full consideration and that when the material was not required. He stated that consideration of the instructional material is still an option for full reconsideration if the superintendent feels that it is necessary.

PUBLIC PRESENTATIONS:

Lynn Hole, State PTA Reflections Region V chair, stated that the Region V judging was held in Seward and the finalists forwarded to the state from the Kenai Peninsula Borough School District are:

Literature: Kayleen Hansen, North Star Elementary; Elizabeth Hammond, Nikiski Elementary; Mike Wicker, Nikiski Elementary; Clare Bennett, North Star Elementary; and Tom Blair, Seward High School.

Musical Competition: Elizabeth Hammond, Nikiski Elementary and Megan Hanson, North Star Elementary.

Photography: Elizabeth Hammond, Nikiski Elementary; Elliot Tuttle, North Star Elementary and Jack Conright, Nikiski Elementary.

Visual Arts: Kelsey Williams, Nikiski Elementary; Seven-Re Michaels, North Star Elementary; Melissa Johnson, Seward Middle School; Jessica Bishop, Seward High School; Kelly Houghton, Seward High School; and Aryn Perea, Seward High School.

She stated that Aryn Perea and Kelly Houghton received recognition at the state level of competition judged in Anchorage. She stated that Aryn Perea, grade 12, will represent Alaska in the Senior Division Visual Arts with a piece titled, "Wouldn't it be strange if...the answer to all our problems was right in front of us and we weren't looking!" She noted that Aryn's piece also received the State Outstanding Interpretation of the Theme Award for All Divisions Visual Arts.

She stated that Kelly Houghton, grade 11, received an honorable mention in the senior division visual arts for a piece titled, "Wouldn't it be strange if...mother nature was a real woman."

BOARD COMMENTS:

Miss Hart stated that this would be her last Board meeting and she will graduate in two weeks. She stated that she was fortunate to have been educated in the Kenai Peninsula Borough School District and has had excellent teachers. She stated that she has learned much by serving as a student representative on the Board and added that because of her experience, she would like to be involved in education in the future.

Mrs. Wassilie pointed out that it is Teacher Appreciation Week and added that she is constantly amazed by the energy and work of so many District teachers. She stated that it takes a special spirit to teach well and because so many teachers go the extra mile makes the KPBSD an exceptional district. She thanked the parents who spoke to the Board regarding sports, facilities, counselors and safety in the schools. She extended best wishes to Miss Hart.

## BOARD COMMENTS (continued):

Mr. Poindexter stated that sports are important but that students who participate miss too much school. He stated that he would like to see competitions limited to weekends. He stated that he realizes that ASAA tends to drive the scheduling issue but he would like to see the District work on controlling the amount of student absences. He reported that the Borough is in the planning stages of building greenhouses at Skyview High and K-Beach Elementary to grow trees for the Kenai Peninsula. He suggested that the District administration and Board be involved in the discussion. He reported that it is an opportunity to develop the natural resource career pathways within vocational education. He stated that there are a number of natural resource agencies that are attempting to partner with the District and he added that he hoped the District will consider the partnerships. Mr. Poindexter pointed out that a number of school libraries are closing before the end of school and stated that the closures are unacceptable. He added that even though the school libraries are closed teachers are still assigning work that students cannot accomplish without their use and asked the administration to help remedy the situation. He reported that the FFA state convention was held in Fairbanks and noted that all Homer High School students who attended qualified to compete in national competition next fall.

Mrs. Crawford thanked the Seward community for attending the open forum and for hosting the Board meeting. She stated that she appreciated the tour of the Seward Sealife Center given by Mr. Jerry Dixon and his students. She congratulated Mr. Fleming. She thanked District teachers and wished good luck to Miss Hart. She stated that in the future she would like to devote an entire meeting to discuss what goes on in classrooms and how things work and how they can be improved.

Dr. Anderson echoed the positive comments and extended best wishes to Miss Hart.

Mrs. Mullins thanked Miss Hart for her service and added that she will be an asset wherever she goes. She congratulated Mr. Fleming on his award and thanked him for the many years of service to the Seward community. She stated that she enjoyed the Sealife Center tour. She stated that the Homer News article led her to believe that the Board had been polled and gave their approval to the Homer Baseball Club waiver before the Board had the opportunity to discuss the issue. She stated that she was never polled and reminded those present not to believe everything they read. She told the Board that she holds all of them in high esteem, but she felt that they may have made a mistake and will wait for history to prove it.

Mr. Arness wished good luck to Miss Hart. He stated that he was sorry to see Mr. Fleming leave Seward Middle/High. He acknowledged that the Board may have made a mistake regarding the Homer Baseball Club waiver but added that he hopes it all works out. He stated that it was nice to be in Seward for the meeting.

Ms. Germano apologized to the Seward community for an exhausting meeting. She stated that she is looking forward to continuing the work on student activities. She wished Mrs. Tachick a belated Happy Secretaries' Week. She noted that it is Teacher Appreciation Week and added that the Board appreciates the District staff. She noted that the Sealife Center tour was wonderful.

BOARD COMMENTS (continued):

Ms. Germano announced that a Homer High School student's digital graphic art piece was selected as the Alaskan congressional piece that will be displayed in Washington D.C. Ms. Germano stated that she shares many of the concerns expressed regarding student activities and added that she hopes that there will be changes regarding scheduling of activities. She thanked those present for speaking about the condition of the Seward facilities and suggested that the public make the legislators aware of the situation.

ADJOURN: At 10:22 p.m., Mrs. Mullins moved the School Board Meeting be adjourned. Mr. Arnese seconded.

Motion carried unanimously.

Respectfully submitted,

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Ms. Deborah Germano, President

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Mrs. Debra Mullins, Clerk

The Minutes of May 7, 2001,  
have not been approved as of  
May 20, 2001.

May 18, 2001

## **M E M O R A N D U M**

**TO:** Board of Education

**THRU:** Patrick Hickey  
Assistant Superintendent, Operations and Business Management

**FROM:** Melody Douglas  
Director, Business and Finance

**SUBJECT:** Budget Transfer 525

Budget transfer number 525 transfers \$250,000 to cover the purchase of computers for the Connections Program.

This budget transfer exceeds \$10,000; therefore, it requires Board of Education approval per Board Policy 3120. Approval by the Board of Education is recommended.

