



P.O. Box 157 366 Garteeni Hwy. Hoonah, Alaska 99829 (907) 945-3611 Fax (907) 945-3492

HOONAH CITY SCHOOLS BOARD OF EDUCATION

June 25, 2020

**Special Board Meeting
7:00 pm**

Via Zoom

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL (ESTABLISH QUORUM)

ADOPTION OF AGENDA

OLD BUSINESS

1.0 AASB Policy Update BP 3510 “Business and Non Instructional Operations Maintenance”, BP 6114.4 “Pandemic/Epidemic Emergencies”, BP 4161.1 “Sick Leave” and the entirety of Chapter 6 “Instruction” – 2nd and Final Reading

ADJOURNMENT

Alaska State Law, 44.62.310 makes all school board meetings open to the public except the following excepted subject may be discussed in executive session if so determined by a majority vote of the government body:

- (1) matters, the immediate knowledge of which would clearly have an adverse effect on the finances of the public entity,
- (2) subjects, that tend to prejudice the reputation and character of any person, provided the person may request a public discussion,
- (3) matters which by law, municipal charter or ordinance are required to be confidential,
- (4) matters involving consideration of government records that by law are not subject to public disclosure.

Posted: June 23, 2020

AGENDA ITEM Old Business 1.0

ACTION

DISCUSSION

TOPIC: AASB Policy Updates for. BP 3510 "Business and Non Instructional Operations Maintenance", BP 4161.1 "Sick Leave", BP 6114.4 "Pandemic/Epidemic Emergencies" and the entirety of Chapter 6, "Instruction."

Background All three sets of policy changes laid on the table for first reading in May have been grouped together in order to facilitate the public hearing specified in our policy adoption procedure, E 9311 "Hoonah City School Policy Adoption Process". BP 3510 "Business and Non Instructional Operations" and BP 6114.4 "Pandemic/Epidemic Emergencies" are the AASB-recommended policy changes, the wording in BP 4161.1 "Sick Leave" has been changed to conform to the recently-approved HEA Negotiated Agreement, and Chapter 6 is due for review as per R 9311-R.

Recommendation

I move that the board approve the following policies for a second and final reading: BP 3510 "Business and Non Instructional Operations Maintenance", BP 4161.1 "Sick Leave", BP 6114.4 "Pandemic/Epidemic Emergencies" and the entirety of Chapter 6, "Instruction."

FIRST MEETING

Move/Second to accept policy or policies in first reading.

Statement to the public: The purpose of this first reading is to put the policies on the table, and does not imply an adoption by the board of these policies at this time. These policies will be available to the public in the district office until the next regular monthly meeting, at which time there will be a public hearing.

Statement to the Board: If there is no objection, I will dispense with reading each policy aloud. (If there is objection, clarify which policy or policies they wish to have read, and read them.)

Vote to accept policy or policies in first reading

SECOND MEETING

Move/Second to accept policies in second reading.

Close the public meeting and hold a public hearing.

After the public hearing, reconvene the meeting and ask board members whether there are any policies that individual board members wish to pull in order to revise the language and act on separately. (No motion required)

Hold a vote to accept all of those policies that have not been pulled.

Move/Second/Vote to accept in second reading individual policies that were pulled by board member request, with amended wording.

THIRD MEETING

Move/Second/Vote to accept in third reading those policies that were pulled and amended in the second meeting.

NOTE: This process to be explained in advance to the board and to the public at first reading

AASB POLICY REFERENCE MANUAL UPDATE SERVICE

2019-2020 UPDATE

INSTRUCTION SHEET

NOTE: This packet includes only those policy manual pages that have been revised, deleted or newly established. Full text pages are included and are to be substituted as indicated below.

This Update is limited due to little movement at the state and federal level to revise education policy during the 2019-2020 term. However, it includes an important policy regarding leave available to employees in response to the COVID-19 pandemic, as well as updates to the model pandemic policy. AASB anticipates providing additional updates throughout the year in response to the pandemic.

For ease of School Boards, AASB has identified those portions of the Update that require formal Board action in order to implement the policy changes. This is indicated by a “Yes” or “No.” A “No” is used if changes have been made only to an AR or an Exhibit, or if policy changes are limited to explanatory notes, legal reference or cross-reference updates, or minor grammatical or stylistic changes that have not changed the policy meaning.

