

POLICY

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2015-8-31

Nutley Public Schools
Program
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Resource Materials

2530- RESOURCE MATERIALS

The Board of Education shall provide resource materials to implement district and school educational goals and objectives as pupil needs dictate and district resources permit. Such materials include reference books, other supplementary titles, maps, library print and non-print materials, and other sources of information for use by pupils that are not designated as textbooks.

The Superintendent shall be responsible for the selection and maintenance of all resource materials, in accordance with the following standards:

1. Material will be suited to the varied interests, abilities, reading levels, and maturation levels of the pupils to be served;
2. Wherever possible, materials will provide major opposing views on controversial issues so that pupils may develop under guidance the practice of critical reading and thinking;
3. Wherever possible, materials will represent the many religious, ethnic, and cultural groups and their contribution to American heritage;
4. Materials will be factually accurate and of genuine literary or artistic value;
5. Materials will be of a quality and durability appropriate to their intended uses and longevity;
6. Materials will relate to, support, and enrich the courses of study adopted by the Board.

The Superintendent will develop regulations for the selection of resource materials that provide for the effective consultation of teaching staff members at all appropriate levels; ensure that the Board's budgetary allotment for resource materials is efficiently spent and wisely distributed throughout the instructional program and the district; and ensure an inventory of resource materials that is well balanced and well-rounded in coverage of subject, types of materials, and variety of content.

The Superintendent will evaluate the continuing effectiveness and utility of resource materials and recommend to the Board the removal of those materials that no longer meet the standards set forth in this policy. Any request for the removal of resource materials will be governed by Policy No. 9130 on public complaints.

Adopted: 03 May 2004

Reviewed: September 2015



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Employment of Substitute Teachers

3125.2 EMPLOYMENT OF SUBSTITUTE TEACHERS

The Board of Education will employ substitutes in order to ensure continuity in the instructional program and will approve a list of substitutes on an annual basis and additional approved substitutes will be added to the approved list throughout the school year. Substitute teachers will be employed from the substitute list recommended by the Superintendent and approved by the Board. The Board shall also approve the substitute rate of pay.

All substitute teachers must possess a substitute credential issued by the New Jersey State Board of Examiners in accordance with the provisions of N.J.A.C. 6A:9-6.5. All substitute teachers are required to undergo a criminal history record check in accordance with the provisions of N.J.S.A. 18A:6-7.1 et seq. and New Jersey Department of Education regulations and procedures for criminal history record checks. In accordance with the provisions of N.J.S.A. 18A-6-7.1b., a substitute teacher who is rehired annually by the Board shall only be required to undergo a criminal history record check as required by N.J.S.A. 18A:6-7.1 et. seq. upon initial employment, provided the substitute continues in the employ of at least one of the districts at which the substitute was employed within one year of the approval of the criminal history record check.

A substitute teacher shall follow the daily lesson plan provided by the regular teacher and, when that plan is exhausted or unavailable, the instructions of the Principal. A substitute teacher may not plan or direct an instructional program except as expressly permitted by the Superintendent.

In accordance with the provisions of N.J.S.A. 18A:16-1.1b., a vacant teaching position shall not be filled in any school year by one or more individuals employed as substitute teachers and holding a certificate of eligibility or a certificate of eligibility with advanced standing issued by the New Jersey State Board of Examiners and working in an area authorized by their credentials for a total amount of time exceeding sixty school days. The Executive County Superintendent of Schools may grant an extension upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original sixty-day time limit. In the event that one individual employed pursuant to this provision is employed in the same position for more than sixty days, the substitute shall be compensated by the school district on a pro-rata basis consistent with the salary provided to a teacher with similar credentials in the school district.



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In accordance with the provisions of N.J.S.A. 18A16-1.1c., a vacant teaching position shall not be filled in any school year by one or more individuals employed as substitute teachers and holding a certificate of eligibility or a certificate of eligibility with advanced standing issued by the New Jersey State Board of Examiners and working in an area not authorized by their credentials for a total amount of time exceeding twenty school days. The Executive County Superintendent of Schools may grant an extension of up to an additional twenty days upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original twenty-day time limit.

In accordance with the provisions of N.J.S.A. 18A:16-1.1d., a vacant teaching position shall not be filled in any school year by one or more individuals employed as substitute teachers and holding a standard instructional certificate issued by the New Jersey State Board of Examiners and working in an area not authorized by their credentials for a total amount of time exceeding forty school days.

In accordance with the provisions of N.J.S.A. 18A:16-1.1a., a vacant teaching position shall not be filled in any school year by one or more individuals holding a substitute credential issued by the New Jersey State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-38 for a total amount of time exceeding twenty school days. The Commissioner of Education may grant an extension of up to an additional twenty school days upon written application from the school district demonstrating the district's inability to hire an appropriately certified teacher for the vacant position within the original twenty-day time limit.