Enclosure

June 4, 2001

TO: Board of Education

FROM: Todd Syverson, Assistant Superintendent, Human Resources

SUBJECT: Approval of Teacher Assignments/2001-02 Item – 10a (2)

It is recommended that the following teacher assignments be approved for the 2001-02 school year:

<u>RESIDENCE</u>	<u>NAME</u>	<u>DEGREE</u>	<u>INSTITUTION</u>	<u>MAJOR</u>	<u>ATC</u>	<u>EXP</u>	<u>ASSIGN</u>
Seward, AK	Lana Esposito	MEd	University of Alaska, Anchorage	Special Ed	Special Ed; Elem Ed	7 KPBSD 4 AK	Full time Special Ed/ Resource at Seward Elementary
Hooper Bay, AK	Douglas Hogue	BS	Pennsylvania State University	Finance	Elem Ed	3 AK	Full time Generalist for the Connections Program
Hooper Bay, AK	Amy Hogue	MA	University of the Pacific	Communicative Disorders	Speech Pathology	3 AK	Full time Speech Pathologist at Soldotna Elementary
Homer, AK	Timothy Whip	BEEd	University of Alaska, Anchorage	Elem Ed	Elem Ed	3 AK	Temporary, half time Migrant Math in the Homer Area
Longview, WA	Don Drury	BAEd	Eastern Washington University	Reading; Early Childhood Ed	Elem Ed; Reading	5 States	Full time (50% temporary) Grade 1/2 at Nikiski Elementary

June 4, 2001

TO: Board of Education

FROM: Todd Syverson, Assistant Superintendent, Human Resources

SUBJECT: Approval of Request for an Unpaid Leave of Absence/Certified – Item 10a (3)

It is recommended the following request for an unpaid leave of absence be approved for the 2001-02 school year.

Kevin Hall

Assistive Technology Specialist

D/W Special Services

June 4, 2001

TO: Board of Education

FROM: Todd Syverson, Assistant Superintendent, Human Resources

SUBJECT: Approval of Request for an Unpaid Leave of Absence /Support -Item - 10a (4)

It is recommended the following request for a one year unpaid leave of absence be approved for the 2001-02 school year:

Majorie Campbell

Nurse

Mt. View Elementary

June 4, 2001

TO: Board of Education

FROM: Todd Syverson, Assistant Superintendent, Human Resources

SUBJECT: Approval of Substitute Teacher Contracts - Item 10a (5)

The Administration recommends the following substitute teacher contracts be approved:

Judith Schmidt

Special Ed/Severe

Nikiski Middle/Sr.

Raquel Pisa

Special Ed/Preschool

Sears Elementary

Dina Marion

Grade 1/2

Paul Banks Elementary

June 4, 2001

MEMORANDUM

TO: Board of Education

FROM: Todd Syverson, Assistant Superintendent, Human Resources

SUBJECT: Approval of Resignations - Item 10a (6)

It is recommended the following resignations be approved effective the end of the 2000-01 school year:

LaVona Smith

Grade 1

Nikiski Elementary

Amy Fortunato

Special Ed/EH

D/W Special Services

June 4, 2001

TO: Board of Education

FROM: Todd Syverson, Assistant Superintendent, Human Resources

SUBJECT: Approval of Tentative Non-tenure Teacher Assignment/2001-02 - Item 10a (7)

It is recommended that employment for the following non-tenure teacher be approved for the 2001-02 school year. The following lists a tentative assignment for the non-tenured teacher:

<u>Location</u>	<u>Employee</u>	<u>Assignment</u>	<u>Certification</u>
Soldotna Middle	Karen Ruebsamen	Middle School Coordinator	English; School Counselor

June 4, 2001

TO: Board of Education

FROM: Todd Syverson, Assistant Superintendent, Human Resources

SUBJECT: Approval of Non-tenure Teacher for Tenure/2001-02 - Item 10a (8)

It is recommended that employment and tenure for the following non-tenure teacher be approved for the 2001-02 school year. The following assignment is tentative:

<b>Location</b>	<b>Employee</b>	<b>Assignment</b>	<b>Certification</b>
Ninilchik	Mariah Wolf	English (.50)	Language Arts/Humanities

May 8, 2001

To Members, Board of Education

Through Dr. Donna Peterson, Superintendent

From Dr. Ed McLain, Assistant Superintendent, Instruction

Re Revision BP 1312.2 and AR 1312.2, Reconsideration of Instructional Material

The proposed revision makes a distinction between the request for reconsideration of a book or other material which is required by a teacher for student or class and a request for reconsideration of a non-required or supplemental book or other material.

For required materials, the proposed revision will result in a full review process similar to the process required and described by the current policy. This process requires a review of the material by the district reconsideration committee. This committee is composed of a board member, district administration, librarian, teachers, parent and community members. Following a review of the material, the committee makes a recommendation to the Superintendent and the Board. The Board reviews and approves or disapproves that recommendation.

For non required materials such as library books, and supplemental books and materials, the revised BP and AR sets up a committee composed of instructional staff who will receive the request for reconsideration, communicate with the parent, and review the material. That committee would make a decision on the material and convey that decision to the parent and to the Superintendent. The Superintendent reviews that decision and reports to the Board on action taken. The BP and AR will allow an appeal to the Superintendent regarding requests for reconsideration for non-required and supplemental materials.

Administration recommends approval of this revision.

Thank you.

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BP 1312.2

## Community Relations

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### Public Complaints Concerning Instructional Materials

The School Board is aware that certain adopted materials may not be acceptable to all students, their parents/guardians, or other district residents.

[\(cf. 6161.1 - Selection and Evaluation of Instructional Materials\)](#)

[\(cf. 6161.11 - Supplementary Instructional Materials\)](#)

~~When necessary,] t~~**[T]** he Board shall establish an instructional materials review ~~committee and~~ procedures which will permit proper consideration of any complaints against the use of any instructional materials, including textbooks, supplementary textbooks, library books, and other instructional materials and equipment. ~~The instructional materials review committee will make recommendations to the Board.~~ **[The established procedures will utilize district and site staff, parents, Board members, community members as appropriate. These procedures are described in district regulations].-**

[\(cf. 1312.3 - Public Complaint Concerning Discrimination\)](#)

[In cases where ~~an~~ instructional material is removed or access to material is restricted through this policy and procedure,] ~~T~~ **[t]**he Board's decision to remove **[or restrict]** the material ~~in any such case~~ will be based on educational suitability and will not be influenced by a desire to suppress information or deny students access to ideas with which the Board **[or staff]** disagrees.

[\(cf. 6144 - Controversial Issues\)](#)

Adoption Date: ~~7/1/96~~ 5/xx/2001

AR 1312.2

## Community Relations

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### Challenges To Instructional Materials

Complaints concerning instructional materials will be accepted only from staff, district residents, or the parents/guardians of children enrolled in a district school.

**[Complaint and Review Process for Required Material:]**

Complaints must be presented in writing to the principal on the appropriate district form (E 1312.2).

Complaints regarding printed material must specify the precise nature of the objection. The statement must be signed and identified in such a way that a proper reply will be possible.

**[When the complaint involves required instructional material, such as a required book or video]** Individual students may be excused from the required use of challenged materials after the parent/guardian has presented a written complaint. The teacher will then assign the student alternate materials of equal merit.

Use of the materials by a class, school or the district, however, shall not be restricted until a final decision has been made by the Board the Board has made a final decision.

Upon receiving a complaint, the principal will acknowledge its receipt and answer any questions regarding procedure. The principal will then notify the Superintendent or designee and the teacher (s) involved of the complaint. . **[The principal will confer with the teacher or certificated staff using the material to discuss alternative materials or options for the teacher and student.]**

After receiving the complaint, the Superintendent or designee will convene the Instructional Review Committee.

