

# BYLAW

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Nutley Public Schools

BYLAWS

0143.2

HIGH SCHOOL STUDENT REPRESENTATIVE TO THE BOARD OF EDUCATION

(M)

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## 0143.2 HIGH SCHOOL STUDENT REPRESENTATIVE TO THE BOARD OF EDUCATION (M)

The Board of Education recognizes that experience gained by and input from students in the school district is a valued source for improving the operation of the school district. To this end, and in accordance with N.J.S.A. 18A:12-1.3 and N.J.S.A. 18A:36A-11.2, the Board authorizes the appointment of a minimum of one student selected by the student body to serve as a nonvoting student representative on the Board. The student representative must be selected from one of the grades nine through twelve.

The student body may elect or appoint the student representative to the Board in a process to be determined by the Superintendent or designee. When developing the process, the Superintendent or designee shall consider input provided by the student body.

The student representative shall serve for a one school year term and their duties shall include:

1. Attending all Board meetings, excluding any discussions of the Board involving subjects which are confidential;
2. Representing all high school students within the district and presenting student proposals and concerns to the Board for its consideration; and
3. Keeping high school students informed of the business of the Board by providing a monthly report to the Student Council concerning the activities of the Board.

The student representative shall rotate each school year among the high schools in the district if the district has more than one high school.

Student representatives are expected to adhere to all bylaws, policies, and regulations of the Board in their role. The Board in no way relinquishes any of its authority, powers, prerogatives, or responsibilities, but rather adds to its membership a nonvoting student representative(s) for the mutual benefit of the Board, student body, and the school district.

N.J.S.A. 18A:12-1.3; 18A:36A-11.2

Adopted:



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BOARD MEMBER ORIENTATION AND TRAINING

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## 0144 BOARD MEMBER ORIENTATION AND TRAINING

The preparation of each member for the performance of Board of Education duties is essential to the proper functioning of the Board. The Board encourages each new Board member in the acquisition of information about school district governance, the separate functions of the Board and the Superintendent, the operations of the district, and Board procedures.

The Board directs that each new member receive access to and/or a copy of the Board of Education Bylaw and Policy Manual, and such other materials as deemed appropriate by the Superintendent.

Each new Board member will be invited and is encouraged to meet and discuss the responsibilities and authority of a Board member, Board functions, and Board policies and procedures with the Board President, the Superintendent, and the Board Secretary.

Each newly elected or appointed Board member shall complete during the first year of the member's first term a training program to be prepared and offered by the New Jersey School Boards Association, in consultation with the New Jersey Association of School Administrators, the New Jersey Principals and Supervisors Association, and the Department of Education, regarding the skills and knowledge necessary to serve as a Board member.

The training program shall include information regarding the school district monitoring system established pursuant to P.L. 2005, c. 235, the New Jersey Quality Single Accountability Continuum, and the five key components of school district effectiveness on which school districts are evaluated under the monitoring system: instruction and program; personnel; fiscal management; operations; and governance.



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The Board member shall complete a training program on school district governance in each of the subsequent two years of the Board member's first term.

Within one year after each re-election or re-appointment to the Board of Education, the Board member shall complete an advanced training program to be prepared and offered by the New Jersey School Boards Association. This advanced training program shall include information on relevant changes to New Jersey school law and other information deemed appropriate to enable the Board member to serve more effectively.

The New Jersey School Boards Association shall examine options for providing training programs to Board members through alternative methods such as on-line or other distance learning media or through regional-based training.

N.J.S.A.18A:12-33

Adopted: 4 May 2004

Revised: 25 August 2008

Revised: 9 October 2012



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## 0163 QUORUM

A quorum **of the Board of Education** shall consist of **a minimum of 5** Board members, and no business shall be conducted in the absence of a quorum, except when the Doctrine of Necessity is invoked.

**All Board meetings shall be called to commence not later than 8:00 p.m. of the designated day but, if In the event a quorum is not present at the time for which the meeting is called, the Board member or Board members present hour of convening, the meeting may be recessed recess the meeting to a time not later than 9:00 p.m. of the same day- and, if a quorum be not present at that time, is not then present, the member or members present may adjourn the meeting to commence not later than 8:00 p.m. of another day, but not more than seven days following the date for which the original meeting was called, but no further recess or adjournment of the meeting shall be made a later date within seven days.**

The Board of Education recognizes ~~that~~ there may be matters that come before the Board or acts required of Board members in their official capacity where the Board member may have a conflict of interest or the act **by a Board member** would be in violation of N.J.S.A. 18A:12-24. In these matters, the Board member(s) **shall** ~~will~~ remove **themselves** ~~himself/herself~~ from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter. The Board will consider this matter without the Board member(s) who has the conflict.

In the event a matter comes before the Board or an act is required of a Board member in **their** ~~his/her~~ official capacity that is a conflict or would be in violation of N.J.S.A. 18A:12-24, the Board would still be required to have a quorum to consider the matter. However, the New Jersey Department of Education and the School Ethics Commission ~~has~~ envisioned this prohibition could create a situation in which **the number of conflicted Board members would prevent so many Board members have a conflict, that the Board would be unable to take action on a matter.** Therefore, when more than a quorum of the Board members must abstain from voting on a matter **due to a conflict or the act would be in violation of N.J.S.A. 18A:12-24,** the Board will invoke the Doctrine of Necessity



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consistent with the New Jersey Department of Education and School Ethics Commission guidelines as follows:

A. Board Member(s) in Conflict - Less Than a Majority of The Board

1. In the event a Board member(s) has a conflict of interest where the Board member will act in ~~their~~ ~~his/her~~ official capacity, the Board member must remove ~~themselves~~ ~~himself/herself~~ from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.
2. In the event a Board member is unsure whether ~~they~~ ~~he/she~~ or any other Board member has a conflict of interest or whether the matter, if acted upon by a Board member(s) is in violation of N.J.S.A. 18A:12-24 - Prohibited Acts, the School Board Attorney will make a determination.
3. The School Board Attorney will provide the Board of Education an opinion on whether the matter is a conflict of interest or act prohibited by N.J.S.A. 18A:12-24 - Prohibited Acts.
4. If the Board member(s) believes ~~they~~ ~~he/she~~ ~~have~~ ~~has~~ a conflict of interest where ~~they~~ ~~he/she~~ will act in ~~their~~ ~~his/her~~ official capacity or if the School Board Attorney renders an opinion ~~that~~ the Board member has a conflict of interest where the Board member will act in ~~their~~ ~~his/her~~ official capacity, the Board member will remove ~~themselves~~ ~~himself/herself~~ from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.

B. Board Member(s) in Conflict - A Majority of Board Members in Conflict

1. In the event:
  - a. A Board member(s) believes ~~they~~ ~~he/she~~ ~~have~~ ~~has~~ a conflict of interest **or if acted upon by a Board member is in violation of N.J.S.A. 18A:12-24** ~~where he/she will act in his/her official capacity~~; or



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- b. If the School Board Attorney renders an opinion ~~that the~~ a Board member(s) has a conflict of interest **or if acted upon by a Board member is in violation of N.J.S.A. 18A:12-24** ~~where the Board member will act in his/her official capacity; and~~
  - c. The number of Board members that have a conflict would make it so the Board would be unable to take action on the matter, then the Board may invoke the ~~“Rule [or Doctrine]~~ of Necessity.” ~~(Citing U.S. v. Will, 449 U.S. 200 (1980)).~~
- C. ~~Rule [Or Doctrine]~~ Of Necessity
- 1. The Doctrine of Necessity may be invoked when more than a quorum of the Board must abstain from voting on a matter.
  - 2. There are three prerequisites necessary for a Board to invoke the Doctrine of Necessity:
    - a. The Board must be unable to act without the members in conflict taking part;
    - b. There must be a pressing need for action, i.e. the matter cannot be laid aside until another date; and
    - c. There can be no alternative forum that can grant the same relief.
- ~~(Allen v. Toms River Regional Board of Education, 233 N.J. Super 651 (Law Division 1989)).~~
- 3. When the School Board Attorney advises the Board the Doctrine of Necessity must be invoked in order to obtain a quorum on a vote, the Board must **publicly state: announce that it is invoking the Doctrine.**
- a. **That it is invoking the Doctrine of Necessity; The announcement must include the reason the Board must**  
  
