Kenai Peninsula Borough School District

Policy Review Committee

June 6, 2011 2:15 PM

Assembly Room Borough Building

AGENDA

Approval of notes from Policy Meeting of April 4, 2011

Review of Policies for Updating

> AR 0420 School-Based Management/Site Councils:

This AR was last modified at the 4/4/11 Board Meeting in which we added a minor edit allowing people on stipends to be eligible for membership on the School Councils. Ms. Hohl came forward and requested additional changes to the AR. A copy of her request, plus the most current version of the AR are attached.

➤ BP 0411 Service Animals – NEW POLICY

This policy was developed due to regulatory changes to the Americans with Disabilities Act. Federal regulations now expressly require that schools permit the use of service animals by individuals with disabilities. Individuals must be allowed to be accompanied by service animals in all areas of school grounds and facilities where the public, students and staff are allowed to go. The regulations require that public entities modify existing policies and procedures to permit the use of service animals. The regulations take effect March 15, 2011.

The policy explains that service animals will be permitted; the responsibilities of the owner/handler to supervise and control the animal; circumstances when the animal may be removed; what qualifies as a service animal; and a prohibition on interfering with a service animal or its user. The policy also contains explanatory notes to assist districts in proper implementation.

Further discussion will be held on adding "assistance animals".

> AR 4111 Recruitment and Selection: Adding section on process for hiring site level administration.

Administration recommends adding a section to this AR on the process for hiring site-level administration.

Board Policy Review Committee Meeting Notes

Borough Building, Assembly Chambers

Meeting Notes

Date/Time: April 4, 2011, 1 PM

Members: Liz Downing- Present Guests:

John O'Brien – Absent Sean Dusek – Present Sunni Hilts - Present Lynn Hohl - Present

Dave Jones – Present

Sammy Crawford – Present Mari Auxier – Secretary – Present

Laurie Olson –Present Steve Atwater - Present

Approval of Minutes: The minutes from 3/7/11 were approved.

Review of Policies

AR 0410 Non Discrimination in District Programs and Activities
 Added references to New Policy on Service Animals

• BP 0411 Service Animals – New Policy

This new policy addresses the ADA requirement for service animals. Discussion on difference between "service" animals and "assistance" animals. Dave will check on the definitions with legal.

- BP 1260 Visits to Schools
 Added references to New Policy on Service Animals
- BP 3315 Relations with Vendors

This policy clarifies the vendor relationship regarding ERate.

- BP 4030 Non Discrimination in Employment
 Added references to New Policy on Service Animals and added additional conditions to be described as discrimination.
- BP/AR 5125 Student Records

Updated with legal references. Also added are references to Alaska Merit/Performance Scholarship Program and transmittal of records to the Alaska Challenge Youth Academy, and definitions of school law enforcement personnel regarding receiving student information.

Question on training re FERPA. The district has mandatory annual training on FERPA. 1) at fall administrative meeting and 2) the administrators then train their staff. There is a powerpoint FERPA training online.

- BP 6145 Extracurricular and Cocurricular Activities
 New requirement for flexibility and eligibility for children of military families has been added.
- BP/AR 6159 Individualized Education Program NEW
 This policy addresses IDEA requirements for IEP including both state and federal law.
- BP/AR/E 6161.4 Acceptable Use Policy/Internet Safety Policy
 We updated this policy just over a year ago. Our existing policy is good as it is. We realized that we were out of synch with the AASB numbering system on this policy, therefore, we have renumbered from existing 6162.7

BP 6164.4 Child Find

The district has the right to pursue a due process hearing when a parent/guardian refuses consent to initial evaluation or reevaluation.

Child find is typically for 3-4 year olds.

- BP 6174 Bilingual-Bicultural Education/Limited English Proficiency
 Adds assurances that the district complies with obligations under No Child Left Behind with regard to LEP students.
- BP 6175 Migrant Children Program NEW
 This policy is required for districts that receive Title I funds.
- AR 420 School-Based Management/Site Council

Lynn Hohl had sent Dave Jones some comments regarding this AR which is up approval at tonight's meeting. Dave advised that we would go ahead and pursue passage of AR 420 as is at tonight's meeting with the expectation that Lynn's proposed amendments would be considered at the next Policy Review Committee.