N.J.S.A. 18A:6-7.1 et seq.; 18A:16-1.1a.; 18A:16-1.1b.;
18A:16-1.1c.; 18A:16-1.1d.

Adopted: 03 May 2004
Reviewed: September 2015



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Resignation

3141- RESIGNATION

The Board of Education will enter a contract with each nontenured teaching staff member providing, in part, for the termination of employment by either party on proper notice in accordance with Policy No. 3124.

An employee's resignation must be tendered to the Board through the Superintendent who may accept the resignation on behalf of the Board. Any such acceptance of a resignation will be ratified by the Board at its next meeting.

A member who offers insufficient notice of resignation will be paid only through the last day of service. In addition, the Board may notify the Commissioner of Education of any tenured teaching staff member who terminates his/her position without having given sixty days notice to the Board and without the express permission of the Board. The certificate of any such member may be suspended.

N.J.S.A. 18A:26-10; 18A:28-8
N.J.A.C. 6A:9-17.9

Adopted: 03 May 2004
Revised: April 2005
Reviewed: September 2015



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Nonrenewal of Nontenured Teaching Staff Member

3142- NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

The Board of Education recognizes its obligation to employ only those staff members best trained and equipped to meet the educational needs of the students of this district. The Board shall discharge that obligation by retaining in service only those nontenured teaching staff members who meet those standards. The Board will renew the employment contract of a teaching staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons. A nontenured teaching staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

When the nontenured teaching staff member's performance does not meet the standards of the district, the Superintendent shall recommend not to renew the teaching staff member's contract. Prior to notifying the nontenured teaching staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation. The Superintendent may notify the Board in a written notice or in executive session at a full Board Meeting. In the event the Board is notified in executive session, the Superintendent will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the nontenured teaching staff member their employment will be discussed in executive session in order for the nontenured teaching staff member to exercise their statutory right to request a public discussion.

The Superintendent shall notify each nontenured teaching staff member to whom reemployment will not be offered of such nonrenewal in writing on or before May 15. Any teaching staff member who received written notice a contract will not be offered may, within fifteen days of receiving such notification, request in writing a statement of the reasons for nonrenewal. The Superintendent will provide a written statement of reasons within thirty days after the receipt of any such request.

Whenever the nontenured teaching staff member has requested in writing and received a written statement of reasons for non-reemployment, the nontenured teaching staff member shall have the right to an informal appearance before the Board to permit the staff member an opportunity to convince the members of the Board to offer reemployment. The staff member must request the appearance before the Board within ten calendar days of the nontenured teaching staff member's receipt of the statement of



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reasons. The informal appearance before the Board shall be held in accordance with the provisions of N.J.A.C. 6A:10-8.1.

The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a nontenured teaching staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the nontenured teaching staff member reemployment after the informal appearance before the Board. The nontenured teaching staff member will be notified of the Board's final determination within three days following the informal appearance before the Board.

N.J.S.A. 18A:27-3.1; 18A:27-3.2; 18A:27-4.1; 18A:27-10 et seq.
N.J.A.C. 6A:10-8.1

Adopted: 03 May 2004
Revised: October 2013
Reviewed: September 2015



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3142- NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

A. Evaluations

1. Each nontenured teaching staff member shall be evaluated in strict compliance with statute, N.J.S.A. 18A:27-3.1, rules of the State Board of Education, N.J.A.C. 6A:10-1.1 et seq., and the policies and procedures of this district.

B. Nonrenewal Recommendation

1. When a nontenured teaching staff member's performance does not meet the standards of the district, the Principal or the nontenured teacher's immediate supervisor shall recommend to the Superintendent that the teaching staff member should not be reemployed in the following school year.
2. The nontenured teaching staff member shall be informed by the Superintendent of Schools, in writing, that employment for the next succeeding school year will not be offered. This written notice shall be provided to the nontenured teaching staff member on or before May 15.
3. A recommendation by the Superintendent for nonrenewal may be based upon the nontenured teaching staff member's evaluations, job performance, or any factor affecting his/her employment in this district.
4. Nontenured teaching staff members' contracts can only be renewed upon the Superintendent's recommendation and a majority vote of the full Board. The Board may not withhold its approval for arbitrary and capricious reasons.