The Instructional Materials Review Committee shall be composed of the following:

1. Assistant Superintendent for Instruction,
2. one Board member,
3. one principal,
4. two teachers,
5. one librarian,
6. four community members, and
7. one student.

The duties of the Instructional Material Review Committee shall be as follows:

1. Consider all requests for reconsideration of instructional materials used in schools.
2. Base decisions on the principles of the freedom to learn, read and inquire.

3. Study thoroughly all materials referred to them and read available reviews.

The Instructional Materials Review Committee will use the following process:

1. The essential criteria utilized to reconsider instructional materials will be the American Library Association Bill of Rights.
2. The general acceptance of the materials shall be checked by consulting standard evaluation aids and other authorities.
3. Instructional materials will be evaluated according to the criteria used to select instructional material in the district. Passages or parts may not be taken out of context. Values and faults are to be weighed against each other, and the opinions based on the material as a whole.
4. Following evaluation of materials, a report with recommendations shall be reported to the Board. The committee's report may present both majority and minority opinions.
5. The committee's report and the action of the Board will be sent to all schools in the district.

The review committee shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

The review committee shall summarize its findings in a written report and submit it in a timely fashion to the Superintendent who will place the issue on the agenda for the next regular meeting of the Board for final action.

The Superintendent or designee shall notify the complainant of the Board's decision.

The report and recommendation of the review committee shall be brought to the School Board for consideration and final decision **[review and approval.]**

**[The Superintendent or designee shall notify the complainant of the Board's decision.]**

**The Superintendent or designee will send a copy of the committee's report and the action of the Board to all schools in the district.]**

When any challenged instructional material is reviewed by the district, it shall not be subject to any additional reconsideration for 12 months.

**[Process for Non Required Materials:**

**When the complaint involves non required materials, such as optional supplemental videos, library books, materials used in extra curricular activities or programs, the individual students may be excused from the use of the challenged materials after the parent/guardian has presented a written complaint. The teacher may then suggest or recommend alternate materials of equal merit.]**

**[The right of a teacher, program, school, or district to use the non required supplemental materials shall not be restricted until a decision has been made by the superintendent, following receipt of the recommendation of the instructional team or review committee.]**

**[Complaints must be presented in writing to the principal on the appropriate district form (E 1312.2).]**

**[Complaints regarding printed material must specify the precise nature of the objection. The statement must be signed and identified in such a way that a proper reply will be possible.]**

**[Upon receiving a complaint, the principal will acknowledge its receipt and answer any questions regarding procedure. The principal will notify the Assistant Superintendent for Instruction and the teacher(s) involved of the complaint. The principal will confer with the teacher or certificated staff using the material to discuss alternative materials or options for the teacher and student.]**

**[After receiving the complaint, the Assistant Superintendent for Instruction will convene a District Instructional Review Team to review the complaint, prepare a summary report and make recommendation to the Superintendent on the actions to be taken.]**

**[The District Instructional Review Team shall be composed of the following:**

- 1. Assistant Superintendent for Instruction,**
- 2. Director of Curriculum**
- 3. Staff Development Specialist**
- 4. At least one appropriate grade level or content teachers,**
- 5. One librarian or district media specialist]**

**[The duties of the Instructional Review Team shall be as follows:**

- 1. Consider all requests for reconsideration of non-required instructional materials used in schools.**
- 2. Base decisions on the principles of the freedom to learn, read and inquire.**
- 3. Study thoroughly all materials referred to them and read available reviews.]**

**[The Instructional Review Team will use the following process:**

- 1. The essential criteria utilized to reconsider instructional materials will be the American Library Association Bill of Rights.**
- 2. The general acceptance of the materials shall be checked by consulting standard evaluation aids and other authorities.**
- 3. Instructional materials will be evaluated according to the criteria used to select instructional material in the district. Passages or parts may not be taken out of context. Values and faults are to be weighed against each other, and the opinions based on the material as a whole.**
- 4. Following evaluation of materials, a report with decision shall be reported to the Superintendent.]**

**[The review team shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.]**

**[The Instructional Review Team may make one of three decisions:**

- (1) to allow status quo - continued access and use of the material as currently allowed;**
- (2) to modify / limit access or use of the material;**
- (3) to have material and complaint reviewed by the Instructional Review Committee as described in the section for required materials.]**

**[The review committee shall summarize its findings and decision in a written report and submit it in a timely fashion to the Superintendent.]**

**The Superintendent will review the report and decision of the instructional review team and will provide a copy of the report and decision to the Board.**

**Should the superintendent accept the decision, he or she will notify the Board and complainant of the decision and provide information on the appeal process to the complainant.**

**Should the superintendent reject the decision, he or she will notify the team, the complainant, and the Board. The superintendent may require a full review of the material by the Instructional Review Committee, make an independent recommendation to the Board, or place the issue as an action item on the agenda for the next regular meeting of the Board.**

**When the district reviews any challenged instructional material, it shall not be subject to any additional reconsideration for 12 months.]**

Adoption Date: 7/1/96 5/xx/2001

June 4, 2001

To: Kenai Peninsula Borough School District Board of Education

Through: Dr. Donna Peterson, Superintendent

From: Patrick Hickey, Assistant Superintendent

Subject: **FY02 Budget – Impact of Legislative Appropriations**

On April 3, the district administration transmitted a budget totaling \$88,420,316. This included a operating fund budget of \$73,201,547 with a borough contribution of \$30,472,980 and a shortfall of \$1,946,774.

A number of changes have occurred. Most significantly, SB174 increased the “Base Student Allocation” (AS 14.17.470) from \$3940 to \$4010 per ADM. At the same time, the calculations for determining local contribution changed. The requirement is reduced by an amount equal to four mills of ½ the assessed valuation change from the prior year.

The net effect of this is the operating fund can be increased by \$1,280,421 while reducing the borough’s contribution (at the cap) and a \$666,352 shortfall remaining.

The administration has applied to the Department of Education and Early Development for categorization of Seward Junior and Seward Senior High as separate facilities. Because the two buildings were separately constructed we believe the change in reporting is warranted. The statute requires that the two schools be administered separately. This requires a principal in both buildings and that the current Seward Junior/Senior budget be separated.

My preliminary budget calculations with the school reporting change are for an operating fund budget of \$74,878,526 and a remaining shortfall to \$269,795. The net effect is the administration has restored almost all of the \$1,946,774 as recommended by the Budget Review Committee. We continue to examine possibilities to resolve the final shortage.

One other issue involves the Learning Opportunity Grant. The legislature appropriated an amount projected to be \$92.81 per student. Use of this grant will be restricted to remedial programs and the revenue will not be available for general reconciliation of the operating fund problem.

The district asks the board to amend and approve the FY02 budget to reflect \$90,587,864 in total; \$74,878,526 in Operating fund; and \$30,390,101 in local contribution to the cap (\$6,086,948 Inkind and \$24,303,153 Appropriation).