• Dave mentioned that AASB gave us credit for the inception of the Sex Offender policy and also gave us a discount on our membership for the legal work we incurred.

Meeting Adjourned: 1:30 pm

NEW POLICY

Philosophy-Goals-Objectives and Comprehensive Plans BP 0411(a)

SERVICE ANIMALS

The Board is committed to providing quality education to all students and ensuring full access to district programs, services and facilities by individuals with disabilities, including those requiring the use of a service animal. The district will comply with all applicable laws concerning the use of service animals on district property, in classrooms, at school functions, and in connection with district services.

[cf. 0410 - Nondiscrimination in District Programs and Activities]

(cf. 1312.3 – Public Complaints Concerning Discrimination)

(cf. 4030 – Nondiscrimination in Employment)

Individuals with disabilities may be accompanied by a working service animal individually trained to do work or perform tasks for the benefit of the individual. The Superintendent or designee shall develop guidelines to implement this policy, including procedures for individuals to request the use of a service animal, proof of animal vaccination, and procedures for accommodating the use of the service animal when a student or staff member has a known allergy.

(cf. 1260 – Visits to the Schools)

It is the responsibility of the handler or the individual assisted by a service animal to ensure that the animal is identified as a service animal and to properly control and supervise the animal at all times while on district property. The district is not responsible for the care or supervision of a service animal, including walking the animal or responding to the animal's need to relieve itself. The care and supervision of service animals for young children unable to care for or supervise the animal should be addressed on a case-by-case basis in the discretion of the building administrator.

Owners of service animals are liable for any harm or physical injury caused by the animal to other students, staff, or visitors. Owners of service animals may be required to pay for property damage caused by the animal to the same extent any individual would be charged for such damage.

(cf. 3515.4 – Recovery for Property Loss or Damage)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

A school administrator may ask that an individual with a disability remove a service animal from a school building or school function if the animal is out of control and the animal's handler does not take effective action to control the animal, or if the animal is not housebroken. If the animal is properly excluded, the individual with a disability must still be permitted to participate in the service, program, or activity without the service animal.

Philosophy-Goals-Objectives and Comprehensive Plans BP 0411(b)

SERVICE ANIMALS (continued)

No individual shall intentionally interfere with the use or assistance of a service animal by harassing or obstructing the service animal or its user.

"Service animal" includes those animals as identified in applicable state and federal laws and regulations. Service animal does not include an animal whose primary work or task is to provide emotional support, well-being, comfort, or companionship.

Legal Reference:

UNITED STATES CODE

42 U.S.C. 12101, et seq., Americans with Disabilities Act 29 U.S.C. 794, Section 504 of the Rehabilitation Act

CODE OF FEDERAL REGULATIONS

28 C.F.R. Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services

28 C.F.R. Part 41, Nondiscrimination on the Basis of Handicap in Federally Assisted Programs

29 C.F.R. Part 1630, Implementing the Equal Employment Provisions of the Americans with Disabilities Act

ALASKA STATUTES

Title 18, Chapter 80, Discriminatory Practices Prohibited

AS 11.76.130, Interference With Rights of Physically or Mentally Challenged Person

Kenai Peninsula Borough School District

ADOPTION DATE:

Philosophy:

The Board of Education is committed to the continuous improvement of student learning and believes that student achievement can be enhanced through increasing the level of involvement of school community members affected by educational decisions.

Purpose and Role:

School councils function as an advisory body in the joint planning and problem solving processes for improving student learning that occur at the local school level. Individual members of school councils will bring ideas to and from their constituent group and then, after discussion and input, act as "people of goodwill" making the best decisions for the students of the school.

Council Composition:

School councils shall include representation of the following:

Principal
Teachers (2)
Support Staff (1)
Parents (3)
Non-parent community member (1)
Student – Secondary schools (1-4)
Elementary school (optional)

School councils may elect to expand their membership providing the proportionate representations of all groups (except the principal in one-administrator schools) remain the same.

In the absence of proportional membership in any of the representative groups, after a reasonable and documented effort has been made to enlist participation, the remaining members shall constitute a duly formed council and may conduct their business according to appropriately developed bylaws of the school-based decision making council.