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
<u>ARTICLE 3, Series 3000 – Business and Noninstructional Operations</u>		
BP 3510	Yes	This update incorporates a new subsection in 4 AAC 31.080, which provides criteria for a preventive maintenance program of a school district eligible for state aid for school construction and major maintenance. It also adds a requirement to have periodic evaluation of commissioning existing facilities to a qualifying energy management plan. A cite to the regulation has been added.
<u>ARTICLE 4, Series 4000 – Personnel</u>		
AR 4161.8	No	***New Administrative Regulation*** This temporary administrative regulation adopts the emergency sick leave and emergency family leave policies created by Congress in the Families First Coronavirus Response Act. It is scheduled to expire on December 31, 2020, unless extended by Congress. The regulation sets forth the leave entitlements guaranteed to employees as part of the act, and clarifies district responsibilities.

REPLACE/ADD	FORMAL ADOPTION REQUIRED	DESCRIPTION
<u>ARTICLE 5, Series 5000 – Students</u>		
AR 5112.2	No	This modification to the student exclusion policy clarifies that a board may deny an admission for any reason permitted by statute, not only reasons related to physical or mental health.
<u>ARTICLE 6, Series 6000 – Instruction</u>		
BP 6114.4	Yes	This update clarifies the Board’s authority to delegate additional authority to the Superintendent as a response to a pandemic/epidemic, and sets forth actions the Superintendent may take, consistent with law.
AR 6162.5	No	This update requires that staff members supervising student testing do not access electronic devices during the test, except as necessary to administer the test. This strengthens test security and is adopted in response to DEED guidance.

**WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Instruction**

PANDEMIC/EPIDEMIC EMERGENCIES

BP 6114.4

Note: This optional policy may be revised or deleted.

The Board recognizes that a pandemic/epidemic outbreak is a serious threat that stands to affect students, staff, and the community as a whole. With this consideration in mind, the Board establishes this policy in the event the town/municipality and/or school district is affected by a pandemic/epidemic outbreak. At all times the health, safety and welfare of the students shall be the first priority.

Planning and Coordination

The Superintendent shall designate one or more staff members to serve as a liaison between the school district and local and state health officials. This designee is responsible for connecting with health officials to identify local hazards, determine what crisis plans exist in the school district and community, and to establish procedures to account for student well-being and safety during such a crisis. The designee shall work with local health officials to coordinate their pandemic/epidemic plans with that of the school district.

With fiscal concerns in mind, the District may purchase and store supplies necessary for an epidemic/pandemic outbreak, including but not limited to disinfectant products, face masks, water, examination gloves, and other supplies as recommended by health officials.

The Superintendent shall develop procedures and plans for the transportation of students in the event of an evacuation. Such procedures shall include provisions for students who cannot be transported to home at the time of the evacuation.

Response

In the event anyone within the school is discovered or suspected to have a communicable disease that may result in an epidemic/pandemic, that person may be quarantined pending further medical examination. Parents/guardians and local and state health officials shall be notified immediately.

In conjunction with local and state health officials, the Superintendent shall ascertain whether an evacuation, lockdown, or shelter-in-place needs to be established. As soon as such a decision has been made, the school district shall attempt to notify the parents of all students.

In the event of an evacuation, the Superintendent is charged with determining when the school shall re-open. In the event of a lockdown or shelter-in-place, the Superintendent shall notify all proper authorities and relief agencies to seek their assistance for the duration of the lockdown or shelter-in-place.

In addition to powers already delegated, the School Board may delegate authority to the Superintendent to make emergency decisions in a pandemic/epidemic response which are

**WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED**

Instruction

consistent with federal, state, and local law and these Board Policies. Consistent with applicable law, the Superintendent may take action including, but not limited to, adopting a teleworking

PANDEMIC/EPIDEMIC EMERGENCIES

BP 6114.4(b)

agreement for school staff and establishing remote education.

Infection Control

Any student or staff member found to be infected with a communicable disease that bears risk of pandemic/epidemic will not be allowed to attend school until medical clearance is provided by that individual's primary care physician or other medical personnel indicating that that person does not bear the risk of transmitting the communicable disease.

Continuance of Education

The Superintendent shall develop a plan of alternate means of educating students in the event of prolonged school closings and/or extended absences. Such a plan may include providing students with assignments via mail, local access cable television, or the school district's website.