**invoke the Doctrine of Necessity including stating the nature of each Board members conflict.**



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- b. **The specific reason/purpose for which the Doctrine of Necessity is being invoked; and** ~~The announcement will be in writing and should be recorded in the minutes of the meeting by the Board Secretary at the point when the vote takes place.~~
- c. **The specific nature of the conflict of interest for each Board member that has a conflict of interest:** ~~It is enough for the Board to announce it is invoking the Doctrine and a Board Resolution is not required.~~
  - (1) **The specific nature of the conflict of interest for each Board member should include the Board member's name; the name of the immediate family member or relative which is the basis for the conflict of interest, and the position that immediate family member or relative holds; or**
  - (2) **If the specific nature of the conflict of interest for a Board member is a conflict other than an immediate family member or relative, the announcement should include the conflict which is the basis for the conflict of interest.**
- 4. **When the Board invokes the Doctrine of Necessity, it will adopt a Resolution setting forth the same information as outlined in C.3. above.**
- 54. **When the Board invokes the Doctrine of Necessity, the Resolution will be:**
  - a. **Read at a regularly scheduled public meeting;**
  - b. **Posted in such places the Board posts public notices for thirty days; and**
  - c. **Provided to the School Ethics Commission** ~~When the Board announces the Doctrine of Necessity is being invoked, the details, parameters and/or other pertinent facts of the matter to be voted should be revealed on an agenda for the public meeting in which the matter is to be voted upon.~~



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65. The Board members who have a conflict in the matter are prohibited from:
- a. Participating in any discussions on the matter prior to the announcement **of the invocation of the Doctrine of Necessity at the and** public meeting; **and**
  - b. **Being present in an executive session when the matter is being discussed** ~~From entering an executive session in order to discuss the merits of the matter or contract; and~~
  - c. ~~From~~ **Offering** their opinions on the matter at any time prior to the announcement **or the invocation of the Doctrine of Necessity and** public meeting.
6. ~~The Board members who have a conflict in the matter may only participate to the extent they may vote after the motion to approve and/or ratify the matter has been made and seconded and the Doctrine of Necessity has been thoroughly explained to the public.~~
7. **The** Board members **who have a in** conflict may only ask questions regarding the matter to be voted on in public and after the Board has invoked the Doctrine of Necessity.
8. The Board members who have a in conflict may explain their reasons for not voting just before the vote.

N.J.S.A. **18A:10-6**; 18A:12-24

New Jersey School Ethics Commission – Advisory Opinions A10-93(b), ~~and~~ A07-94, **and C07-96**

**New Jersey School Ethics Commission – Resolution on Invoking the Doctrine of Necessity – June 25, 2018**

Adopted:





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LEGAL SERVICES (M)  
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## 0174 LEGAL SERVICES (M)

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to ensure the use of legal services by employees and the Board of Education members and the tracking of the use of legal services.

The Board of Education authorizes the Superintendent of Schools,

Superintendent of Schools' designee

School Business Administrator/Board Secretary

Board President

Director of Special Services

as designated contact persons to request services or advice from contracted legal counsel.

The Business Administrator shall be responsible to review all legal bills and confer with designated contact persons in reviewing such legal bills.

In accordance with the provisions of N.J.A.C. 6A:23A-5.2(a)2, the Board designates the administrative staff member to review all legal bills and designates contact persons to ensure the prudent use of legal services.

School districts with legal costs that exceed one hundred thirty percent of the Statewide average per student amount should establish the procedures outlined in 1., 2., 3., and 4. below and, if not established, provide evidence such procedures would not result in a reduction of costs.

1. The designated contact person(s) shall ensure that contracted legal counsel is not contacted unnecessarily for management decisions or readily available information contained in district materials such as Board policies, administrative regulations, or guidance available through professional source materials.



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2. All requests for legal advice shall be made to the designated contact person(s) in writing and shall be maintained on file in the district offices. The designated contact person shall determine whether the request warrants legal advice or if legal advice is necessary.
3. The designated contact person(s) shall maintain a log of all legal counsel contact including the name of the legal counsel contacted, date of the contact, issue discussed, and length of contact.
4. All written requests for legal advice and logs of legal counsel contacts shall be forwarded to the **(administrator responsible for maintaining district files of requests for legal advice and logs of legal counsel contacts)** Business Administrator / Board Secretary, who shall be responsible to review all legal bills and compare all legal bills to the contact logs and to investigate and resolve any variances.

Any professional services contract(s) for legal services shall prohibit advance payments. Services to be provided shall be described in detail in the contract and invoices for payment shall itemize the services provided for the billing period. Payments to legal counsel(s) shall only be for services actually provided.

School districts and vocational school districts are prohibited from contracting with legal counsel or using in-house legal counsel to pursue any affirmative claim or cause of action on behalf of district administrators and/or any individual Board members or pursuing any claim or cause of action for which the damages to be awarded would benefit an individual rather than the school district as a whole.

The Board of Education will annually establish prior to budget preparation, a maximum dollar limit for each type of professional service, including legal services. In the event it becomes necessary to exceed the established maximum dollar limit for the professional service, the Superintendent of Schools shall recommend to the Board of Education an increase in the maximum dollar amount. Any increase in the maximum dollar amount shall require formal Board action.



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Contracts for legal services will be issued by the Board in a deliberative and efficient manner that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. This may include, but is not limited to, issuance of such contracts through a Request for Proposals (RFP) based on cost and other specified factors or other comparable processes. Contracts for legal services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

N.J.A.C. 6A:23A-5.2

Adopted: 03 May 2004



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BOARD OF EDUCATION WEBSITE ACCESSIBILITY (M)

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## 1511 BOARD OF EDUCATION WEBSITE ACCESSIBILITY (M)

It is the goal of the Board of Education that the information on the school district's **internet** websites **are** is accessible to individuals with disabilities in compliance with the requirements of **Federal law** (Section 504 of the Rehabilitation Act of 1973 and that statute's implementing regulations at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and that statute's implementing regulations at 28 C.F.R. Part 35) **and New Jersey law (N.J.S.A. 18A:36-35.1).**

### A. **Federal Law – American with Disabilities Act (ADA)**

1. For the purposes of ~~this Policy~~ **the Federal law - Section 504 of the Rehabilitation Act of 1973 and that statute's implementing regulations at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and that statute's implementing regulations at 28 C.F.R. Part 35 and this Policy**, "school district website" includes, but is not limited to, the internet home page, all subordinate pages, school or school district department pages, intranet pages and sites, and includes online content and functionality, developed by, maintained by, or offered through a third-party vendor or by using open sources.
2. The accessibility of online content and functionality will be measured according to the **most up-to-date version of the World Wide Web Consortium's (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA** and the Web Accessibility Initiative Accessible Rich Internet Application Suite (WAI-ARIA) 1.0 for web content (benchmarks for measuring accessibility).
3. By conforming to the benchmarks for measuring accessibility set forth above, the Board of Education will ensure that people with disabilities have an opportunity equal to that of their nondisabled peers to access the information on the district's website, ~~except where doing so would impose an undue burden or create a fundamental alteration of the district's website. When~~

~~fundamental alteration or undue burden defenses apply, the district will make reasonable modifications/accommodations for~~



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## BOARD OF EDUCATION WEBSITE ACCESSIBILITY (M)

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~~individuals with disabilities in order to provide equally effective alternate access. In providing such access, the district will ensure that to the maximum extent possible individuals with disabilities receive the same benefits or services as their nondisabled peers. To provide equally effective alternate access, alternates are not required to produce the identical result or level of achievement for persons with and without disabilities, but must afford persons with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement.~~

4. To ensure ~~that~~ the district's website conforms with the above benchmarks for measuring accessibility, ~~except where doing so would impose an undue burden or create a fundamental alteration of the district's website,~~ the Superintendent of Schools will designate a school staff member to act as the Website Accessibility Coordinator. The Coordinator will:
  - ~~a1.~~ Ensure that in-house staff and contractors responsible for webpages and webpage content development are properly trained on the Board of Education's website accessibility policy and procedures;
  - ~~b2.~~ Ensure that all new, newly added, and modified online content and functionality is accessible to people with disabilities as measured by conformance to the above benchmarks by, among other things:
    - (1)a. **Checking the hypertext markup language (HTML) of all new webpages on the website to make sure that accessible elements are used, including "alt" tags, long descriptions, and captions, as needed;**
    - (2)~~b.~~ Ensuring that webpages are designed in a manner that allows them to be displayed using a visitor's own settings for color and fonts, and can be navigated with a keyboard;