In schools of less than 100 students, a request can be made to the Superintendent to substitute a nationally recognized parent group in the place of the school council as long as the representation on the leadership board is consistent with the council composition outlined above.

Charter Schools are exempt from the requirement for site councils as their Academic Policy Committee (APC) serves as the decision-making body representing parents.

Council Selection:

Principal: selected by virtue of his/her position and shall have the responsibility to guide the council in developing an organizational structure for conducting the council's business

Employees (teachers and support staff): eligible staff must be assigned to the school for more than 50% of their daily schedule. Itinerant teachers will be considered members of their home-based school.

Parents: eligible parents must have a child in the school during the period of elected service. The system for election is defined in the bylaws of school council. Recognized parent groups should be represented on the school council.

Non-parent community member: elected by the seated members of the council following a nomination process conducted by the principal, in accordance with the school council bylaws.

Student(s): elected through a process defined at the school level, in accordance with the school council bylaws.

Elected school council members may stand for re-election if they continue to meet the requirements of the position. Council members shall not be District Board of Education members. Parent and non-parent community members shall not be employees of the District assigned in any capacity (except short-term substitute_or stipends) to the school of their representation.

Philosophy-Goals-Objectives and Comprehensive Plans

SCHOOL-BASED MANAGEMENT/SITE COUNCILS

Parameters and Functions:

School councils shall conduct their business in compliance with the following:

Alaska Statutes

Alaska Department of Education and Early Development Regulations

Board of Education Policies

Federal Laws and Regulations related to education

Negotiated Agreements and Associated Variances

School District Administrative Regulations and Rules (i.e. enrollment, calendar, transportation, fiscal services, purchasing, environmental requirements [OSHA,AHERA], staffing formulas, curriculum, assessments)

Contracts with suppliers and vendors

Budgetary limitations

Student Activity Association requirements

Limitations defined by Board of Education action or administrative mandates

Bylaws:

All school councils shall operate under bylaws adopted by the council and filed with the Superintendent. School council decisions will be made by consensus as defined in the council bylaws. All meetings are to be advertised, held publicly in accordance with the open meetings act, and minutes posted and/or distributed to the school population. Bylaws should specifically address the following elements:

School mission statement

Composition of the school council and terms of service

Officers

Agenda setting

Meeting frequency, date, and time

(A minimum of four meetings is required per year)

Minutes

(Copies sent to the Superintendent after each meeting)

Process for revision of bylaws

Process for Community input/participation in council work

(See attached Exhibit for sample form)

Self-evaluation to be completed annually

(District identified process submitted to the Board of Education– see attached Exhibit)

General Operation:

The principal remains the sole administrator of the school and will operate the school within the normal constraints of the District, including working with the school council. When Districts and schools establish school councils that foster involvement focused on improving student achievement, all children benefit. To that end, input from school councils will be considered on decisions affecting school improvement plans such as:

Inservice plans
School staffing patterns
Curricular initiatives/projects/courses
Capital improvement and maintenance project needs
Co-curricular activities
School policies
School budget
Scheduling
Preferred qualifications/characteristics for staff hires

Selection of School Administrator:

When a vacancy at a school site for the principal/principal teacher becomes known, the Superintendent will consult with the School Council. The Council will provide the Superintendent with input regarding selection qualifications for candidates. Additionally, opportunities will also be provided for individual community or school members to provide information regarding preferred qualifications/characteristics that they would like candidates to possess. If an opening is determined, the Superintendent will cause the position to be advertised, will receive applications, screen and evaluate materials and conduct interviews. When possible, interviews will be open to the public to observe and will be conducted at the school with written opportunities for evaluation available to those observing. The Superintendent will make the selection, subject to approval by the Board of Education.

Waiver Process:

School councils that conclude their work in improving student performance is impeded or frustrated by the existence of a policy or regulation may petition for a waiver from the requirements. Written requests are submitted for consideration by the Superintendent. Waivers of policy and regulation must meet the following criteria:

- 1. Identify the specific policy, regulation, or requirement, which the council wishes to have waived.
- 2. Describe the manner in which the policy, regulation, or requirement impedes the improvement of student achievement in that setting.
- 3. Detail the manner in which the council anticipates accomplishing the intent of the policy, regulation, or requirement for which the waiver is sought.