(cf. 5141.22 – Infectious Diseases)

(cf. 5141.23 – Infectious Disease Prevention)

(cf. 5144.1 – Suspension and Expulsion)

(cf. 6114 – Crisis Response Plan)

Legal Reference:

ALASKA STATUTES

14.03.02 School Year

14.30.045 (4) Grounds for suspension or denial of admission

ALASKA ADMINISTRATIVE CODE

4 AAC 05.090 The Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. 1232g, 45 C.F.R. 99

~~Added 2/2010~~ Revised 4/2020

**WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED
Instruction**

9/92

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Business and Noninstructional Operations
MAINTENANCE

BP 3510

Note: In order to qualify for a capital improvement project grant or debt reimbursement under AS 14.11.011 or AS 11.100, a school district must have in effect a preventive maintenance plan. This plan: 1) must include a computerized maintenance management program, cardex system, or other formal systematic means of tracking the timing and costs associated with planned and completed maintenance activities, including scheduled preventive maintenance; 2) must address energy management for buildings owned or operated by the district; 3) must include a regular custodial care program for buildings owned and operated by the district; 4) must include preventive maintenance training for facility managers and maintenance employees; and 5) must include renewal and replacement schedules for electrical, mechanical, structural, and other components of facilities owned and operated by the district. Additionally, the district must be adequately adhering to the preventive maintenance plan.

The School Board recognizes the importance of timely maintenance and repair of district facilities, property and equipment in ensuring the safety of students and employees, in protecting state and local investment, in providing necessary loss control, and in helping to ensure the availability of capital funding. A preventive maintenance plan shall be in effect which includes custodial care, scheduled preventive maintenance, commissioning, and energy management for district buildings. The Superintendent or designee shall ensure a systematic means of tracking the timing and costs associated with maintenance activities; shall direct the preparation of renewal and replacement schedules for electrical, mechanical, structural, and other components of district facilities; and shall provide for preventive maintenance training for facility managers and maintenance employees.

(cf. 3511 - Energy Conservation)
(cf. 3514 - Environmental Safety)
(cf. 3515 - School Safety and Security)
(cf. 5142 - Safety)

All school buildings and equipment shall be regularly inspected to assure that all are maintained at the highest level of safety. Employees are responsible for promptly reporting to their supervisor any damage to district property or equipment.

Legal Reference:

ALASKA STATUTES

14.11.011 Grant applications

14.11.100 State aid for costs of school construction debt

4 AAC 31.013 Preventive maintenance and facility management

Revised 4/2020

BP 4161.1 SICK LEAVE

Every certificated employee working five school days each week is entitled to one and one-third days of sick leave a month. Such leave for employees working less than five days per week shall be proportionately less. Unused days of sick leave shall be accumulated from year to year without limitation.

The Superintendent or designee shall establish procedures for reporting and verifying such absences.

Teachers are subject to disciplinary action, up to and including termination, for misusing sick leave, including providing false information regarding the use of, or need for, sick leave.

Certificated employees may transfer accumulated sick leave between districts and the Department of Education and Early Development. Employees are responsible for initiating a transfer of sick leave credits within 90 days of employment.

(cf [4161.4](#) - Family and Medical Leave)

Sick Leave Bank

The School Board authorizes the establishment of a sick leave bank to provide teachers sick leave benefits in unusual circumstances. [Maternity leave is a permitted use of the sick leave bank.](#) Teachers may draw up to twice the number of days of leave he/she has accumulated before the first day of school up to a maximum of 24 days. The School Board may grant additional leave in cases of severe illness or external hardship.

Legal Reference:

ALASKA STATUTES

[14.14.105](#) Sick leave bank

[14.14.107](#) Sick leave and sick leave transfer

[14.20.147](#) Transfer or absorption of attendance area or federal agency school

[23.10.500 - 23.10.550](#) Alaska Family Leave Act

ALASKA ADMINISTRATIVE CODE

[4 AAC 15.040](#) Sick

leave [4 AAC](#)

[15.900](#) Definitions

FAMILY AND MEDICAL LEAVE ACT

[29 USC 2601 et. seq.](#); [29 CFR Part 825](#), amend. 2008

Revised 3/12

Reviewed 6/16

Adopted November 17, 1998

Hoonah City School District

<https://boardpolicyonline.com/?b=hoonah>

1/1

STANDARDIZED TESTING/TEST ADMINISTRATION

AR 6162.5(a)

Note: The following procedures are based on regulations adopted by the Alaska Department of Education and Early Development for the administration of the standards-based tests, the English language proficiency assessment, and the college and career readiness assessment. 06.765, 06.700 and 06.717. The Department has established uniform test administration requirements for all statewide assessments, including provisions for test security. 4 AAC 06.761, 06.765. The Department will provide each test coordinator, associate test coordinator, proctor and test administrator a test security agreement which must be signed affirming that the testing procedures of the Department and the test publisher will be followed. The test security and test administration provisions are applicable to all state required assessments. A certificated employee who breaches test security is subject to investigation and adjudication by the Professional Teaching Practices Commission.