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- (3)e- If images are used, including photos, graphics, scanned images, or image maps, making sure to include text equivalents for them, using "alt" tags and/or long descriptions for each and ensuring the text equivalents convey the meaningful information presented visually by the image;
  - (4)d- If online forms and tables are used, making those elements accessible;
  - (5)e- Ensuring that videos appearing on the website include appropriately synchronized audio description and captions;
  - (6)f- Ensuring when posting new documents on the website, the documents shall be provided in HTML or another text-based format (even if they are provided in another format, such as portable document format (PDF)). If documents are provided in both formats, provide both formats at the same time so people with disabilities have the same degree of access as others;
  - (7)g- Periodically enlisting people with a variety of disabilities to test the Board of Education's webpages for accessibility and ease of use and use this information to increase the Board's website accessibility;
  - (8)h. **Periodically coordinating the audit of existing content and functionality of the website to identify online content or functionality that is inaccessible to persons with disabilities; and**
  - (9)i- Developing and carrying out a corrective action plan, when necessary, for making the district's existing web content accessible.
- c3. Ensure that alternative means are available for people with disabilities to access information, programs, and services that are normally provided on the Board's website.



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**B. New Jersey Law – N.J.S.A. 18A:36-35.1**

1. For the purpose of New Jersey law – N.J.S.A. 18A:36-35.1 and this Policy, “internet website or web service” includes any webpage, website, web service, online curriculum, or online third party or open educational resource product that is made available to enrolled students or the public by the school district.
2. Pursuant to N.J.S.A. 18A:36-35.1, no school district shall make available to the enrolled students of the district or school or to the public an Internet website or web service unless the Internet website or web service complies with the most up-to-date version of the World Wide Web Consortium’s (W3C) Web Content Accessibility Guidelines (WCAG) if the Guidelines are approved by the Commissioner of Education, or any other applicable guidelines or requirements as may be designed or approved by the Commissioner of Education.
3. In accordance with N.J.S.A. 18A:36-35.1.a. and b., the school district is required to submit a statement of assurance attesting to compliance with N.J.S.A. 18A:36-35.1 as required by the Commissioner of Education.

This Policy establishes minimum standards for the accessibility of web-based information and services considered necessary to meet the district’s goals and ensure compliance with applicable **Federal and State** laws.

Section 504 of the Rehabilitation Act of 1973  
Title II of the Americans with Disabilities Act of 1990  
34 C.F.R. Part 104; 28 C.F.R. Part 35  
**N.J.S.A. 18A:36-35.1**

Adopted:



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EVERY STUDENT SUCCEEDS ACT

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## 2415 EVERY STUDENT SUCCEEDS ACT

The Every Student Succeeds Act (ESSA) is a reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965 that provides Federal funds to help all New Jersey's school children achieve. The purpose of the ESSA is to ensure all students have equitable access to high-quality educational resources and opportunities and to close educational achievement gaps. The Board of Education elects to augment the instructional program of students by projects supported by Federal funds allocated under the ESSA and the district will comply with the requirements of all the programs authorized by the ESSA.

The district may be eligible for several grant programs funded through the ESSA, including, but not limited to, Title I through Title VII. Many of the Titles of the ESSA have several parts and subparts that provide a funding source for specific purposes.

### Application Procedure

The district will submit an annual ESSA Consolidated Formula Subgrant Application to the New Jersey Department of Education (NJDOE). The school district's application shall include all information required by the NJDOE and the ESSA for the district to be considered for funding under the ESSA.

### Covered Programs

Formula grants under the ESSA are non-competitive grants that school districts are eligible for based on the make-up of their student bodies. These formula grants for each Title are committed to different purposes and may be used to support different activities and programs.





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## Title I

The largest Federal program supporting elementary and secondary education is Title I. The ESSA strengthens Title I requirements for the State's assessments, accountability system, and support for school improvement. The law also requires minimum qualifications for teachers and paraprofessionals in Title I programs.

The school district must use the best available measure for identifying children from low-income families to: identify eligible school attendance areas, determine the ranking of each area, and determine allocations as identified in the Title I guidelines and regulations.

The school district will offer Title I services to eligible children enrolled in private elementary and secondary schools. The services and benefits will be equitable in comparison to services and benefits for participating public school children.

The school district will provide the New Jersey Department of Education assurances it will provide the maximum coordination between the Title I program, the regular school program, and services provided by other programs for specialized populations. The Title I program will consider the special needs of homeless children, migrant children, children with disabilities and limited English Language Learner (ELL) children. Title I funds will be reserved so that migrant children who are otherwise eligible to receive Title I services, even if they arrive during the school year, are served.

## Type of Title I Program

The school district will offer a Title I program.

## Target Assistance Program

Schools that are not eligible for (or do not choose to operate) school-wide Title I programs must use Title I funds to provide targeted services to low-achieving students. A Target Assistance program must be established in accordance with the Title I guidelines and regulations and the New Jersey Department of Education.



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## New Jersey Department of Education Accountability System

The district will comply with the accountability system established by the New Jersey Department of Education and outlined in the New Jersey State Plan and approved by the United States Department of Education.

## Fiscal Responsibility

The district will comply with the requirements as outlined in Policy 2415.02 Title I – Fiscal Responsibilities in accordance with the NJDOE and the ESSA.

## Staff

The district will comply with the staff certification requirements of the ESSA and the NJDOE. In addition, the district will ensure all paraprofessionals meet the requirements as established by the ESSA and as outlined in Policy 4125 – Employment of Support Staff Members.

## Parent and Family Engagement ~~Parental Involvement~~

The district will comply with the requirements as outlined in Policy 2415.04 – **Title I – District-Wide Parent and Family Engagement** ~~Parental Involvement~~ and **Policy 2415.50 – Title I – School Parent and Family Engagement as applicable** in accordance with the NJDOE and the ESSA.

## Student Surveys, Analysis, and/or Evaluations

The Protection of Pupil Rights Amendment (PPRA) applies to school districts that receive Federal funding from the United States Department of Education. The district will comply with the requirements as outlined in Policy 2415.05 - Student Surveys, Analysis, and/or Evaluations in accordance with the PPRA.



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## Unsafe School Choice Option

In the event there is a school in the district designated as Persistently Dangerous in accordance with the Victims of Violent Criminal Offenses as outlined in the ESSA, the district will comply with the requirements of Policy 2415.06 – Unsafe School Choice Option in accordance with the NJDOE and the ESSA.

## Property

Property acquired through Title I funds for use in public or private schools will be acquired in accordance with the Public School Contracts Law, will be held in title by the Board of Education, and will not be used for other purposes so long as it is required in the Title I program. Property no longer required for Title I purposes will be used for other, similarly funded projects or disposed of in accordance with State and Federal guidelines.

## Capital Expenses

The Superintendent will assure the district abides by New Jersey's Public Contracts Law; consults appropriate private school officials prior to making any decisions regarding capital expenses; ensure funds that are received to cover capital expenses provide equitable Title I services to private school students; ensure accounts for any capital funding is separately maintained; and assure lease purchase agreements are consistent with applicable statute and administrative code.

## Post-Award Requirements

The school district will maintain all project records for five years following the completion of the activity for which the funds were used. The school district will prepare and submit all reports as required by the State Department of Education in a timely manner.



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## Supplement, Not Supplant

Grant funds provided under Federal programs, including the ESEA of 1965 as amended by the ESSA, shall supplement, not supplant the funds that would, in the absence of such Federal funds, be made available from State and local sources for the education of students participating in programs assisted under the ESEA of 1965 as amended by the ESSA.

## Evaluation

The Superintendent or designee will evaluate the ESSA programs as required by the United States and the New Jersey Departments of Education.

Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) as amended by the Every Student Succeeds Act.