The curriculum of the District is, by statute and policy, defined by the Board of Education. Departure from the prescribed curriculum will require approval consistent with the Board of Education regulation BP 6141.

District Support:

District office personnel will collect, interpret, and provide student performance data to the local school. The school councils will use this data as they review and assure alignment between school development plans/school council activities and the focus on improvement of student learning.

In addition, District office personnel will use their specialties to assist school councils in operations and training, particularly in the following areas:

Operational rules for school councils Conflict resolution Effective meetings Consensus building Techniques for active listening

Philosophy-Goals-Objectives and Comprehensive Plans

AR 0420(f)

SCHOOL-BASED MANAGEMENT/SITE COUNCILS

Goal setting processes, implementation plans, and assessment processes School council committees— to maximize involvement from constituencies Team building Assessing community attitudes Writing/updating bylaws

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: 4/4/11

Here are my suggested amendments without the benefit of discussion with any site council or other board members...

Philosophy-Goals-Objectives and Comprehensive Plans AR 0420(a) SCHOOL-BASED MANAGEMENT/SITE COUNCILS

Philosophy:

The Board of Education is committed to the continuous improvement of student learning and believes that student achievement can be enhanced through increasing the level of involvement of school community members affected by educational decisions.

Purpose and Role:

School councils function as an advisory body in the joint planning and problem solving processes for improving student learning that occur at the local school level. Individual members of school councils will bring ideas to and from their constituent group and then, after discussion and input, act as "people of goodwill" making the best decisions for the students of the school.

Council Composition:

School councils shall include representation of the following:

Principal (not a council member but an essential educational leader)
Teachers (2)
Support Staff (1)
Parents (3)
Non-parent community member (1)
Student – Secondary schools (1-4)
Elementary school (optional)

Note: Site Council provides recommendations to the principal so the principal is more like a superintendent or CEO of the local school rather than a member of the council. The principal's leadership and expertise are essential to a well-functioning council.

School councils may elect to expand their membership providing the proportionate representations of all groups (except the principal in one- administrator schools) remain the same.

In the absence of proportional membership in any of the representative groups, after a reasonable and documented effort has been made to enlist participation, the remaining members shall constitute a duly formed council and may conduct their business according to appropriately developed bylaws of the school based decision making council.

In schools of less than 100 students, a request can be made to the Superintendent to substitute a nationally recognized parent group in the place of the school council as long as the representation on the leadership board is consistent with the council composition outlined above.

I recommend deleting the preceding section because the district cannot dictate that the nationally recognized parent group leadership board makeup is consistent with the required site council composition.

Reasoning: The primary nationally recognized parent groups is PTA. Local PTA units are independent organizations whose bylaws cannot be in conflict with those of National PTA or their respective state PTA. In Alaska, local units are somewhat less independent than they may be in some states. Alaska local units are subdivisions of Alaska PTA sharing their non-profit designation. Additionally, PTAs are member, not board, driven organizations. Approval of the bylaws, budget, goals, programs, advocacy positions, election of officers, etc requires action at a membership meeting. In accordance with required model bylaw sections, the board:

- Prepares and submits to the membership a budget for adoption for the year;
- Approves expenditures within the limits of the budget;
- Approves at least two board members as check signatory. Individuals authorized to sign checks should not be related to each other by marriage or any other relationship;
- Acquires liability insurance which is paid annually to the Alaska PTA no later than December 1:
- (S)elects an (sic) auditor or auditing committee
- Files Form 990 with the IRS and submit a copy of this Form to Alaska PTA for its records; and
- Ensures that any bylaw amendments are attached to IRS Form 990 along with a page of explanation of the changes.

Charter Schools are exempt from the requirement for site councils as their Academic Policy Committee (APC) serves as the decision-making body representing parents.

Council Selection:

Principal: selected by virtue of his/her position and shall have the responsibility to guide the council in developing an organizational structure for conducting the council's business

Employees (teachers and support staff): eligible staff must be assigned to the school for more than 50% of their daily schedule. Itinerant teachers will be considered members of their home-based school.

Parents: eligible parents must have a child in the school during the period of elected service. The system for election is defined in the bylaws of school council. Recognized parent groups should be represented on the school council.

Non-parent community member: elected by the seated members of the council following a nomination process conducted by the principal, in accordance with the school council bylaws.