Test Center:

The Superintendent or designee shall identify a school test center(s) where all state required assessments shall be administered, as required by state regulation or the Department. The test center must be well lighted, secure, free of disruptions, and have an established seating arrangement. Only designated district test coordinators, associate coordinators, proctors or test administrators may be in the test center rooms during student testing.

District Test Coordinator and Testing Personnel:

The Superintendent or designee shall designate a certificated employee of the district to be the test coordinator. If more than one test center is required, an on-site associate test coordinator will also be designated for each test center. The test coordinator or associate coordinator is responsible for assigning as many test administrators or test proctors to each test center as necessary to ensure adequate supervision or monitoring of students. Test proctors must hold an Alaska teacher certificate. No teacher may be assigned to proctor the exam if the teacher's classroom students are taking the exam. Enough proctors must be assigned to ensure adequate supervision of the testing process with a minimum of one test proctor for each 30 examinees.

District personnel responsible for test administration shall:

1. Annually execute a test security agreement prepared by the Department affirming the employee's obligation to follow required procedures for test security and administration;
2. Provide training in test procedures to all district staff involved in testing as directed by the Department, and ensure staff completes the training; and
3. Ensure that all district staff involved in testing read and follow testing procedures and manuals published by the test publisher.

Test Security:

Each test booklet and test administration manual must be accounted for from the time the materials arrive at the district until the time the materials are returned to the test publisher. All district staff shall maintain the security and confidentiality of electronic test data files, individual student reports, and other testing reports designated as secure.

In ensuring test security, the Superintendent or designee shall:

1. Inventory and track the test materials;
2. Securely store the materials before and after their distribution to school test centers;
3. Control the distribution of the tests to and from the test centers;
4. Control the storage, distribution, administration, and collection of tests at the test center;
5. Ensure that no student or other individual receives a copy of the test, or learns of a specific test question or item, before the time and date of testing, unless knowledge of the question or item is necessary for delivery of accommodations; and
6. Ensure that no test or test question is copied in any manner, whether on paper or by electronic means.
7. Require that staff members administering tests supervise students during the testing period, and require that those staff members do not access electronic devices during the testing period except as necessary to administer the test.

Test Administration

The following measures shall be taken before and during test administration by the Superintendent or designee and by those individuals supervising the testing process:

1. Prior to administering the tests, code the tests according to test administration directions;
2. Ensure that examinees use only those reference materials allowed by the test publisher's testing procedures;
3. Ensure that examinees do not exchange information during a test, except when specified by the test procedure;
4. Ensure that an examinee's answer is not altered after testing is completed;
5. Ensure that no test or test question is copied, reproduced, or paraphrased in any manner by an examinee or anyone else; and
6. Ensure that no examinee is assisted in responding to, or review of, specific test questions or items before, during, or after a test session.

Instruction

STANDARDIZED TESTING/TEST ADMINISTRATION (continued) AR 6162.5(c)

Breach of Test Security

District personnel in charge of testing shall immediately report any breach of test security to the Department. A certificated employee who breaches test security is subject to investigation and action by the Professional Teaching Practices Commission.

Note: If a student's IEP requires a modification that violates test security, the modification will be provided only if it does not affect test security for other students. A modification that violates test security results in an invalid assessment. 4 AAC 06.765.

Revised 3/2017 Revised 4/2020

EMERGENCY COVID-19 SICK AND FAMILY LEAVE

AR 4161.8

Note: The following AR implements the federal Families First Coronavirus Response Act, which is in effect from April 1, 2020 through December 31, 2020, unless extended by Congress.

As a result of the 2020 COVID-19 pandemic, employees may have additional rights to sick leave and family leave under the provisions below.

I. Sick Leave for COVID-19 Qualifying Reasons

Employees are entitled to additional paid sick leave if the employee is unable to work (or unable to telework) due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to an order described in (1) above, or self-quarantine as described in (2) above;
5. is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition as specified by the United States Department of Health and Human Services.

Duration of COVID-19 Sick Leave

A full-time employee is eligible for up to 80 hours of COVID-19 sick leave. A part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.

Calculation of Sick Leave Rate of Pay

For leave reasons (1), (2), or (3), above: employees taking leave shall be paid at their regular rate of pay, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).

For leave reasons (4), (5), or (6), above: employees taking leave shall be paid at 2/3 their regular rate, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).

Procedure for Requesting Leave

Employees must notify their supervisor of the need and specific reason for leave under this policy. Employees should make the request for leave as soon as practically possible. Verbal notice will otherwise be accepted until written notice can be provided.

Employees are required to provide documentation to confirm the type of COVID-19 leave for which they are eligible.