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**KENAI PENINSULA BOROUGH SCHOOL DISTRICT  
2001-2002 BUDGET**

**ALL GOVERNMENTAL FUNDS - REVENUE**

1997-98	1998-99	1999-00		Original	Current		5/17/2001	
<u>Actual</u>	<u>Actual</u>	<u>Actual</u>	<u>Revenue Source</u>	2000-01	2000-01	2001-02		% of
				<u>Budget</u>	<u>Budget</u>	<u>Budget</u>	<u>Change</u>	<u>Chg</u>

**General Fund Revenue**

## Local Revenue

\$ 6,197,730	\$ 6,009,525	\$ 5,922,125	Borough In Kind	\$ 5,918,852	\$ 5,922,125	\$ 6,086,948	\$ 164,823	3
21,887,100	23,467,260	23,372,336	Borough Appropriation	23,746,020	23,721,633	24,303,153	581,520	2
-	-	716,258	E-Rate	650,000	300,000	650,000	350,000	117
-	7,409	-	Property	-	-	-	-	-
48,698	31,093	29,927	Rentals	65,000	65,000	65,000	-	-
58,740	42,255	128,391	Miscellaneous	50,000	50,000	50,000	-	-
<u>28,192,268</u>	<u>29,557,542</u>	<u>30,169,037</u>	<b>Total Local Revenue</b>	<u>30,429,872</u>	<u>30,058,758</u>	<u>31,155,101</u>	<u>1,096,343</u>	<b>4</b>

## State Revenue:

43,275,988	42,800,605	43,104,729	Foundation Program	42,323,393	42,231,591	43,356,365	1,124,774	3
239,953	246,772	280,654	Tuition	231,000	231,000	231,000	-	-
<u>43,515,941</u>	<u>43,047,377</u>	<u>43,385,383</u>	<b>Total State Revenue</b>	<u>42,554,393</u>	<u>42,462,591</u>	<u>43,587,365</u>	<u>1,124,774</u>	<b>3</b>

## Federal Revenue:

157,079	111,073	136,059	Medicaid	136,059	136,059	136,060	1	100
9,942	22,956	-	Public Law 874	-	-	-	-	-
<u>167,021</u>	<u>134,029</u>	<u>136,059</u>	<b>Total Federal Revenue</b>	<u>136,059</u>	<u>136,059</u>	<u>136,060</u>	<u>1</u>	<b>100</b>
<u>71,875,230</u>	<u>72,738,948</u>	<u>73,690,479</u>	<b>Total General Fund Revenue</b>	<u>73,120,324</u>	<u>72,657,408</u>	<u>74,878,526</u>	<u>2,221,118</u>	<b>3</b>

## Other Financing Sources:

-	-	535,762	Operating Transfers In	-	-	-	-	-
<u>71,875,230</u>	<u>72,738,948</u>	<u>74,226,241</u>	<b>Total Revenue and Other Financing Sources</b>	<u>73,120,324</u>	<u>72,657,408</u>	<u>74,878,526</u>	<u>2,221,118</u>	

Special Revenue Funds Revenue  
and Other Financing Sources \*

-	-	335,618	After the Bell	485,422	735,376	735,376	-	-
-	-	-	Alaska Native at Risk Fund	-	250,180	250,180	-	-
-	-	-	Alaska Native Preschool	-	286,762	286,762	-	-
183,143	41,782	240,230	AK Science and Technology Fund	250,341	-	-	-	-
23,990	10,538	13,111	Boarding Home Fund	30,393	30,393	27,308	(3,085)	(10)
-	-	-	Building Trades Fund	-	-	-	-	-
200,910	217,671	239,662	Carl Perkins Fund	266,340	215,946	248,338	32,392	15
68,289	162,152	98,604	Charter Schools Fund	55,383	45,606	22,803	(22,803)	(50)
-	-	413,784	Class Size Reduction Fund	468,823	466,856	560,227	93,371	20
1,324,519	-	-	Co-Curricular Fund	-	-	-	-	-
<u>221,048</u>	<u>223,977</u>	<u>256,379</u>	Community Schools Fund	<u>279,329</u>	<u>312,548</u>	<u>247,759</u>	<u>(64,789)</u>	<u>(21)</u>

179,491	172,700	134,692	Community Theater Fund	184,537	184,537	159,537	(25,000)	(14)
-	-	-	Drug and Violence Prevention Fund	-	291,428	326,399	34,971	12
-	-	677,612	Equipment Reserve Fund	699,448	699,448	481,668	(217,780)	(31)
2,370,791	2,287,070	2,421,637	Food Service Fund	2,417,787	2,417,787	2,400,548	(17,239)	(1)
1,913,473	2,000,419	1,980,924	IASA Fund	2,274,861	2,108,112	2,318,923	210,811	10
-	-	-	Learning Opportunity Grant Fund	-	466,507	933,761	467,254	100
335,597	402,991	349,363	Miscellaneous Grants Fund	388,770	375,877	402,188	26,311	7
60,967	50,374	50,873	Preschool Disabled Fund	55,183	92,701	101,971	9,270	10
3,577,693	3,611,144	4,466,671	Pupil Transportation Fund	4,509,385	4,509,385	4,511,775	2,390	0
-	242,337	239,025	Quality Schools Initiative Fund	237,109	240,983	239,228	(1,755)	(1)
66,556	53,861	20,874	School to Work Fund	45,743	74,715	134,487	59,772	80
581,978	653,846	732,806	Title VI-B Fund	798,381	845,527	1,031,543	186,016	22
157,176	230,887	192,519	Title IX Indian Education Fund	210,867	213,746	288,557	74,811	35
<b>Total Special Revenue Funds Revenue and Other Financing Sources</b>								
11,265,621	10,361,749	12,864,384		13,658,102	14,864,420	15,709,338	844,918	6
<b>Total Revenues and Other Financing Sources</b>								
\$83,140,851	\$ 83,100,697	\$87,090,625		\$86,778,426	\$87,521,828	\$90,587,864	\$ 3,066,036	4
574,441	321,431	293,962	* Transfers from General Fund	57,342	57,342	57,342	-	

