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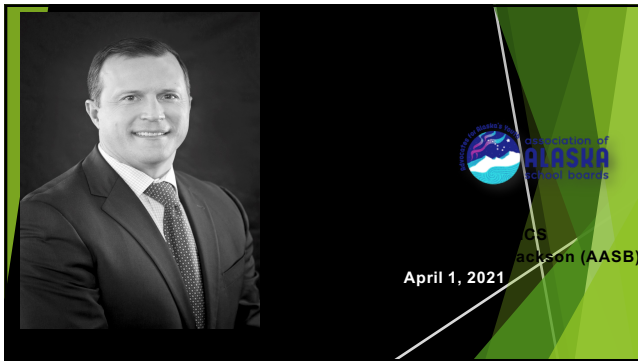
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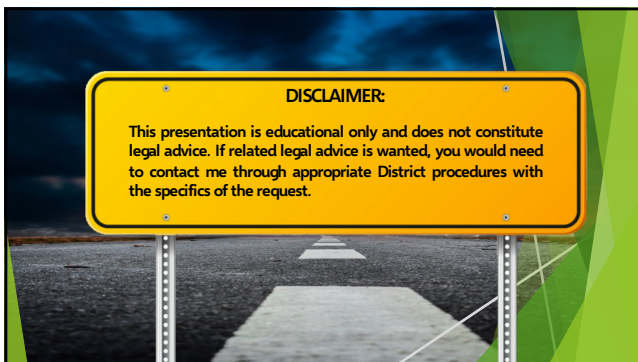
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Sources of School Law

- Title 14 of the Alaska Statutes - Education, Libraries & Museums. "AS 14"
- Title 4 of the Alaska Administrative Code - Education and Early Development. "4 AAC"

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Sources of School Law

- School board policies and board bylaws must be formally adopted at regular school board meetings. AS § 14.14.100(a).

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Sources of School Law

- Administrative regulations do not need to be formally adopted by the school board but must be in written form and readily accessible to all school personnel. AS § 14.14.100(b).

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AASB Role in School Board Policy

- AASB Policy Service tracks changes in federal & state law and regulations and provides an Annual Policy Update reviewed by attorneys and complies with current law and regulations.

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School Board Policies and Administrative Regulations

1. Community Relations
2. Administration
3. Business & Noninstructional Operations
4. Personnel
5. Students
6. Instruction
7. Construction
8. Advisory School Boards
9. Bylaws of the Board

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School Board Duties - AS 14.14.090.

- (1) determine employee compensation;
- (2) provide educational program;
- (3) withhold salary until teacher or administrator submits required reports;
- (4) transmit reports to assembly or council;
- (5) keep minutes and records of meetings;
- (6) make records and files open to public inspection;
- (7) establish procedures for selection

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School Board Duties - AS 14.14.090.

- (8) provide employees with information on housing in rural areas;
- (9) train on mandatory reporting requirements;
- (10) provide for preventive maintenance program; and
- (11) establish training procedures.

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Board Policy 9000 - Role of Board and Members

- General control and direction of district.
- Governance functions - establish policies and bylaws.
- Executive functions - delegated to Superintendent.
- Judicial functions - hear and resolve grievances, complaints and criticisms.

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Board Role in Personnel Matters

- Superintendent has “general supervision” of all personnel. BP 2120.
- Superintendent is responsible for disciplinary action. BP 4118; 4218.
- The Board may provide a judicial role.

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## What Happens if the District is sued?



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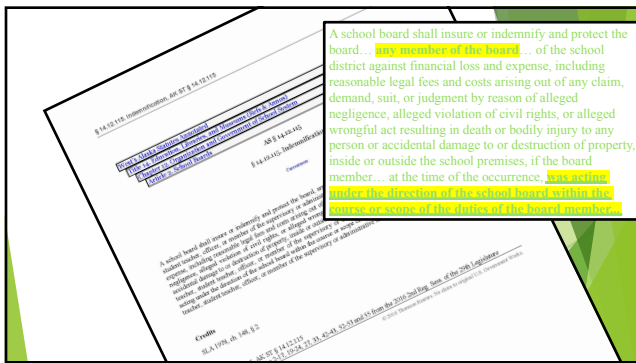
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Contracts

- Superintendent may enter contracts. BP 3312.
- Competitive Bidding required for contracts more than \$150,000.
- Board must approve or ratify all contracts.
- Legal review, where appropriate.