EMERGENCY COVID SICK AND FAMILY LEAVE

AR 4161.8(b)

Interaction with Other Paid Leave

The employee may use COVID-19 paid sick leave under this policy before using any other accrued sick leave, family leave, annual leave, or donated leave. COVID-19 sick leave does not carry over to 2021. COVID-19 sick leave cannot be cashed out.

All other policies and procedures for use of sick leave remain applicable, except as specifically modified by this AR and the federal Families First Coronavirus Response Act.

(cf. 4161.1 – Sick Leave)

(cf. 4161.2 - Personal Leaves)

II. Family and Medical Leave Act Expansion to Care for Children due to COVID-19

The qualifying reasons for taking family and medical leave (“FMLA Leave”) have been expanded to provide leave for employees unable to work because they must care for a child whose school or place of childcare is closed (or child care provider is unavailable) for reasons related to COVID-19. This is a new qualifying reason for taking leave under the Family and Medical Leave Act. It is not an expansion of the total amount of leave availability under FMLA. Employees must have been employed for at least 30 days to be eligible for expanded FMLA leave.

(cf. 4161.4/4261.1/4361.4 – Family and Medical Leave)

Duration of Expanded Childcare FMLA Leave

Full-time employees are eligible for up to 12 weeks of leave at 40 hours a week, assuming the employees have FMLA Leave available. Part-time employees are eligible for leave for the number of hours they are normally scheduled to work over that period, again assuming leave is available. Employees are only entitled to 12 weeks of annual FMLA leave, regardless of the reason.

Rate of Pay for Expanded Childcare FMLA Leave

The first ten days of expanded childcare FMLA leave is unpaid. However, employees may take the COVID-19 paid sick leave during this time or substitute any accrued paid leave. Alternatively, the District may require that COVID-19 paid sick leave be used during the first 10 days of normally unpaid FMLA leave.

After the first ten days of expanded childcare FMLA leave, employees taking leave shall be paid at 2/3 their regular rate, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period—two weeks of paid sick leave followed by up to 10 weeks of paid expanded family and medical leave under the Family and Medical Leave Act).

EMERGENCY COVID SICK AND FAMILY LEAVE

AR 4161.8(c)

Note: The above provisions for paid leave under FMLA are only applicable when leave is taken because the employee must care for a child whose school or place of care is closed due to COVID-19 related reasons. FMLA has not been expanded to provide for paid leave for other qualifying reasons, such as personal illness of the employee or family member.

Procedure for Requesting Leave

Employees must follow the existing procedures for taking and requesting family and medical leave. Employees are required to provide documentation to confirm eligibility for expanded childcare FMLA leave.

(cf. 0400 - Personnel)

Legal Reference:

Public Law No: 116-127 (03/18/2020)

Added 4/2020

WORKSHEETS for the district policy committee:

DISCARD WHEN FINISHED

Students

EXCLUSIONS FROM ATTENDANCE

AR 5112.2(a)

Note: The following regulation provides sample due process procedures for exclusions and may be revised or deleted to reflect district practices and needs.

Prior to excluding a student from attendance because of a physical or medical condition, or denying admission due to a reason set forth in AS 14.30.045, the Superintendent or designee shall send a notice to the parent/guardian of the student. The notice shall contain the following statements:

1. A statement of the facts leading to a decision to propose exclusion.
2. A statement that the parent/guardian has a right to meet with the School Board to discuss the proposed exclusion.
3. A statement that at any such meeting the parent/guardian shall have an opportunity to:
 - a. Inspect all documents on which the School Board is basing its decision to propose exclusion.
 - b. Challenge any evidence and confront and question any witness presented by the School Board.
 - c. Present oral and documentary evidence on the student's behalf, including witnesses.
 - d. Have one or more representatives of the parent/guardian present at the meeting.
4. A statement that the decision to exclude the child is subject to periodic review and a statement of district procedures for such review.

The Superintendent or designee may exclude without prior notice of exclusion any student who:

1. resides in an area subject to quarantine.
2. is exempt from a medical examination but is believed to suffer from a contagious or infectious disease.
3. is determined to be a clear and present danger to the life, safety, or health of students or school personnel.

However, the Superintendent or designee shall send a notice of exclusion and due process hearing procedures as soon as reasonably possible after the exclusion.

A student denied admission because of a physical or mental condition shall be permitted attendance when the cause for exclusion no longer exists. (AS 14.30.047)

WORKSHEETS for the district policy committee:
DISCARD WHEN FINISHED

Students

Revised 04/2020

AASB POLICY REFERENCE MANUAL
9/92