Student(s): elected through a process defined at the school level, in accordance with the school council bylaws.

Elected school council members may stand for re-election if they continue to meet the requirements of the position. Council members shall not be District Board of Education members. Parent and non-parent community members shall not be employees of the District assigned in any capacity (except short short-term substitute or stipends) to the school of their representation.

Parameters and Functions:

School councils shall conduct their business in compliance with the following:

Alaska Statutes

Alaska Department of Education and Early Development Regulations

Board of Education Policies

Federal Laws and Regulations related to education

Negotiated Agreements and Associated Variances

School District Administrative Regulations and Rules (i.e. enrollment, calendar, transportation, fiscal services, purchasing, environmental requirements [OSHA, AHERA], staffing formulas, curriculum, assessments)

Contracts with suppliers and vendors

Budgetary limitations

Student Activity Association requirements

Limitations defined by Board of Education action or administrative mandates

Bylaws:

All school councils shall operate under bylaws adopted by the council and filed with the Superintendent. Bylaws should be reviewed annually with amendments proposed as needed. School council decisions will be made by consensus as defined in the council bylaws. All meetings notices and agenda topics are to be advertised disseminated to the public and school community. , held publicly in accordance with the open meetings act, and minutes posted and/or distributed to the school population.

Note: Added annual bylaw review since it's important that an effective site council be knowledgeable of their bylaws. It's also important that site councils realize the obligation they have to meet the intent of the Alaska Open Meetings Act of due notice. Moved the requirement for public meetings and posting and distributing minutes to the existing meeting and minutes elements following.

Bylaws should specifically address the following elements:

School mission statement

Composition of the school council and terms of service

Officers

Agenda setting

Meeting frequency, date, and time, and requirement to be publicly held in accordance with the Alaska Open Meetings Act

(A minimum of four meetings is required per year)

Minutes

(Copies sent to the Superintendent after each meeting)

(Posted and/or distributed to the school population)

(Copies retained in the school office for possible future reference by the public or staff)

Process for revision of bylaws

Process for Community input/participation in council work

(See attached Exhibit for sample form)

Self-evaluation to be completed annually <u>including assessment of community</u> <u>input/participation in council work</u> (District identified process submitted to the Board of Education– see attached Exhibit)

Who may speak for or represent the council and under what circumstances.

Note: Added minutes retention at school site (believe the Open Meetings Act requires records be retained and accessible for public review); an assessment of the community input/participation in council work which is essential to a council that truly reflects community needs and values; and the need to clarify how the council interacts with the district and other entities.

General Operation:

The principal remains the sole administrator of the school and will operate the school within the normal constraints of the District, including working with the school council. When Districts and schools establish school councils that foster involvement focused on improving student achievement, all children benefit. To that end, input from school councils will be considered on decisions affecting school improvement plans such as:

Inservice plans

School staffing patterns

Curricular initiatives/projects/courses

Capital improvement and maintenance project needs

Co-curricular activities

School policies

School budget

Scheduling

Preferred qualifications/characteristics for staff hires

Concerns brought to the council by the public

Parent/Student handbooks

Local needs based on student data

Negotiating charter school shared facility agreements

Facility improvements/modifications
Pupil activity funds
Community engagement
Board and district goals

Note: Added four items already required by E1312a, BP 5030, AR 6141.4 and AR 6187 and four additional items either addressed by councils at the direction of the board or because of impact on student achievement.

Selection of School Administrator:

When a vacancy at a school site for the principal/principal teacher becomes known, the Superintendent will consult with the School Council. The Council will provide the Superintendent with input regarding selection qualifications for candidates. Additionally, opportunities will also be provided for individual community or school members to provide information regarding preferred qualifications/characteristics that they would like candidates to possess. If an opening is determined, the Superintendent will cause the position to be advertised, will receive applications, screen and evaluate materials and conduct interviews. When possible, interviews will be open to the public to observe and will be conducted at the school with written opportunities for evaluation available to those observing. The Superintendent will make the selection, subject to approval by the Board of Education. However, if an internal candidate already has a current district administrative contract is selected, the Board will be notified of the appointment.