**KENAI PENINSULA BOROUGH SCHOOL DISTRICT  
2001-2002 BUDGET**

**ALL GOVERNMENTAL FUNDS - EXPENDITURES**

							05/17/01	
1997-98	1998-99	1999-00	DESCRIPTION	Original	Current	2001-02	Change	% of
<u>Actual</u>	<u>Actual</u>	<u>Actual</u>		<u>Budget</u>	<u>Budget</u>	<u>Budget</u>		<u>Chg</u>
<b>General Fund Expenditures</b>								
\$32,071,580	\$32,675,411	\$32,728,102	Regular Instruction	\$31,608,163	\$30,901,658	\$31,661,910	\$ 760,252	2
534,154	489,791	464,842	Bilingual Instruction	531,545	511,717	524,929	13,212	3
907,599	884,464	880,215	Gifted/Talented Instruction	862,728	901,370	906,959	5,589	1
283,843	319,838	919,855	Alternative Education	1,698,188	1,745,378	2,549,646	804,268	46
1,796,910	1,690,652	1,657,086	Vocational Education	1,562,695	1,592,118	1,605,230	13,112	1
6,110,120	6,220,888	6,389,524	Special Education - Instruction	6,543,345	6,422,511	6,676,107	253,596	4
3,041,039	2,821,280	2,799,527	Special Education - Support Services	2,911,460	3,049,987	2,982,568	(67,419)	-
4,612,856	4,254,775	4,025,076	Support Services - Students	3,956,478	4,039,055	4,140,052	100,997	3
5,682,355	5,777,079	5,849,118	School Administration	3,440,765	3,223,787	3,303,817	80,030	2
-	-	-	School Administration - Support	2,194,780	2,524,684	2,495,993	(28,691)	100
695,462	644,113	631,831	District Administration	604,904	626,195	634,699	8,504	1

2,268,793	2,198,069	2,548,382	District Administration Support Svcs	2,504,035	2,475,242	2,674,085	198,843	8
13,338,851	13,320,860	12,919,194	Operation of Plant	13,211,785	13,158,768	13,240,454	81,686	1
-	1,386,316	1,420,796	Pupil Activities	1,432,111	1,427,596	1,424,735	(2,861)	-
574,441	321,431	293,962	Transfer to Other Funds	57,342	57,342	57,342	-	-
<u>71,918,003</u>	<u>73,004,967</u>	<u>73,527,510</u>	<b>Total General Fund Expenditures</b>	<u>73,120,324</u>	<u>72,657,408</u>	<u>74,878,526</u>	<u>2,221,118</u>	<u>3</u>

**Special Revenue Funds Expenditures and  
Other Financing Uses - Transfer to General Fund**

-	-	335,618	After the Bell	485,422	735,376	735,376	-	-
-	-	-	Alaska Native At Risk Fund	-	250,180	250,180	-	-
-	-	-	Alasaka Native Preschool	-	286,762	286,762	-	-
181,833	43,092	240,230	AK Science and Technology Fund	250,341	-	-	-	-
23,990	10,538	13,111	Boarding Home Fund	30,393	30,393	27,308	(3,085)	(10)
-	-	-	Building Trades Fund	-	-	-	-	-
200,910	217,671	239,662	Carl Perkins Fund	266,340	215,946	248,338	32,392	15
68,289	162,152	98,604	Charter Schools Fund	55,383	45,606	22,803	(22,803)	(50)
-	-	413,784	Class Size Reduction Fund	468,823	466,856	560,227	93,371	20
1,324,519	-	-	Co-Curricular Fund	-	-	-	-	-
221,122	216,947	263,027	Community Schools Fund	279,329	312,548	247,759	(64,789)	(21)
174,747	177,444	134,692	Community Theater Fund	184,537	184,537	159,537	(25,000)	(14)
-	-	-	Drug and Violence Prevention	-	291,428	326,399	34,971	12
-	-	535,762	Equipment Fund - Transfer to General Fund	699,448	848,707	481,668	(367,039)	(43)
2,368,421	2,289,997	2,421,845	Food Service Fund	2,417,787	2,417,787	2,400,548	(17,239)	(1)
1,913,473	2,000,419	1,980,924	IASA Fund	2,274,861	2,108,112	2,318,923	210,811	10
-	-	-	Learning Opportunity Grant Fund	-	466,507	933,761	467,254	100
335,597	398,532	318,814	Miscellaneous Grants Fund	388,770	375,877	402,188	26,311	7
60,967	50,374	50,873	Preschool Disabled Fund	55,183	92,701	101,971	9,270	10
3,577,693	3,559,284	4,432,897	Pupil Transportation Fund	4,509,385	4,509,385	4,511,775	2,390	0
-	232,931	206,124	Quality Schools Initiative Fund	237,109	240,983	239,228	(1,755)	(1)
66,556	53,861	20,874	School to Work Fund	45,743	74,715	134,487	59,772	80
581,978	653,846	732,806	Title VI-B Fund	798,381	845,527	1,031,543	186,016	22
157,176	230,887	192,519	Title IX Indian Education Fund	210,867	213,746	288,557	74,811	35
<u>11,257,271</u>	<u>10,297,975</u>	<u>12,632,166</u>	<b>Total Special Revenue Fund Expenditures</b>	<u>13,658,102</u>	<u>15,013,679</u>	<u>15,709,338</u>	<u>695,659</u>	<u>5</u>
<u>83,175,274</u>	<u>83,302,942</u>	<u>86,159,676</u>	<b>Total Expenditures</b>	<u>86,778,426</u>	<u>87,671,087</u>	<u>90,587,864</u>	<u>2,916,777</u>	<u>3</u>

(34,423)	(202,245)	930,949	Excess (Deficiency) of Revenues Over Expenditures **	-	(149,259)	-	149,259
1,834,658	2,266,141	2,063,896	<b>Fund Balance, Beginning of Year</b>	2,747,256	2,747,256	2,597,997	(149,259)
465,906	-	-	Inventory adjustment	-	-	-	-
-	-	(247,589)	Cumulative Effect of Change in Accounting for Personal Leave	-	-	-	-
2,300,564	2,266,141	1,816,307	<b>Adjusted Fund Balance, Beginning of Year</b>	2,747,256	2,747,256	2,597,997	(149,259)
<u>\$ 2,266,141</u>	<u>\$ 2,063,896</u>	<u>\$ 2,747,256</u>	<b>Fund Balances, End of Year</b>	<u>\$ 2,747,256</u>	<u>\$ 2,597,997</u>	<u>\$ 2,597,997</u>	<u>\$ -</u>

Kenai Peninsula Borough School District  
 Districtwide Budget Summary by Fund/Object for Expense Accounts  
 General Fund  
 05/17/01