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*Open Meetings Act*

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Open Meetings Act

- School Board meetings must comply with the open meetings act (OMA), AS 44.62.310.
- The *purpose* of the open meetings act is to provide citizens with the opportunity to attend and participate in government agency meetings.

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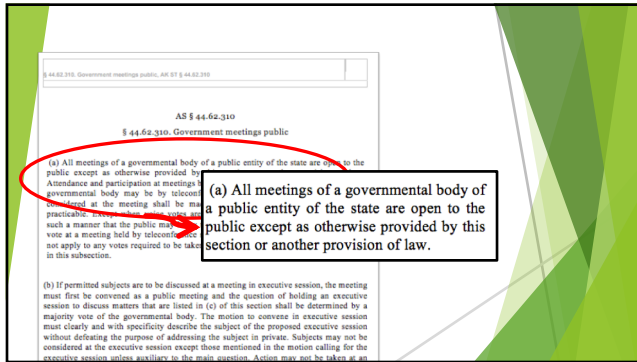
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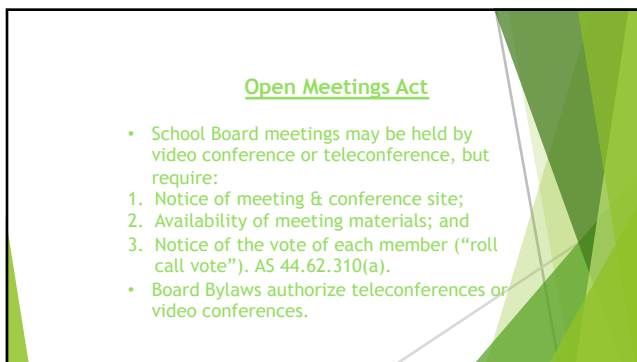
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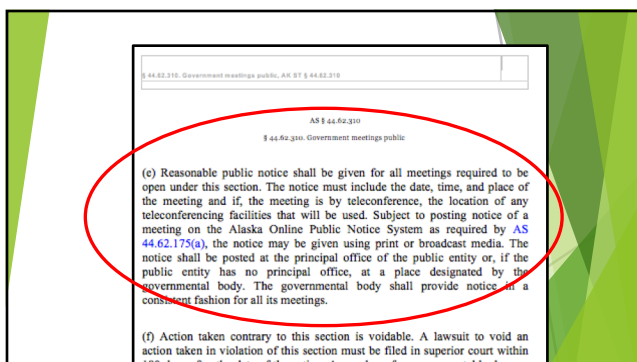
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### What is "Reasonable Public Notice?"

- An annual calendar listing the time, date and place for each regularly schedule meeting.
- Notice of regular meetings and a tentative agenda posted at least five days before meeting.
- 24-hour notice for special meetings.
- Contact local media for emergency meetings.

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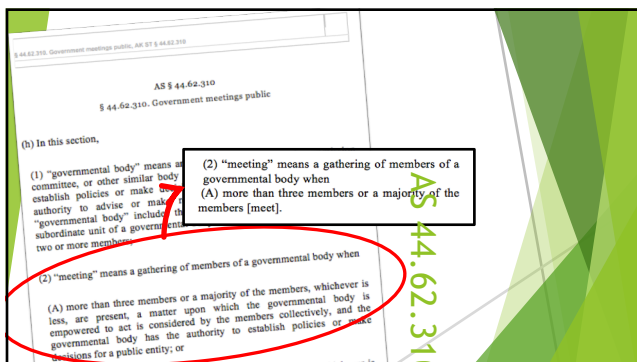
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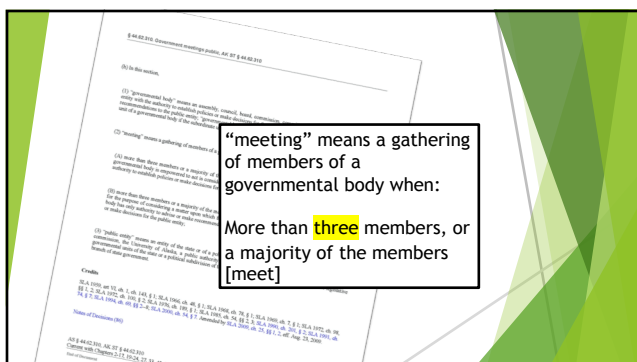
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The Open Meetings Act applies to:

- Regular Meetings
- Executive Sessions
- Special Meetings
- Work Session Meetings



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EXECUTIVE SESSIONS

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Title 44. State Government  
Chapter 62. Administrative Procedure Act  
Section 310. Government Meetings Public.  
previous: [Section 305](#). Judicial Relief in Administrative Matters.  
next: [Section 312](#). State Policy Regarding Meetings.

**AS 44.62.310. Government Meetings Public.**

(a) All meetings of a governmental body of a public entity of the state are open to the public except as otherwise provided by this section or another provision of law. Attendance and participation at meetings by members of the public or by members of a governmental body may be by teleconferencing. Agency materials that are to be considered at the meeting shall be made available at teleconference locations if practicable. Except when voice votes are authorized, the vote shall be conducted in such a manner that the public may know the vote of each person entitled to vote. ~~When a meeting held by teleconference shall be held, this section does not apply.~~ Any votes required to be taken to organize a governmental body described in this subsection.

(b) If permitted subjects are to be discussed at a meeting in executive session, the meeting must first be convened as a public meeting and the question of holding an executive session to discuss matters that are listed in (c) of this section shall be determined by a majority vote of the governmental body. The motion to convene in executive session must clearly and with specificity describe the subject of the proposed executive session without defeating the purpose of addressing the subject in private. Subjects may not be considered at the executive session except those mentioned in the motion calling for the executive session unless auxiliary to the main question. Action may not be taken at an executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations.

(c) The following subjects may be considered in an executive session:

- (1) matters, the immediate knowledge of which would clearly have an adverse effect upon 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.

(d) This section does not apply to

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Executive Sessions

- First convened as a public meeting.
- A majority of board must vote to go into executive session based on a motion describing the subject of the executive session.
- Only subject(s) mentioned in the motion may be discussed.

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Executive Sessions

1. Matters which would clearly have an adverse effect on the finances of the District.
2. Subjects which would prejudice the reputation and character of a person.\*
3. Confidential matters.
4. Matters involving government records not subject to disclosure.

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Executive Sessions

A school board may not take action during an executive session except to give direction to an attorney or labor negotiator.

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Next week's school board meeting agenda indicates there may be an executive session to discuss non-retention of non-tenured teachers.

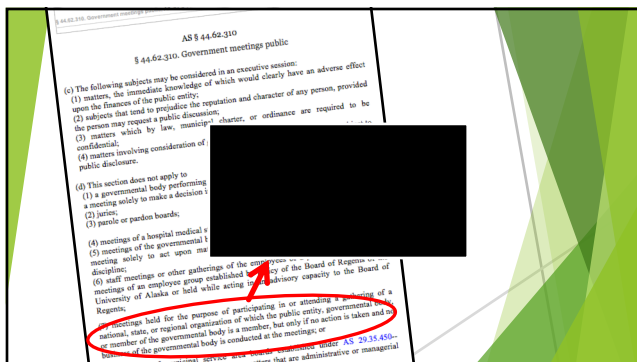
One of the teachers requests to tell the board her side of the story.

Does she have the right to address the board?

[illegible]

**AASB 66th**  
**Annual Conference**  
Relevant • Committed • Empowered

**CAN I ATTEND AASB MEETINGS WITH THREE OR MORE OF MY FELLOW SCHOOL BOARD MEMBERS?**

[illegible][illegible]

SCHOOL LAW  
BASICS

QUESTIONS?



Clinton M. Campion

SEDOR WENDLANDT EVANS FILIPPI



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