Adopted: 24 May 2021



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Nutley Public Schools  
TEACHING STAFF MEMBERS  
3216  
DRESS AND GROOMING  
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## 3216 DRESS AND GROOMING

The Board of Education believes ~~that~~ the appearance and dress of teaching staff members is an important component of the educational program of this school district. The attitude of teaching staff members about their professional responsibilities and the importance of education in the lives of their students are reflected in their dress and appearance. Accordingly, in order to create an atmosphere of respect for **teaching staff members** ~~teachers~~ and an environment conducive to discipline and learning, the Board establishes the following rules for the dress of teaching staff members in the performance of their professional duties:

1. **Acceptable attire for teaching staff members shall include, but not be limited to, dresses, skirts, blouses, suits, sweaters, pants, and dress shirts with or without a tie; ~~Female teaching staff members may wear dresses, skirt or pant suits, or skirts or pants with blouses or sweaters;~~**
2. **Inappropriate attire within the regular school day includes, but is not limited to, the following:**
  - a. **Jeans (unless approved by the Principal or designee for a special activity or event);**
  - b. **T-shirts;**
  - c. **Strapless shirts and dresses;**
  - d. **Sweatshirts, shorts, sweatpants, workout attire unless approved by the Principal or designee;**
  - e. **Beachwear; and**
  - f. **Hats and/or head coverings unless approved by the Principal or designee for medical or religious reasons.**



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2. ~~Male teaching staff members may wear suits or slacks with or without jackets; male teaching staff members must wear a dress shirt with necktie or a turtleneck shirt or sweater with a jacket;~~
3. The clothing and appearance of all teaching staff members shall be clean and neat;
4. No clothing may be worn that constitutes a danger to health or safety to the wearer or to others, and no clothing may be worn that interferes with the instructional program;
5. A teaching staff member may request a waiver of this dress code for the performance of particular duties. ~~S~~**Such** waivers may be granted by the **Principal or designee** \_\_\_\_\_;
6. The Building Principal or the teaching staff member's supervisor, as appropriate, shall determine whether a violation of this dress code has occurred and shall discuss the violation with the teaching staff member concerned. Where a single violation so warrants or violations recur, the Principal or supervisor may enter a reprimand in the teaching staff member's file and may recommend **other appropriate** ~~more stringent~~ disciplinary measures.

## **Optional**

~~[It shall be the policy of the Board to review this professional staff dress code at intervals of not less than three years and to invite the comments of appropriate staff members in that review.]~~

N.J.S.A. 18A:27-4

Adopted:



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## 3270 PROFESSIONAL RESPONSIBILITIES

The Board of Education will establish and enforce rules for the assignment of specific duties to teaching staff members and for the conduct of teaching staff members during the work day.

**Teaching staff members assigned specific instructional responsibilities and as designated by the Superintendent shall prepare regular lesson plans** ~~The Board directs the Superintendent to requires the preparation of lesson plans each teacher that implement the goals and objectives of the educational program.~~ Teachers shall also be responsible for providing adequate direction and guidance to substitutes. Lesson plans ~~will~~ **shall** be subject to ~~periodic~~ review by \_\_\_\_\_ **the teaching staff member's Principal or designee and/or immediate supervisor as assigned by the Superintendent.**

~~The Superintendent shall apply uniformly throughout the district, except as may otherwise be provided in this policy, the following additional rules for teaching staff member conduct:~~

- ~~1. During the work day, teaching staff members may be assigned extra or alternative duties by the \_\_\_\_\_ in accordance with Board Policy No. 3134;~~
- ~~2. Teaching staff members are expected to attend every faculty meeting unless expressly excused by the \_\_\_\_\_;~~

**During the work day, teaching staff members may be assigned extra or alternative duties by the Principal or designee in accordance with Policy 3134. Teaching staff members are to attend every faculty meeting unless expressly excused by the Principal or designee.**

### **Optional**

~~[A teaching staff member who is excused from attending a faculty meeting must meet with the \_\_\_\_\_ the following day to review the topics covered at the meeting;]~~



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3. ~~Teaching staff members may not leave the school grounds during mealtime without the express permission of the \_\_\_\_\_.~~

~~Teaching staff members who are assigned as department heads or who are assigned to work on curriculum revision during the regular school day will be given an appropriate reduction in teaching assignments.~~

**N.J.S.A. 18A:27-4**  
**N.J.A.C. 6A:9-3.3**

Adopted:





# POLICY

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## 3431 UNCOMPENSATED LEAVE

The Board of Education recognizes, under certain circumstances, that the interests of the school district and of an individual employee may be served by the employee's extended absence from the school district for a purpose other than disability.

Except as may be otherwise provided by negotiated agreement, the Board reserves the right to establish the conditions under which uncompensated leaves of absence may be taken. An extended leave of absence may be granted for the purpose of study, child care, recuperation, a special work assignment, or such other purpose as will tend to serve the best interests of the school district. No leave will be granted for a period of time longer than one school year, but may be extended following annual consideration by the Board to a maximum of 2 years.

The Board reserves the right to require that the commencement and termination of an extended leave be such as to cause the least interruption to the instructional program of the schools. Wherever possible, partial year leaves of absence will begin and end at a division in the academic calendar and will cause not more than one interruption in teaching continuity during the school year in which the leave is taken.

A person absent from district service on an extended leave of absence does not enjoy a direct employment relationship with the Board, and the period of the leave will not accrue toward tenure and seniority, except as expressly permitted by law. No such person will receive compensation or benefits during the period of the leave.

Whenever possible, an uncompensated leave of absence will be granted for a time certain. When an employee cannot foretell the date on which the leave will terminate, the employee shall inform the Board not less than 2 weeks in advance of the anticipated date of return to district employment. Unless otherwise approved by the Superintendent.

A change in the purpose of a leave which has been granted must be reported to the Superintendent. The Board reserves the right to terminate any uncompensated leave of absence for which the purpose has been altered by the employee without permission.

At the expiration of the uncompensated leave of absence, the employee may return to district employment in a position for which he/she is appropriately certified.

Adopted: 03 May 2004

Revised:



# POLICY

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JURY DUTY

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## 3439 JURY DUTY

The Board of Education will indemnify any teaching staff member against loss of pay incurred by a call to jury duty. No such employee will be penalized in any way for an absence caused by service on a panel of grand or petit jurors. The time any such employee is absent on jury duty will not be charged against personal leave and will count as school district service.

Teaching staff members shall report a call to jury duty during the school term to the Principal or their immediate supervisor who shall determine whether or not a replacement is available. Teaching staff members scheduled for jury service during the school term for whom the administration indicates a replacement cannot reasonably be found shall seek from the Assignment Judge an excusal or deferment of service. Teaching staff members shall obtain from the Superintendent, or designee, a letter indicating the lack of availability of a substitute in such instances.

A teaching staff member who is a full-time teacher and is absent from school duties on jury duty for any court of New Jersey, any court of any other State, any federal district court, or in the U.S. District Court for New Jersey will receive their usual compensation from the school district for each day the teaching staff member is present for jury duty. In the event there is any jury duty compensation, excluding mileage and lodging, paid to the teaching staff member for their time on jury duty, the teaching staff member will be entitled to keep the jury duty compensation paid to him/her in addition to their school district paid usual compensation.

An employee summoned to jury duty shall promptly report the summons to his/her immediate supervisor. On return from jury duty, the employee must submit to his/her immediate supervisor a court record of the number of days served on jury duty.

While on jury duty, an employee must report daily to his/her supervisor the schedule for the following day

N.J.S.A. 2B:20-1 et seq.; 2B:20-10; 2B:20-16

Adopted



# POLICY

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## 4140 TERMINATION

The Board of Education will enter a contract with each non-tenured support staff member providing, in part, for the termination of employment by either party. The Board may terminate the employment of an employee for incompetence, immorality, unfitness for service, insubordination, reduction in force, or other good cause. Any notification of termination for cause will include a full statement of the reasons for the dismissal on notice duly given to a non- probationary employee.

The Board may terminate an employment contract with a non-tenured support 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 will not withhold its approval for arbitrary and capricious reasons. N.J.S.A. 18A:27-4.1.