Actual Expenditures	Actual Expenditures	Actual Expenditures	Original Appropriation	Revised Appropriation		Recommended	Modified Recommended	Difference Between Fiscal 2002 and Revised Appropriation	PCT
Fiscal 98	Fiscal 99	Fiscal 00	Fiscal 01	Fiscal 01	Location Discription	Fiscal 2002	Fiscal 2002	+(-)	+(-)
\$ 97,319	\$ 110,500	\$ 102,308	\$ 101,500	\$ 101,500	3110 Superintendent	\$ 103,000	\$ 103,000	\$ 1,500	1
162,779	174,174	179,898	177,900	180,300	3120 Assistant Superintendent - Certified	180,000	180,000	(300)	(0)
2,468,180	2,517,117	2,545,145	2,453,279	2,512,162	3130 Principal/Assistant Principal	2,668,605	2,668,605	156,443	6
684,683	698,837	707,571	617,215	637,033	3140 Director/Coordinator - Certified	663,650	663,650	26,617	4
28,159,435	27,698,453	26,926,960	27,247,524	26,916,398	3150 Teachers	27,664,632	27,664,632	748,234	3
6,381	526,403	509,985	538,884	576,936	3161 Extra-Duty Compensation Certified	576,936	576,936	-	-
41,009	21,171	83,716	80,027	81,558	3162 Emolument	77,902	77,902	(3,656)	(4)
624,457	425,104	354,968	406,012	373,167	3171 Substitute Certified w/Certificate	406,908	406,908	33,741	9
-	9,313	113,026	-	250	3172 Temporary Certified w/Certificate	-	-	(250)	(100)
165,217	131,256	138,388	131,150	131,150	3173 Long Term Substitute - Certified	130,686	130,686	(464)	(0)
3,693,164	4,140,394	4,034,078	4,140,927	4,240,476	3180 Specialists - Certified	4,306,696	4,306,696	66,220	2
146,227	156,545	155,380	84,301	84,301	3190 Leave - Certified	91,517	91,517	7,216	9
72,076	73,416	82,183	81,282	81,282	3211 Assistant Superintendent - Support	83,076	83,076	1,794	2
139,638	142,298	165,288	163,230	163,230	3212 Director/Coordinator Support	166,260	166,260	3,030	2
632,547	648,583	666,021	612,467	594,722	3220 Specialist - Nurse	638,082	638,082	43,360	7
1,577,352	1,570,224	1,645,394	1,750,835	1,780,805	3230 Tutors/Aides	1,745,879	1,745,879	(34,926)	(2)
2,835,068	2,773,280	2,862,562	3,037,401	3,040,706	3240 Support Staff	3,295,576	3,269,576	228,870	8

2,319,272	2,310,117	2,374,047	2,531,871	2,462,174	3250	Maintenance/Custodians	2,560,266	2,560,266	98,092	4
-	2,224	-	-	-	3271	Bus Drivers	-	-	-	-
2,130	69,047	71,272	-	-	3272	Activity Bus Driver	-	-	-	-
213,227	244,770	225,443	250,255	276,590	3291	Substitute - Support	252,405	252,405	(24,185)	(9)
-	193,897	217,059	171,460	174,664	3292	Extra-Duty Compensation Support	174,664	174,664	-	-
5,484	27,576	17,589	30,000	30,000	3293	Long Term Substitute - Support	30,000	30,000	-	-
176,188	156,549	143,722	104,547	118,751	3294	Temporary Salaries - Support	122,199	122,199	3,448	3
52,372	48,696	32,228	28,680	28,680	3295	Overtime - Support	28,680	28,680	-	-
-	307,446	267,866	219,257	218,207	3296	Substitute Certified w/o Certificate	213,905	213,905	(4,302)	(2)
89,971	144,021	105,735	8,560	8,560	3300	Leave - Support	8,852	8,852	292	3
5,108,156	5,409,271	5,840,256	5,411,771	5,456,848	3511	Health Insurance	5,730,034	5,730,034	273,186	5
103,207	105,882	109,694	128,773	128,165	3512	Life Insurance	132,243	132,243	4,078	3
143,089	56,765	68,585	134,914	134,531	3520	Unemployment Insurance	138,555	138,555	4,024	3
(936)	338,634	360,904	513,950	512,290	3541	Fica Medicare (TRS)	526,817	526,817	14,527	3
1,018,619	699,608	701,574	728,273	726,679	3542	Fica Contribution	754,316	754,316	27,637	4
5,157,865	5,450,690	6,114,234	4,814,389	4,800,690	3550	TRS Retirement	4,558,388	4,558,388	(242,302)	(5)
888,343	973,804	657,433	619,006	614,441	3560	PERS Retirement	528,366	528,366	(86,075)	(14)
24,605	161,705	150,709	65,887	56,103	4100	Professional-Technical Service	54,900	54,900	(1,203)	(2)
32,000	25,450	26,000	25,000	25,000	4121	In Kind Professional -Technical Audi	25,000	25,000	-	-
69,362	26,267	42,205	56,250	55,000	4140	Professional-Technical Legal	50,700	50,700	(4,300)	(8)
12,515	12,400	13,910	8,438	7,438	4150	Professional -Technical Medical	8,438	8,438	1,000	13
364,882	395,129	344,488	295,371	333,817	4200	Travel	318,757	305,757	(28,060)	(8)
(1,781)	180,288	186,134	322,000	244,077	4250	Extracurricular Travel	244,077	244,077	-	-
161,000	149,132	154,318	163,240	180,448	4310	Water And Sewage	179,287	179,287	(1,161)	(1)
110,363	117,536	118,123	114,227	114,227	4320	Garbage	114,227	114,227	-	-
72,015	72,501	88,251	61,643	62,118	4331	Postage	65,189	65,189	3,071	5
355,036	379,363	578,507	456,872	460,822	4332	Telephone	584,078	584,078	123,256	27
43,697	43,993	40,249	43,892	43,892	4350	In Kind Utilities	43,892	43,892	-	-
8,071	8,413	7,600	6,125	6,125	4401	Freight Costs	6,125	6,125	-	-
181,003	232,438	156,395	352,669	351,080	4402	Purchased Service	420,305	420,305	69,225	20
69,214	65,735	67,365	70,767	70,815	4403	In Kind Custodial	70,767	70,767	(48)	(0)
5,031,823	5,164,339	5,023,344	4,900,717	4,900,717	4404	In Kind Maintenance	4,900,717	4,900,717	-	-
365,319	310,940	269,610	331,798	337,918	4408	Purchased Service - Xerox	325,337	325,337	(12,581)	(4)
-	-	23,660	325	470	4409	Purchased Service - Riso	2,125	2,125	1,655	352
189,777	211,631	161,593	117,445	114,467	4410	Rental	112,520	112,520	(1,947)	(2)
160,802	154,980	121,355	216,274	216,003	4430	Repair & Maintenance Agreement	180,839	180,839	(35,164)	(16)
1,020,995	710,458	704,577	881,749	881,749	4471	In Kind Insurance	881,749	881,749	-	-
2,263,488	2,146,170	1,817,124	2,749,254	2,670,120	4501	Supplies	2,949,146	2,679,351	9,231	0
100,574	101,458	134,719	137,300	137,444	4502	Discretionary Material	137,136	137,136	(308)	(0)
2,143,731	2,218,342	2,033,318	2,123,776	2,123,776	4551	Electricity	2,123,776	2,123,776	-	-
842,981	852,386	901,243	907,202	907,202	4552	Fuel For Heating	907,202	907,202	-	-
(51,304)	(30,393)	(35,096)	-	-	4560	Inventory Adjustment	-	-	-	-
12,823	12,154	9,826	10,931	10,931	4580	Gas And Oil	11,287	11,287	356	3
24,669	14,177	14,040	12,150	14,040	4850	Stipends	14,040	14,040	-	-
272,863	217,575	166,417	115,197	168,108	4901	Other Expenses	348,049	348,049	179,941	107
66,847	62,780	70,256	87,500	87,500	4902	Career Development	88,000	88,000	500	1
27,823	31,555	31,261	36,204	36,429	4903	Professional Dues	36,204	36,204	(225)	(1)