The preceding section is aligned with e9000b Role of Board and Members, Administrator Selection Process Protocol, Selection of a Site Administrator except:

- e9000(b)8. If internal candidate already under contract, Board notified (public comment); and
- e9000(b)11. Regional administrator or shared administrator vacancy will have a modified process.

Note: The process in e9000(b)11 is currently undefined in policy, regulation or exhibit. It is the superintendent's responsibility to define the process. Personally, I prefer e9000(b)11 be modified to allow some form of site council involvement.

Waiver Process:

School councils that conclude their work in improving student performance is impeded or frustrated by the existence of a <u>district</u> policy or <u>administrative</u> regulation may petition for a waiver from the requirements. Written requests are submitted for consideration by the Superintendent. Waivers of policy and regulation must meet the following criteria:

- 1. Identify the specific policy, regulation, or requirement, which the council wishes to have waived.
- 2. Describe the manner in which the policy, regulation, or requirement impedes the improvement of student achievement in that setting.
- 3. Detail the manner in which the council anticipates accomplishing the intent of the policy, regulation, or requirement for which the waiver is sought.

The curriculum of the District is, by statute and policy, defined by the Board of Education. Departure from the prescribed curriculum will require approval consistent with the Board of Education regulation BP 6141 <u>Curriculum Development And Evaluation</u>.

Note: All three additions may seem insignificant but are provide clarity to the public.

District Support:

District office personnel will collect, interpret, and provide student performance data to the local school. The school councils will use this data as they review and assure alignment between school development plans/school council activities and the focus on improvement of student learning.

In addition, District office personnel will use their specialties to assist school councils in operations and training, particularly in the following areas:

Operational rules for school councils

Conflict resolution

Effective meetings

Consensus building

Techniques for active listening

Goal setting processes, implementation plans, and assessment processes School council committees— to maximize involvement from constituencies Team building

Assessing community attitudes

Writing/updating bylaws

Alaska Open Meeting Act

<u>Curriculum development</u>

Note: Site councils may benefit from at least a brief overview of their obligations under the Open Meetings Act. Additionally, a review of curriculum development could be helpful to a site council seeking a waiver from district curriculum which is specifically listed as an option in this AR.

KENAI PENINSULA BOR	ROUGH SCHOOL DISTRICT Adoption
Date: 1/2	10/05

RECRUITMENT AND SELECTION

The District shall employ the most qualified person available for each open position. The Superintendent shall develop recruitment and selection procedures which include:

- 1. Assessment of the District's needs to determine those areas where specific skills, knowledge and abilities are lacking.
- 2. Development of job descriptions which accurately portray the position.
- 3. Dissemination of vacancy announcements to ensure a wide range of candidates, when necessary.
- 4. Screening procedures which will identify the best possible candidates for interviews.
- 5. Interview procedures which will determine the best qualified candidate for hire.

The District will follow this process and protocol when hiring site level administration:

- 1. Administrator notifies superintendent that he/she will not be returning.
- 2. Communication plan is developed by superintendent and principal.
- 3. A meeting will be arranged with staff, site council, PTA and the public to gather information about characteristics and qualities for the administrative position.
- 4. Dates established for providing input to superintendent; each site is unique.
- 5. KPBSD administrators under contract for the following school year given consideration to transfer to the vacated position.
- 6. Criteria/priorities from school community reviewed against transfer requests placement of current assistant principal or other KPBSD administration would happen at this time if viewed as a match.
- 7. Once an opening exists, Superintendent causes the position to be advertised.
- 8. Files reviewed, pre-screens occur by Human Resources/Superintendent.

RECRUITMENT AND SELECTION continued

- 9. Interviews are open to public announced prior to interview date.
- 10. Recommendation is forwarded to School Board; if transfer situation after administrative contracts approved, change provided as informational item only.
- 11. Site Administrators with teaching responsibilities may be added to existing small school sites to increase the administrative allocation and reduce the teaching responsibilities at their current site.

There will be exceptions to this process in the event that site level administration notification is later than March 1. The process for assistant principal vacancies will be determined on a site-by-site basis.

All teachers teaching in core academic subjects must be highly qualified as defined by the No Child Left Behind Act.

Legal Reference

UNITED STATES CODE, TITLE 20

§ 1119 No Child Left Behind Act of 2001, P.L. 107-110