An employee who offers insufficient notice of termination will be paid only through the last day of their service.

The Board may temporarily suspend an employee with or without pay and without notice when his/her continued services may be inimical to the interests of students.

N.J.S.A. 18A:6-10; 18A:17-2; 18A:17-3; 18A:27-4.1

Adopted: 03 MAY 2004



# POLICY

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Nutley Public Schools  
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WITHHOLDING AN INCREMENT

Page 1-1

## 4152 WITHHOLDING AN INCREMENT

The Board of Education recognizes that any advancement on a salary schedule, including annual increments and raises, is not automatic but rests within the discretion of the Board.

Advancement on any salary schedule shall require favorable reports covering the employee's competence and thoroughness in the performance of assigned duties as well as the employee's record of attendance and compliance with district regulations.

The Superintendent or designee shall base a recommendation for wage freeze or reduction on evaluations of the employee's performance and conduct. The Superintendent or designee must also show to the satisfaction of the Board that the standards by which an employee has been evaluated are not exceptional or unusual and are expected of all employees in a similar classification.

N.J.S.A. 18A:29-14

Adopted: 03 May 2004



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## 4216 DRESS AND GROOMING

The Board of Education believes the appearance and dress of support staff members is an important component of the educational program of this school district. The attitude of support staff members about their professional responsibilities and the importance of education in the lives of students are reflected in their dress and appearance. Accordingly, in order to create an atmosphere of respect for support staff members and an environment conducive to discipline and learning, the Board establishes the following rules for the dress of support staff members in the performance of their professional duties:

1. Acceptable attire for support staff members shall include, but not be limited to, dresses, skirts, blouses, suits, sweaters, pants, and dress shirts with or without a tie;
2. Inappropriate attire within the regular school day includes, but is not limited to, the following:
  - a. Jeans (unless approved by the Principal or designee for a special activity or event);
  - b. T-shirts;
  - c. Strapless shirts and dresses;
  - d. Sweatshirts, shorts, sweatpants, workout attire unless approved by the Principal or designee;
  - e. Beachwear; and
  - f. Hats and/or head coverings unless approved by the Principal or designee for medical or religious reasons.
3. The clothing and appearance of all support staff members shall be clean and neat;



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DRESS AND GROOMING

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4. No clothing may be worn that constitutes a danger to health or safety to the wearer or to others, and no clothing may be worn that interferes with the instructional program;
5. A support staff member may request a waiver of this dress code for the performance of particular duties. Such waivers may be granted by the Principal or designee or the support staff member's immediate supervisor;
6. The Building Principal or the support staff member's supervisor, as appropriate, shall determine whether a violation of this dress code has occurred and shall discuss the violation with the support staff member concerned. Where a single violation so warrants or violations recur, the Principal or supervisor may enter a reprimand in the support staff member's file and may recommend other appropriate disciplinary measures.

N.J.S.A. 18A:27-4

Adopted:



# POLICY

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## ACCEPTABLE USE OF COMPUTER NETWORK(S) / COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS

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### 4321 ACCEPTABLE USE OF COMPUTER NETWORK(S)/ COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS

The Board recognizes that as telecommunications and other new technologies shift the manner in which information is accessed, communicated and transferred that those changes will alter the nature of teaching and learning. Access to telecommunications will allow support staff members to explore databases, libraries, Internet sites, bulletin boards and the like while exchanging information with individuals throughout the world. The Board supports access by support staff members to information sources but reserves the right to limit in-school use to materials appropriate to educational purposes. The Board directs the Superintendent to effect training of support staff members in skills appropriate to analyzing and evaluating such resources as to appropriateness for educational purposes.

The Board also recognizes that telecommunications will allow support staff members access to information sources that have not been pre-screened using Board approved standards. The Board therefore adopts the following standards of conduct for the use of computer network(s) and declares unethical, unacceptable, inappropriate or illegal behavior as just cause for taking disciplinary action, limiting or revoking network access privileges, instituting legal action or taking any other appropriate action as deemed necessary.

The Board provides access to computer network(s)/computers for administrative and educational purposes only. The Board retains the right to restrict or terminate support staff members' access to the computer network(s)/computers at any time, for any reason. The Board retains the right to have the Superintendent or designee monitor network activity, in any form necessary, to maintain the integrity of the network(s) and ensure its proper use.

#### Standards for Use of Computer Network(s)

Any individual engaging in the following actions declared unethical, unacceptable or illegal when using computer network(s)/computers shall be subject to discipline or legal action:



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## ACCEPTABLE USE OF COMPUTER NETWORK(S) / COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS

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- A. Using the computer network(s)/computers for illegal, inappropriate or obscene purposes, or in support of such activities. Illegal activities are defined as activities which violate federal, state, local laws and regulations. Inappropriate activities are defined as those that violate the intended use of the network(s). Obscene activities shall be defined as a violation of generally accepted social standards for use of publicly owned and operated communication vehicles.
- B. Using the computer network(s)/computers to violate copyrights, institutional or third party copyrights, license agreements or other contracts.
- C. Using the computer network(s) in a manner that:
  - 1. Intentionally disrupts network traffic or crashes the network;
  - 2. Degrades or disrupts equipment or system performance;
  - 3. Uses the computing resources of the school district for commercial purposes, financial gain or fraud;
  - 4. Steals data or other intellectual property;
  - 5. Gains or seeks unauthorized access to the files of others or vandalizes the data of another user;
  - 6. Gains or seeks unauthorized access to resources or entities;
  - 7. Forges electronic mail messages or uses an account owned by others;
  - 8. Invades privacy of others;
  - 9. Posts anonymous messages;
  - 10. Possesses any data which is a violation of this policy; and/or
  - 11. Engages in other activities that do not advance the educational purposes for which computer network(s)/computers are provided.





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## ACCEPTABLE USE OF COMPUTER NETWORK(S) / COMPUTERS AND RESOURCES BY SUPPORT STAFF MEMBERS

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### Violations

Individuals violating this policy shall be subject to appropriate disciplinary actions as defined by Policy No. 4150, Discipline which includes but are not limited to:

1. Use of the network(s)/computers only under direct supervision;
2. Suspension of network privileges;
3. Revocation of network privileges;
4. Suspension of computer privileges;
5. Revocation of computer privileges;
6. Suspension;
7. Dismissal;
8. Legal action and prosecution by the authorities; and/or
9. Any appropriate action that may be deemed necessary as determined by the Superintendent and approved by the Board of Education.

N.J.S.A. 2A:38A-3

Adopted: 03 May 2004

Revised:



# POLICY

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Nutley Public Schools  
STUDENTS

5500

EXPECTATIONS FOR STUDENT CONDUCT (M)

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## 5500 EXPECTATIONS FOR STUDENT CONDUCT (M)

The Board of Education believes that students should commit themselves to learning and to the development of their unique potential. Students should know that their attitudes and acts affect both their own and their classmates' learning and should accept responsibility for helping to create a positive school environment. With the support and assistance of school staff members and parent(s) or legal guardian(s), all students can contribute to the effectiveness of the schools and the value of their education.

The Board expects all students in this school district, commensurate with their age and ability, to:

1. Prepare themselves mentally and physically for the process of learning;
2. Respect the person, property, and intellectual and creative products of others;
3. Take responsibility for their own behavior;
4. Use time and other resources responsibly;
5. Share responsibilities when working with others;
6. Meet the requirements of each course of study;
7. Monitor their own progress toward school objectives; and
8. Communicate with parent(s) or legal guardian(s) and appropriate school staff members.

The Superintendent shall, in consultation with staff members, parent(s) or legal guardian(s), and, where appropriate, students, develop a statement of specific student behaviors that exemplify these expectations and shall publish both this policy and the statement of behaviors to all students, parent(s) or legal guardian(s), and professional staff members.

N.J.S.A. 18A:11-1

Cross reference: Policy Guide No. 5600

Adopted: 03 MAY 2004



# POLICY

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5513

CARE OF SCHOOL PROPERTY (M)

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## 5513 CARE OF SCHOOL PROPERTY (M)

The Board of Education believes ~~that~~ the schools **district** should help students learn to respect property and **instill** ~~to develop~~ feelings of pride in **their school** ~~community institutions~~. The Board **requires** ~~charges~~ each student ~~enrolled in the~~ **this district to responsibly** ~~with responsibility for the proper care for~~ of school property and the school supplies and equipment entrusted to **the student** ~~his/her use by the school district~~.