32,125	21,849	16,371	35,200	35,200	4904	Physical Exam Reimbursement	35,000	35,000	(200)	(1)
(98,055)	(107,539)	(122,157)	-	-	4950	Indirect Costs	-	-	-	-
384,656	139,378	134,137	70,162	65,702	5101	Equipment	21,662	21,662	(44,040)	(67)
267,124	224,881	1,199,910	967,777	694,082	5102	Equipment-Technology	1,310,353	1,310,353	616,271	89
574,441	321,431	297,236	57,342	57,342	5520	Transfer To Other	57,342	57,342	-	-
<u>\$71,918,003</u>	<u>\$73,004,967</u>	<u>\$73,527,510</u>	<u>\$73,120,324</u>	<u>\$72,657,408</u>	Fund Total		<u>\$75,187,321</u>	<u>\$74,878,526</u>	<u>\$ 2,221,118</u>	3.06

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April 21, 2001

## MEMORANDUM

TO: The Board of Education

THROUGH: Patrick Hickey, Assistant Superintendent

FROM: Melody Douglas, Director, Business and Finance

SUBJECT: BP 3342 an AR 3342 - Tax-Sheltered Annuity Program

The District is in the process of complying with the Internal Revenue Code 403 (b) that covers tax-sheltered annuities.

Materials developed by the Internal Revenue Service, National Tax-Sheltered Annuity Association (NTSAA) and the Association of School Business Officials International (ASBO) have been reviewed on this topic and consultation with districts that have been audited by the Internal Revenue Service has occurred.

For several years, we have required a maximum exclusion allowance calculation (MEA) to accompany all salary reduction agreements (SRA). We are implementing a program to verify the information submitted on the MEA's. The District is liable for under-withholding of taxes due to incorrect SRA and/or inaccurate MEA information.

The plan is to monitor this program in-house, however, should this process prove to be more labor intensive than initially thought, it may be prudent to hire a third-party administrator for this program.

The District is using the standard Service Provider Agreement (SPA) developed by the NTSAA and ASBO. A copy of this agreement is attached. Presently, most of the companies conducting tax-sheltered annuity business with District employees have signed the SPA. Two companies have declined signing the SPA and five companies have been sent a second request. Some districts have curtailed all activity with companies who have not signed the SPA, while other districts have 'frozen' activity in this instance. Employees who are involved with 'frozen' companies are not allowed to make any changes to their tax-sheltered annuity payroll deduction; they may leave it in place as is or they may change to another company. No other employees are allowed join the 'frozen' company. It is recommended the District allow employees to remain on a status-quo basis with a 'frozen' company.

A revision to BP 3342 and implementation of AR 3342 requires all tax-sheltered annuity

companies to sign a SPA to hold the District harmless for any incorrect information submitted on behalf of an employee. Approval of BP 3342 and AR 3342 is recommended.

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# KPBSD Policy Manual

BP 3342

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## Business and Noninstructional Operations

### PAYROLL

All employees will be paid monthly on the last work day of the month.

Any regular employee eligible for payroll payments may authorize the direct deposit of his/her payroll to a designated banking institution upon delivery of a written request to the payroll office.

Substitute and temporary employees shall be paid at the daily rate established by the Board. Certificated substitute teachers employed in the same position continuously for more than nineteen (19) days shall be paid in accordance with the regular salary schedule.

Subject to emergency school closure approval by the commissioner of education, employees shall be entitled to pay for those days that schools are closed due to epidemics or other causes beyond the control of school authorities. School days missed for other reasons or for reasons not approved by the commissioner must be made up.

The district may withhold an employee's last month of service salary until that person has submitted all summaries, statistics, reports and other items required by the district.

Upon appropriate written authorization from the employee, the Board shall make deductions from the salary of any employee and make appropriate remittance for annuities, credit union, or other approved plans or programs.

Employees can elect to take a tax sheltered annuity deduction from the active list of companies on file with the business office.

In order for a company to be placed on the active list, the company must have five (5) or more participants from the district.

#### *Legal Reference:*

ALASKA ADMINISTRATIVE CODE

4 AAC 18.021

**KENAI PENINSULA BOROUGH SCHOOL DISTRICT**

[Series 0000](#) - [Series 1000](#) - [Series 2000](#) - [Series 3000](#) - [Series 4000](#) - [Series 5000](#)  
[Series 6000](#) - [Series 7000](#) - [Series 8000](#) - [Series 9000](#)

**[SEARCH THE POLICY MANUAL](#)**

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## **Business and Noninstructional Operations**

**AR 3342**

### **PAYROLL - Tax Sheltered Annuities**

Employees hired at least half time may purchase tax shelter annuities with portions of their income. The Board shall offer no advice or make any recommendations or representation respecting the value or merit of any company or annuity program offered. The selection of a company or program shall be made solely by the employee who shall assume all risks of participation in the program chosen.

Participation in tax- sheltered annuities will conform to the following rules that are applicable to the purchase of annuities under Section 403 (b) of the Internal Revenue Code:

The Superintendent or designee shall act as agent for the Board in the administration of all aspects of the tax-sheltered annuity program.

The Board shall, by reduction of compensation in the amount specified, remit payment for tax sheltered annuities for employees pursuant to I.R.C. 403 (b) provided the employee submits a signed salary reduction agreement accompanied by a maximum exclusion allowance calculation.

The Superintendent or designee will maintain a list of approved companies that market 403(b) annuities. Purchase of 403 (b) annuities for employees by the District will be limited to companies on this list.

Any companies that sell 403 (b) annuities may be placed on the District's list if they have five (5) or more signed contracts with employees, provided these companies execute and furnish agreements to the Board to hold harmless the Board from any tax or other liabilities that may be incurred by the District for under-withholding of income taxes that may result from the incorrect calculation of any participating employee's exclusion allowance under the terms of the Internal Revenue Code.

The Board shall not withhold income taxes on the amount of the contributions requested to be made by the employee for the purchase of 403 (b) annuities in a given year, provided that the employee and the firm, from which the employee's annuity has been purchased, have executed and furnished the District hold harmless agreements (Service Provider Agreement) on forms provided by the District.

### **Service Provider Agreement For 403(B) Retirement Programs (Non-ERISA)**

Employer certifies that it is an eligible employer to sponsor a 403(b) program and accepts all liability for this determination. Effective on the date hereof, the Service Provider identified below agrees, in consideration of being designated an approved Services Provider, to the terms and conditions set forth herein with respect to purchases, sales, transfers or other transactions related to the servicing of 403(b) annuity contracts and/or custodial accounts that are processed through the Service Provider.