C. Nonrenewal Action

1. The Superintendent will notify Board members of the recommendation not to renew a nontenured teaching staff member's contract before notifying the nontenured teaching staff member of the recommendation to not renew. The Superintendent may notify the Board members of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation in a written notice to the Board prior to May 15. In the alternative, the Superintendent may notify



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the Board members of the recommendation not to renew a nontenured teaching staff member in an executive session. Using this option, the Superintendent and the Board will meet in executive session prior to May 15 to review the Superintendent's recommendation(s) for nonrenewal of nontenured teaching staff members. Notice of the executive session shall be given in accordance with N.J.S.A. 10:4-13 and individual notice shall be given, not less than forty-eight hours in advance of the meeting, to those nontenured teaching staff members whose possible nonrenewal will be discussed at the meeting. If any such employee requests the discussion take place in public, the recommendation for his/her nonrenewal will be severed from any other nonrenewal recommendation and will be scheduled for discussion at a public meeting prior to May 15.

2. A nontenured teaching staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board's vote is not required on the Superintendent's recommendation(s) to not renew a nontenured teaching staff member's contract.

D. Notice of Nonrenewal

1. Notice of the Superintendent's decision not to renew shall be given to each nontenured teaching staff member not recommended for renewal on or before May 15 in accordance with N.J.S.A. 18A:27-10. The Board may delegate the Superintendent or the Board Secretary to give the written notice of nonrenewal.
2. The nonrenewal notice shall be in writing and provided to the nontenured teaching staff member not recommended for renewal on or before May 15. If hand delivered, a record shall be made of the date on which delivery was made. If sent by mail, the notice shall be sent registered mail, return receipt requested, to the nontenured teaching staff member's address of record.

E. Request for Statement of Reasons

1. A nonrenewed teaching staff member will be given a written statement of the reasons for which he/she was not renewed provided the teaching staff member's request for a statement of reasons has been received by the Superintendent within fifteen calendar days after the teaching staff



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member received written notice of his/her nonrenewal. N.J.S.A. 18A:27-3.2.

2. The statement of reasons for a nonrenewal will set forth, with as much particularity as possible, the precise reasons for the nonrenewal. Where the nonrenewal is based on performance deficiencies recorded in the employee's evaluations and the employee has been given a copy of those evaluations, the statement of reasons may incorporate the evaluations by reference.
3. The statement of reasons will be prepared by the Superintendent and shall be delivered to the employee who requested it within thirty calendar days after the receipt of the employee's request.

F. Nonrenewal Appearance

1. A teaching staff member who has requested a statement of reasons for non-reemployment pursuant to N.J.S.A. 18A:27-3.2, will be granted an informal appearance before the Board to discuss those reasons, provided that he/she had submitted to the Superintendent a written request for such an appearance no later than ten calendar days after the nontenured teaching staff member's receipt of the written statement of reasons. N.J.A.C. 6A:10-8.1(a).
2. A date for the informal appearance shall be scheduled within thirty calendar days from the teaching staff member's receipt of the Board's statement of reasons. The appearance shall be conducted at an executive session for which notice has been given in accordance with N.J.S.A. 10:4-13. The Board will determine a reasonable length of time to be devoted to the appearance, depending upon each instance's specific circumstances. The proceeding of an informal appearance before the Board may be conducted pursuant to N.J.S.A. 10:4-12(b)(8).
3. The teaching staff member requesting the appearance shall be given written notice, no later than forty-eight hours in advance of the meeting at which it is scheduled, of the date, time, place, and duration of the appearance.
4. The purpose of the appearance shall be to permit the nonrenewed teaching staff member to convince the members of the Board to offer



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reemployment. To those ends, the appearance shall be informally conducted. This appearance provides a mechanism by which the nontenured teaching staff member, whose renewal has not been recommended by the Superintendent, can appeal to the Board, on which the Superintendent sits as a non-voting member pursuant to N.J.S.A. 18A:17-20. The proceeding of an informal appearance before the Board shall be conducted with the President of the Board presiding and the appearance shall not be an adversary proceeding.

5. The teaching staff member may be represented by an attorney or by one individual of his/her choosing. He/She may present witnesses to testify on his/her behalf. Witnesses do not need to present testimony under oath and their statements may be recorded. The Board will hear witnesses and shall not cross-examine them. Witnesses will be called into the meeting to address the Board one at a time and shall be excused from the meeting after making their statements.

G. Final Determination

1. A nontenured teaching staff member not recommended for renewal by the Superintendent is deemed not renewed. A Board vote is not required on the Superintendent's recommendation(s) to not renew a nontenured teaching staff member. However, after an informal appearance before the Board, the Superintendent may make a recommendation for reemployment to the voting members of the Board. The voting members of the Board, by a majority vote of the full Board in public session, must approve the reemployment based on the Superintendent's recommendation.
2. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the teaching staff member reemployment after the informal appearance before the Board.
3. The final determination will be delivered to the teaching staff member, in writing, no later than three days following the informal appearance. The Board may delegate the Superintendent or the Board Secretary to deliver the final determination.

Adopted: 03 May 2004
Revised: October 2013
Reviewed: September 2015