Students who cause damage to **or lose** school property **may** ~~will~~ be subject to disciplinary measures. The Board authorizes the imposition of a fine for the loss, damage, or **destruction** ~~defacement~~ of a textbook or school issued electronic device and reserves the right to withhold a report card or diploma from any student whose payment of a fine is in arrears.

A student who demonstrates chronic and/or serious disregard for property may be referred to the Child Study Team.

The Superintendent shall develop rules for the safekeeping and accounting of textbooks and prepare a schedule of fines for lost, ~~and~~ damaged, **and destroyed** textbooks.

N.J.S.A. 18A:34-2; 18A:37-3

N.J.A.C. 6A:~~23A-20.623~~ 6.6

~~Cross reference: Policy Guide Nos. 2520, 7610, 8461, 9260~~

Adopted: 09 June 2014



# POLICY

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5516.01  
STUDENT TRACKING DEVICES  
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## 5516.01 STUDENT TRACKING DEVICES

The Board of Education recognizes students may have in their possession while in school, at a school-sponsored activity, or on a school bus an electronic tracking device that uses a global positioning system (GPS) or any other similar system. A tracking unit is a device, normally carried by a moving vehicle or person, that uses a GPS or similar system to determine and track its precise location, and hence that of its carrier, at intervals. The recorded location data can be stored within the tracking unit or it may be transmitted to another location, including, but not limited to, a central location database or an Internet-connected computer, using a cellular, radio, or satellite modem embedded in the unit. This allows the tracking unit's location to be displayed against a map backdrop either in real time or when analyzing the tracking path later, using tracking software. A tracking unit may be a device designed just for tracking or may be an application installed on any other electronic device.

A tracking unit may also have the ability to transmit in real time or through taping electronic communications to another location. These electronic communications may be one-way or two-way audio or video communications between the student and a person with a device at another location or an audio and/or video feature that enables a person remote from the student, with or without the permission of the student, to listen-in or have voice communications with the student and/or access video through the unit either in real time or by taping such communications.

The Board of Education permits the use of a tracking unit or an application on an electronic device that can track the location of the student while in school, at a school-sponsored event, or on a school bus. However, to protect the privacy rights of all students and to maintain the school district's legal obligation to maintain confidential student information in accordance with Federal and State law and regulations, the use of a tracking device or an application on an electronic device that enables any type of one-way or two-way audio and/or video communications or taping is not permitted.

A violation of the provisions of this Policy will result in a violation of the Student Code of Conduct Policy and appropriate discipline will be imposed.

Adopted:



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5517

SCHOOL DISTRICT ISSUED STUDENT IDENTIFICATION CARDS (M)

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## 5517 SCHOOL DISTRICTS ISSUED STUDENT IDENTIFICATION CARDS (M)

The Board of Education recognizes school building security measures are important for the safety and welfare of all students, staff, parents, and community members in school buildings. In recognizing this important responsibility, the Principal or designee may require students to carry a school district issued Identification Card.

An Identification Card will be issued to all students in all school buildings,

[Required For Any Grades Seven through Twelve]

The Identification Card shall have printed on the back the telephone number for the New Jersey Suicide Prevention Hope line (NJ Hope line) and contact information for a crisis text line pursuant to N.J.S.A. 18A:6-113.1. The district may, in addition to the telephone number for the NJ Hope line and contact information for a crisis text line, provide the contact information for the National Suicide Prevention Lifeline, a school district crisis center, or any other mental health support services pursuant to N.J.S.A. 18A:3B-73.2.]

The Principal or designee may require a student to present their Identification Card at any time during the school day or at any time during a school-sponsored activity on school grounds.

Notwithstanding any provision of this Policy, the Principal or designee may also require students carry their Identification Card at any school-sponsored, off-campus activity, including but not limited to, field trips or interscholastic sports programs pursuant to N.J.S.A. 18A:36-43a. The provisions of this Policy shall not be construed to require a student to carry the Identification Card while participating in an athletic contest or competition, an activity involving fine arts or performing arts, or any other activity that the Commissioner of Education determines does not require the physical possession of an Identification Card. An Identification Card used in accordance with N.J.S.A. 18A:36-43a shall include, but need not be limited to, the following information: the student's name; an up-to-date photograph; and the current school year.



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SCHOOL DISTRICT ISSUED STUDENT IDENTIFICATION CARDS (M)

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Any student who fails to have the Identification Card in their possession or fails to present it when required may be denied access to an event or activity and may be subject to appropriate discipline.

An Identification Card issued in accordance with this Policy shall not be considered a government record pursuant to P.L. 1963, c.73 (N.J.S.A. 47:1A-1 et seq.), P.L. 2001, c.404 (N.J.S.A. 47:1A-5), or the common law concerning access to government records.

N.J.S.A. **18A:3B-73.2**; **18A:6-113.1**; 18A:36-43

Adopted: 03 MAY 2004



# POLICY

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STUDENT JOURNALISM (M)  
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## 5722 STUDENT JOURNALISM (M)

The Board of Education believes it is important to afford students the opportunity to exercise their creativity, passion, and constitutionally-protected freedom of speech. However, the Board also believes this opportunity must be balanced between ensuring students have the right to speak freely while also preserving the ability of district staff to maintain the safe and orderly operation of the school district. The Board adopts this Policy granting students the right to exercise freedom of speech and of the press in accordance with N.J.S.A. 18A:36-44 and N.J.S.A. 18A:36-45.

For the purpose of this Policy, the following terms shall mean:

“Prior restraint” means a school official informing a student journalist(s) the news, opinion, feature, and advertising content of school-sponsored media, subject to the restrictions listed in N.J.S.A. 18A:36-45.b., N.J.S.A. 18A:36-45.c., and the provisions of this Policy, cannot be published in school-sponsored media or a school official takes any action to prevent a student from doing so.

“Prior review” means a school official reviewing school sponsored media before it is published, broadcast by a student journalist at school or distributed, or generally made available to members of the student body.

“School official” means the Principal or designee or an administrative staff member designated by the Superintendent.

“School-sponsored media” means any material that is prepared, substantially written, published, or broadcast by a student journalist at school, distributed or generally made available to members of the student body, and prepared under the direction of a student media advisor. School-sponsored media does not include media intended for distribution or transmission solely in the classroom in which the media is produced.

“Student journalist” means a student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media.

“Student media advisor” means an individual employed, appointed, or designated by the district to supervise or provide instruction relating to school-sponsored media.

Student journalists have the right to exercise freedom of speech and of the press in school-sponsored media, regardless of whether the media is supported financially by the district or by use of school district facilities, or produced in conjunction with a class in which the student is enrolled. Subject to 1. through 5. below, student journalists are responsible for determining the news, opinion, feature, and advertising content of school-sponsored media. N.J.S.A. 18A:36-45.b. and this Policy shall not be construed to prevent student media advisors from teaching professional standards of English and journalism to student journalists.



# POLICY

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This Policy does not authorize or protect expression by a student that:

1. Is libelous or slanderous;
2. Constitutes an unwarranted invasion of privacy;
3. Is profane or obscene;
4. Violates Federal or State law; or
5. So, incites students as to create a clear and present danger of the commission of an unlawful act, the violation of school district policies, or the material and substantial disruption of the orderly operation of the school.

The district shall not authorize any prior restraint of any school-sponsored media except for the types of expression prohibited under N.J.S.A. 18A:36-45.c. and as listed in 1. through 5. above.

A school official may implement a procedure for prior review of school-sponsored media. Any prior review of school-sponsored media required by the school official shall be communicated to the student journalist by the school official and be conducted within three school days after submission to the school official by the student journalist. If the school official cannot show the school-sponsored media is prohibited under N.J.S.A. 18A:36-45.c. and 1. through 5. above, within the three school days, the student journalist may release the school-sponsored media.

When a school official determines the restraint of student expression is necessary, the school official shall simultaneously identify at least one of the five prohibitions listed in 1. through 5. above under N.J.S.A. 18A:36-45.c. and in this Policy under which the limitation of student expression is appropriate. This determination shall be provided to the student journalist in writing by the school official that made the determination.