**Employer and Service Provider agree:**

- 1 Service Provider, upon the request of any Employee, shall provide such Employee a Maximum Exclusion Allowance (MEA) calculation in accordance with state and federal income tax statutes, rules and regulations (Applicable Law). Furthermore, Service Provider shall certify to the Employer and Employee the accuracy of the calculation, as performed by Service Provider or its agent, based on the accuracy of information provided by the Employee.
- 2 Service Provider shall offer only custodial accounts or annuity contracts, the terms of which comply with the provisions of Applicable Law. Such custodial accounts and/or annuities shall be available for purchase by the Employer for any eligible Employee.
- 3 Service Provider shall be responsible for reporting and withholding taxes on distributions it makes directly to Employees and/or their Beneficiaries, as appropriate. For annuity or custodial accounts that permit Employee-directed requests through the Service Provider, the reason for the distribution shall be certified by the Employee so that the restrictions of Applicable Law regarding allowable transfers, direct rollovers, and rollovers are met. With respect to withdrawals, the Service Provider may rely upon the information received from the Employee, Employer or prior service provider in the event of a transfer.
- 4 Service Provider agrees that it shall, upon reasonable advance notice, comply with all pertinent written directives regarding the solicitation of Employees to the extent compliance is not inconsistent with any law.
- 5 In the event of an income tax audit of Employer, Service Provider agrees that it shall extend its cooperation in providing necessary information to the Employer regarding Employees in the products provided by Service Provider provided such information was maintained or prepared by Service Provider in providing such products.
- 6 Service Provider agrees to indemnify and hold harmless the Employer, including any individual member of the governing board, and Employees from every claim, demand or suit which may arise out of, be connected with, or be made by reason of the negligence of the Service Provider or failure of the Service Provider to meet the requirements of this Agreement. Notwithstanding the preceding sentence, this indemnification shall not cover any claim, demand, or suit based on erroneous information provided by the Employer or Employees or their willful misconduct or negligence. Service Provider, at its own expense and risk, shall defend, or at its option settle, any court proceeding that may be brought against the Employer, including members of the governing board, and Employees on any claim, demand or suits covered by this indemnification, and shall satisfy any judgment that may be rendered against any of them with respect to any such claim or demand, provided that Employer notifies Service Provider, in writing, within twenty (20) business days of receipt of such claim or demand. Service Provider's liability hereunder shall be limited to actual damages and out-of-pocket legal fees and expenses only.
- 7 This Agreement may be modified, amended or terminated by Employer or Service Provider upon thirty (30) days written notice to the other party, provided that no such modification, amendment or termination shall affect any liability incurred by Service Provider prior to such modification, amendment or termination.
- 8 This Agreement supersedes all prior agreements between the Service Provider and Employer.

**Service Provider:** \_\_\_\_\_

Dated \_\_\_\_\_

By

\_\_\_\_\_  
Title *Authorized Officer of the Service Provider*

-

**Employer:** \_\_\_\_\_

Dated \_\_\_\_\_

\_\_\_\_\_  
By\_

-

\_\_\_\_\_  
Title *Authorized Signature*

June 4, 2001

To: Kenai Peninsula Borough School District Board of Education  
Through: Dr. Donna Peterson, Superintendent  
From: Patrick Hickey, Assistant Superintendent  
Subject: **Resolution 00-01-12 Susan B. English Co-Curricular Center**

On May 7, the school board and district administration held a work session to discuss the Seldovia Boys & Girls Club proposal to collaborate with the city of Seldovia for a facility to house Head Start and after school programs. It was our intent to accept and administer the Community Block Development Grant. The school district has the resources and a history of supporting such collaborative efforts. The administration of the "After the Bell" program is a good example of how this has worked in the past. Unfortunately, the grantor said school district receipt of the grant would not be possible. The Community Block Grants are limited to cities and municipalities. We are neither.

This new information resulted in our request to pull the action item from the agenda. The school board agreed and no formal action was taken. Based upon conversation during the work session, the administration understands the intent of the school board to support the project within the constraint of safeguarding our own long-term land interests.

Attached you will find a resolution showing our support for the Kenai Peninsula Borough in administering the grant on behalf of the Boys & Girls Club. The administration requests approval for resolution 00-01-12.

## **RESOLUTION 00-01-12**

### **KENAI PENINSULA BOROUGH SCHOOL DISTRICT**

A RESOLUTION IN SUPPORT OF KPB ADMINISTERING THE SELDOVIA COMMUNITY  
BLOCK GRANT

**WHEREAS**, the City of Seldovia and the Boys & Girls Club are working collaboratively to construct a community center for housing the Boys & Girls Club and the Head Start programs, and

**WHEREAS**, the building is to be built with funds from a Community Development Block Grant and Boys & Girls Club Capital Campaign donations, and

**WHEREAS**, the school district has been approached for use of existing borough land on the Susan B. English campus, and

**WHEREAS**, the school district does not consider the land surplus and wishes to retain the property for future campus expansion, and

**WHEREAS**, the school district would be willing to receive and administer the grant in order to accomplish the goal of having the building built on the Susan B. English campus while retaining the borough's property right interests, and

**WHEREAS**, the State of Alaska indicates that Community Block Grants can only be issued to municipalities such as the Borough rather than the subordinate school district;

**THEREFORE BE IT RESOLVED** that:

The Kenai Peninsula Borough Board of Education stands in support of the Borough acting as the grant recipient to have the building constructed on the campus.

Adopted by the Kenai Peninsula Borough School Board on this 7<sup>th</sup> day of June, 2001.

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Deborah Germano, President  
School Board

Attest:

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Sally E. Tachick  
Notary Public  
My Commission Expires 7/25/01

May 23, 2001

To: Board of Education

From: Dave Spence, Executive Secretary  
KPSAA

Subject: Handbook Changes

The following handbook changes were passed by the member schools of the Kenai Peninsula School Activities Association at the general membership meeting of April 10, 2001, and are submitted for the Board's consideration:

High School:

- Participation fees (p.12), delete **gymnastics**.
- Specific sports (p. 14), delete **gymnastics**.
- Admission fees activity cards (p. 15), add **at all regular season activities**.
- Coach's responsibilities (p. 18; #20), Have all training rules and regulations **signed by parents and** on file with building administrator.
- Coach's responsibilities (p. 18; #22), **To immediately report any KPSAA policy/rule violations to the building principal.**

Middle School:

- Coach's responsibilities (p. 26; #19), Have all training rules and regulations **signed by parents and** on file with building administrator.
- Coach's responsibilities (p. 26; #20), **To immediately report any KPSAA policy/rule violations to the building principal.**
- Classifications (p. 25; #C), add **190 lbs.**

The Kenai Peninsula School Activities Associations recommends approval of these handbook changes for the 2001-02 school year.

Also, attached to this memo is a resume and a handwritten note from two community members expressing an interest in the Parent Representative position now vacant on the KPSAA Executive Board. Please advise as to the Board's selection.

Thank you

June 4, 2001

TO: Board of Education

FROM: Donna Peterson, Ed.D., Superintendent

SUBJECT: 2001-02 Administrator Assignment - Item

It is recommended that the following administrator assignment be approved for the 2001-02 school year:

Terry Martin

Principal

Nikolaevsk School