A student journalist may appeal, to the Superintendent or designee, a determination by a school official that the restraint of student expression is necessary. An appeal must be submitted in writing to the Superintendent or designee within five school days of the written determination being communicated to the student journalist. The appeal must include a copy of the written determination and the reasons why the student journalist believes the limitation is not appropriate. The Superintendent or designee may, but is not required to, provide the student journalist an opportunity to present their written appeal in person. The Superintendent or designee will make a determination on the appeal within five school days of receiving the written appeal from the student journalist.





# POLICY

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The student journalist may appeal a decision of the Superintendent or designee to the Board of Education in writing. The Board of Education will make a decision on the appeal at the first Regular Board Meeting after receiving the written appeal or within ten school days after receiving the written appeal.

A student journalist that violates a provision of this Policy may be subject to appropriate discipline.

The school district shall not sanction a student operating as an independent journalist. A staff member shall not be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in the conduct authorized under N.J.S.A. 18A:36-44 and N.J.S.A. 18A:36-45 and this Policy, or refusing to infringe upon conduct that is protected by this Policy, the First Amendment to the United States Constitution, or paragraph 6 of Article I of the New Jersey Constitution.

The Superintendent or designee shall determine reasonable provisions for the time, place, and manner of student expression for the purposes of school-sponsored media.  
N.J.S.A. 18A:36-44; 18A:36-45

Adopted:



# POLICY

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5820  
STUDENT GOVERNMENT  
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## 5820 STUDENT GOVERNMENT

The Board of Education recognizes the importance of offering students the opportunity to participate in representative self-government and to develop leadership skills. Students shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board of Education.

The Board recognizes the Nutley High School Student Counsel as the official voice of the student body for students in grades 9 through 12, provided the constitution and bylaws of that organization have been duly approved by the students it represents and by the Board and provided that all students have equal access to their student government and an equal opportunity to vote and hold office.

The Board shall appoint a qualified teaching staff member to serve as advisor to student government activities.

The Board directs that decisions made and actions duly taken by the official student government, in accordance with and within the scope of its constitution and bylaws, may not be voided or vetoed by any staff member.

Adopted: 03 May 2004

Revised:



# POLICY

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EQUAL ACCESS OF STUDENT ORGANIZATIONS

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## 5842 EQUAL ACCESS OF STUDENT ORGANIZATIONS

The Board of Education will permit the use of school facilities by student-initiated organizations for non-curricular student activities. A student-initiated organization, regardless of the size of the group, will not be denied an opportunity to meet and use school facilities on the basis of the religious, political, philosophical, or other content of the speech at their meeting.

An application for permission to meet on school premises shall be made to the building principal, who shall grant permission provided that he/she determines that:

1. The activity has been initiated by students;
2. Attendance at the meeting is voluntary;
3. No agent or employee of the district will promote, lead, or participate in the meeting;
4. The meeting is for a lawful purpose;
5. The meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
6. Non-school persons do not direct, conduct, control, or regularly attend the activity; and
7. The activity is adequately supervised by appropriately certified school district staff.

A student-initiated group granted permission to meet on school premises shall be subject to the same rules and regulations that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, creed, religion, national origin, ancestry, age, marital status, affectation or sexual orientation or sex, social or economic status, or disability. The Board will not permit the organization of a fraternity, sorority, or secret society. A student-initiated meeting may not be attended by any outside resource person(s).



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Access to school facilities by student organizations will be provided within the governing principles of the First Amendment of the Constitution of the United States.

An appropriately certified staff member shall be assigned to attend a student-initiated meeting in a custodial capacity and shall not participate in the activity while serving in this custodial capacity. No teaching staff member shall be compelled to attend a student-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs. The Building Principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.

20 U.S.C.A. 1701 et seq.

United State Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

Cross reference: Policy Guide Nos. 2430, 7510

Adopted: 03 May 2004

Revised:



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Students

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7510 USE OF SCHOOL FACILITIES

## 7510 USE OF SCHOOL FACILITIES

The Board of Education believes the school facilities of this district should be made available for community purposes, provided that such use does not interfere with the educational and co-curricular programs of the school district. For the purpose of this policy, “school facilities” also includes school grounds.

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the Business Administrator . The Board reserves the right to withdraw permission after it has been granted in the event circumstances change requiring such school facilities or school grounds will be needed for a school district purpose or due to a school closing due to weather or other emergency.

In weighing competing requests for the use of school facilities, the Board will give priority to the following uses, in the descending order given:

- (1) Uses and groups directly related to the schools and the operations of the schools, including student and teacher groups;
- (2) Uses and organizations indirectly related to the schools, including the P.T.A., P.T.O., Home-School Association, and other school-parent related organizations;
- (3) Departments and agencies of the municipal government; ie parks and recreation, holiday ceremony
- (4) Governmental agencies;
- (5) Community organizations formed for charitable, civic, social, or educational purposes;
- (6) Community political organizations;
- (7) Community church groups;  
Private groups and organizations;

The use of school facilities will not be granted for the advantage of any commercial or profit-making organization, partisan political activity, or any private social function.



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7510 USE OF SCHOOL FACILITIES

The use of school facilities will not be granted for any purpose that is prohibited by law.

Each user shall present evidence of the purchase of organizational liability insurance to the limit as prescribed by district regulations. Each user shall inspect any facility or school grounds to be used prior to such use and shall notify a district representative of any existing safety or dangerous conditions. In the event such conditions exist, the district may cancel or modify the user's access to the school facility until such conditions are addressed. Users shall be financially liable for damage to the facilities and for proper chaperonage as required by the school district administration.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted in accordance with Policy No. 7520. The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use, regardless of any assignment of negligence. Where rules so specify, certain items of equipment may only be used by a qualified operator approved by the school district administration.

The Board shall approve annually a schedule of fees for the use of school facilities based upon the following guidelines:

1. The use of school facilities for activities directly related to the educational program and district operations
2. All other organizations or persons granted the use of school shall pay in advance the scheduled fee and the cost of any additional staff services required by the use.

The school district shall provide a copy of Policy and Regulation 2431.4 – Prevention and Treatment of Sports-Related Concussions and Head Injuries to all youth sports team organizations that operate on school grounds or in school facilities. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that uses school facilities or operates on school grounds if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than \$50,000 per person, per occurrence; insuring the youth sports team organization against liability for any bodily injury suffered by a person.



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7510 USE OF SCHOOL FACILITIES

The youth sports team organization must also provide a statement of compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purpose of this Policy, a "youth sports team organization" means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

The Superintendent shall develop regulations for the use of school facilities; such regulations shall be distributed to every user of the facilities and every applicant for the use of school facilities. Permission to use school facilities shall be granted only to persons and organizations that agree to the terms of Policy and Regulation 7510, the requirements as outlined in the use of school facilities application, and in accordance with the terms outlined in the approval granted by the school district.

N.J.S.A. 18A:20-20; 18A:20-34

Adopted:



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RESPONSE TO CONCERTED JOB ACTION

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## 8470 RESPONSE TO CONCERTED JOB ACTION

In the event of a concerted job action, including but not limited to a work stoppage by any employee or groups of employees, the Superintendent shall be empowered to take necessary steps within statutory limits to protect the safety and welfare of students and staff and to ensure the security of school property, both real and personal. The Board of Education shall meet, in emergency session if necessary, as quickly and as frequently as required to ratify or alter the steps taken by the Superintendent.

### Emergency Powers of the Superintendent

The broad powers conferred on the Superintendent by this policy or elsewhere in this policy manual include, but are not necessarily limited to, the authority to:

1. Decide whether school shall remain open or closed and change school opening and closing times as the Superintendent deems appropriate;
2. Cancel all extra- and co-curricular activities when the Superintendent deems cancellation to be in the best interest of the school district;
3. Arrange a meeting place for the Board and a place for the school administration to function off school premises and outside the community, if necessary or desirable;
4. Arrange for the installation of unlisted telephone numbers in schools, in alternate Board and administrative facilities, in the homes of the Board President and the Superintendent, and in a nearby unidentified location;
5. Purchase or lease portable radio communication devices for use within buildings as a security measure;
6. Arrange for daily press releases via the designated Board spokesperson;
7. Employ around-the-clock security for all school buildings and grounds and increase that security when deemed appropriate;
8. Employ support staff help if school employees honor picket lines;





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## RESPONSE TO CONCERTED JOB ACTION

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9. Arrange rental of storage facilities off school premises for vendor deliveries during picketing;
10. Employ a locksmith to change locks on all outside doors, repair damaged locks, and prepare extra keys as needed for staff to function;
11. Arrange transportation across picket lines for any staff members who are concerned for the safety of their vehicles and/or their persons;
12. Establish an identification system that will ensure that only authorized personnel can enter school buildings;
13. Establish emergency working hours for administrative, supervisory, custodial, and office staff as necessary to ensure that certain district buildings are secured;
14. Expend moneys to communicate to students, parent(s) or legal guardian(s), and the community at large the day-to-day circumstances of the work stoppage and to issue special instructions to students;
15. Withhold paychecks from striking employees, in accordance with this policy;
16. Advise nonworking employees and all other employees of the status of the work stoppage, decisions of the Board, decisions of the courts, if any;
17. Issue special directives and notices to nonworking employees and other employees;
18. Accept assistance from volunteers as needed;
19. Alter the educational program as required to cope with an emergency situation;
20. Cancel leaves of absence for the duration of the emergency;
21. Purchase food for personnel forced to remain in school buildings during any emergency and for those who are involved in extended negotiations sessions;
22. Institute criminal prosecution of any individual apprehended or witnessed in the act or suspected of causing damage to school equipment, supplies, facilities, vehicles, or grounds;



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## RESPONSE TO CONCERTED JOB ACTION

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23. Remove vital communication equipment such as postage meters, typewriters, computers, word processors, addressing devices, photocopiers, and duplicating machines from school premises to an alternate site and place such communication equipment under around-the-clock security;
24. Establish a special internal and external communication and documentation system for events occurring at each facility during a job action; and
25. Take such other emergency steps as the Superintendent deems necessary and expedient to protect the safety and welfare of staff and students and the integrity of the school district.

The Superintendent shall report promptly to the Board all emergency actions taken pursuant to this policy.

### Emergency Board Policies

The following emergency policies of the Board of Education shall apply:

1. All usual policy adoption and revision procedures shall be suspended for the duration and the policy may be adopted, revised, or rescinded at any regular or special meeting of the Board;
2. Effective immediately, all employee absence for medical reasons, regardless of the duration of the absence, must be substantiated by a physician's written verification;
3. Each unauthorized absence shall result in an appropriate payroll deduction;
4. Payment for services rendered up to the date of a work stoppage will be processed, but no salary will be paid to an employee who does not report to work on a day when a concerted job action is in process;
5. Board members and administrators shall be reimbursed for expenses incurred for transportation, telephone, and meals in conjunction with attendance at meetings and negotiating sessions during a concerted job action;
6. Every reasonable effort shall be made to meet with employee representatives during a concerted job action to seek the grounds for the earliest possible settlement of differences;



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7. The Board President may call meetings of the Board on less than adequate notice during a work stoppage, in strict accordance with applicable requirements of the Open Public Meetings Act;
8. In the event a previously negotiated contract has expired and no successor agreement has been accepted by the parties, no deductions other than those required by federal and state law will be made from the wages of employees who participate in a concerted job action.

N.J.S.A. 18A:11-1

Adopted: 03 May 2004



# POLICY

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## 9135 CIVILITY

The Nutley Board of Education of Education members, District administration, and staff will treat parents/guardians and other members of the public with respect and expect the same consideration in return. The District is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.

### Disruptions

Any individual who:

1. Disrupts or threatens to disrupt school/office operations;
2. Threatens the health and safety of pupils or staff;
3. Willfully causes property damage;
4. Uses loud and/or offensive language which could provoke a violent reaction;

or

5. Is verbally or physically intimidating; or who
6. Has otherwise established a continued pattern of unauthorized entry on district property;
7. Harasses staff and others through repeated telephone calls and/or face to face confrontations;

will be directed to leave school or District property promptly by the Chief School Administrator or the Chief School Administrator's designee.

If any member of the public uses obscenities or speaks in an abusive, excessive, insulting, and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely request the speaker to communicate civilly. If corrective action is not taken by the abusing person, the district employee will seek to include an administrative representative in the meeting in an effort to restore civility.



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If an administrator is not available and/or a civil tone is not restored, the district employee will verbally notify the abusing person that the meeting, conference, or telephone conversation is terminated and, if the meeting or conference is on district premises, the abusing person will be directed to leave promptly.

When an individual is directed to leave under the above circumstances, the Superintendent, Principal or designees shall inform the person that he or she will be guilty of a misdemeanor in accordance with New Jersey law. If the person refuses to leave, the Superintendent or designee may notify law enforcement officials.

## Safety and Security

The Superintendent or designee will ensure that a safety and/or crisis intervention program for district staff is promulgated to raise awareness and to provide techniques in dealing with disruptive situations when they occur.

If and when violence is directed toward a district employee, or theft of district property is threatened or attempted, employees shall promptly report the occurrence to the Principal or supervisor and submit a written report. Employees, through the supervisor, should report to law enforcement officials any attack, assault, or threat made against them on district premises or at school or district sponsored activities

## Documentation

When it is determined by a district employee that a member of the public is in the process of violating the provisions of this policy, an effort should be made by the employee to provide the offending person a written copy of this policy at the time of the occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident.

Adopted:



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Nutley Public Schools  
COMMUNITY

9500

COOPERATION WITH EDUCATIONAL AGENCIES

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## 9500 COOPERATION WITH EDUCATIONAL AGENCIES

The Board of Education recognizes the need for communication between this district and other districts and educational institutions that provide programs, training, and services not otherwise available to children residing in this district.

20 U.S.C.A. §3066

N.J.S.A. 18A:38-13.1 et seq.; 18A:40-23 et seq.;  
18A:46-19.1 et seq.; 18A:46A-1 et seq.;  
18A:58-37.1 et seq.

N.J.A.C. 6A:23-6.1 et seq.; 6A:14-6.2 et seq.

Cross reference: Policy Guide No. 2700

Adopted: 03 May 2004



# POLICY

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Nutley Public Schools  
COMMUNITY

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## RECRUITMENT BY SPECIAL INTEREST GROUPS (M)

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### 9713 RECRUITMENT BY SPECIAL INTEREST GROUPS (M)

The Board of Education prohibits recruitment activities by outside organizations on school premises, regardless of the purpose of the recruitment or the nature of the recruitment agency. Except as required and referenced below no information about individual students will be released for the purpose of approaching students for educational, occupational, military, or any other recruitment purpose.

However, a school district that receives funds under ESEA, on request from a military recruiter or an institution of higher education, must provide access to the names, addresses, and telephone listings of each secondary student served by the Board of Education. Parents and/or adult students may submit a written request to the Superintendent or designee to opt out of the disclosure of such information for the student in which case the information will not be released without the parent's or adult student's written consent.

Parent(s) of secondary students and adult students shall be informed annually in writing of their right to request a secondary student's excusal from participation in all recruitment activities and/or from having their child's name, address, and/or telephone listing provided to a military recruiter, an institution of higher education, or a prospective employer.

The district will give military recruiters the same right of access to secondary students as generally provide to post-secondary institutions and prospective employers.

Representatives of bona fide educational institutions, occupational agencies, and the United States Armed Forces may recruit students on school premises by participation in assembly programs, career day activities, and the like and by distributing literature. Permission to recruit on school premises must be requested in writing at least forty-five working days before the planned activity and must be approved in advance by the Superintendent or designee. The Superintendent or designee shall not favor one recruiter over another, but shall not approve an activity that, in the judgment of the Superintendent or designee, carries a substantial likelihood of disrupting the educational program of the school or school district.

Nothing in this Policy shall be construed as requiring the Board to approve or participate in an activity that appears to advance or inhibit any particular religious sect or religion generally.

N.J.S.A. 18A:36-19.1

Elementary and Secondary Education Act of 1965 – §8528

Adopted: 03 MAY 2004

