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**Lacey Township School District Board of Education
Policy Committee Meeting
Co-Curricular, Safety & Security, LTASA**

AGENDA - Wednesday, October 12, 2022 @ 4:00 pm - Board Office Conference Room

Kim Klaus, **Chair**
Skip Peters
Linda Downing

Frank Palino, Alternate
Vanessa R. Pereira - Superintendent

New Policy/Regulations for Review and/or Discussion:

- P 0163 - Quorum - (Revised)

*Bylaw Guide 0163 establishes the minimum number of Board members that make a quorum of the Board to conduct official Board business. Bylaw Guide 0163 also addresses when and how the Doctrine of Necessity shall be invoked. The Board does not have a quorum to participate in the discussion of a matter or act upon a matter when too many Board members have a legal conflict. In this situation, the Doctrine of Necessity, when invoked appropriately, allows the Board to act upon the matter involving the conflicting Board members. Bylaw Guide 0163 has been revised to provide additional details and procedures when a Board invokes the Doctrine of Necessity. Advisory Opinion A11-96 indicates the Board does not have to adopt a resolution to invoke the Doctrine of Necessity and may announce the Doctrine of Necessity has been invoked. However, a subsequent 2018 School Ethics Commission resolution on invoking the Doctrine of Necessity indicates the Board **should**: adopt a Resolution invoking the Doctrine of Necessity; read the Resolution at the regularly scheduled meeting; post the Resolution for thirty days; and provide a copy of the Resolution to the School Ethics Commission. Revised Bylaw Guide 0163 recommends “will” rather than “should”, as requiring a conservative, more open approach provides the most protection for a Board and the actions it takes under the Doctrine of Necessity, if challenged. Bylaw Guide 0163 is also revised to align with the statutory language in N.J.S.A. 18A:10-6 regarding commencement times for Board meetings. Adoption of Bylaw Guide 0163 is not mandated, but is highly recommended. Bylaw Guide 0163 is **RECOMMENDED***

- P 0164 - Conduct of Board Meeting - (Revised)
- P 1511 - Board of Education Website Accessibility (M) - (Revised)

*Policy Guide 1511 was developed in 2017 as a result of the United States Department of Education (USDOE), Office of Civil Rights (OCR) requirement for a school district's website content and functionality to be accessible for people with disabilities. Policy Guide 1511 was accepted by the OCR as part of a settlement agreement with several New Jersey school districts. School districts that receive Federal funding have been required to comply with the provisions of the Federal Law and the provisions of Policy Guide 1511. Recently, N.J.S.A. 18A:36-35.1 was approved by the New Jersey legislature and signed by the Governor requiring a school district's Internet website or webservice be in compliance with the same Web Content Accessibility Guidelines as required by the USDOE OCR. In summary, school district websites, including online content offered by third-party vendors to the public, must be in compliance with these Guidelines as per Federal regulations and State statute. The existing OCR requirements and recent New Jersey requirements outlined in this Policy Guide 1511 are technical and require additional information technology (IT) work for a school district to be in compliance. The OCR regulations provide an exception for a school district when compliance would impose an undue burden or create a fundamental alteration of the district's websites. However, the New Jersey statute, N.J.S.A. 18A:36-35.1, does not provide such exception. Therefore, the exception provision in the Federal OCR regulations has been removed as an option for school districts. In addition, the OCR regulations and N.J.S.A. 18A:36-35.1 require compliance by third party vendors who provide web services to students and the public on behalf of the school district. Strauss Esmay's website was recently upgraded to be in compliance with these Guidelines. The OCR regulations and N.J.S.A. 18A:36-35.1 do not mandate a policy, but compliance is required; therefore, Policy Guide 1511 is **MANDATED***

- P 2415 - Every Student Succeeds Act (M) - (Revised)

*Policy Guide 2415 has been revised to reflect the recently updated Title I Policy Guides 2415.04 and 2415.50 concerning Parent and Family Engagement. In Alert 227 – April 2022, Policy Guide 2415.04 was updated and Policy Guide 2415.50 was developed. "Parental Involvement" was revised to "Parent and Family Engagement" and the Policy numbers and titles were also updated. Policy Guide 2415 is mandated for schools that receive Title I funding. Policy Guide 2415 is **MANDATED***

- P 2415.04 - Title I - District - Wide Parent and Family Engagement (M) - (Revised)
- P 2415.50 - Title I - School, Parent and Family Engagement (M) - (New)

School districts that receive Title I, Part A funds are required to have Parent and Family Engagement Policies. Strauss Esmay initially developed Policy Guide 2415.04 in 2003 and revised it in 2005 and 2010. All previous versions of Strauss Esmay's Policy Guide 2415.04 were written to satisfy the Title I requirement for a District - Wide Policy and for a School Policy for all schools in the district. School districts are currently being monitored by the New Jersey Department of Education (NJDOE) and have been informed they must have one District - Wide Policy and one School Policy for each school in the district. Strauss Esmay contacted the NJDOE and the Title I office confirmed this requirement. Therefore, a school district with ten schools would need a separate District - Wide Policy and ten individual School Policies. The NJDOE has indicated a school district that has one school may have a combined District and School Policy provided the Policy includes the Title I requirements of a District and School Policy. The NJDOE has a model District and School Policy on its website, but the NJDOE has not provided a model Combined

District and School Policy for a school district with one school. Therefore, to ensure policy compliance with monitoring requirements, it is recommended a school district with one school adopt a District Policy and a School Policy for the one school in the district.

Policy Guide 2415.04 - District - Wide Parent and Family Engagement Policy has been re-written and a new Policy Guide 2415.50 - School Parent and Family Engagement Policy, based on the model policies provided by the NJDOE, has been developed. School districts should assign 2415.50 to the first School Policy with additional School Policy numbers being 2415.51, 2415.52, 2415.53, etc. Developing a separate School Policy for each school in the district may require a significant amount of work as these Policy Guides require listing specific actions and activities to be taken by each school in the district. These are United States Department of Education policy requirements that are monitored by the NJDOE. Our office has been advised to inform school districts to forward any questions related to these policies to the NJDOE Title I Office at titleone@doe.nj.gov.

Policy Guide 2415.04 has been re-written and should replace a district's existing Policy Guide 2415.04 and the new School Policy Guide 2415.50 should be developed and adopted for each school in the district. Policy Guides 2415.04 and 2415.50 are mandated for school districts that receive Title I, Part A funds and for those schools in the district that are served by Title I, Part A funds. These policies will be required if and when the school district is monitored or audited.

*Policy Guide 2415.04 is **MANDATED***

*Policy Guide 2415.50 is **MANDATED***

- P/R 2432 - School Sponsored Publications - (Abolished)
- P 3270 - Professional Responsibilities - (Revised)
- R 3270 - Lesson Plans and Plan Books - (Revised)

Policy and Regulation Guides 3270 have been updated to reflect current best practices in education. Policy Guide 3270 has been revised to remove the blanks and require the Principal or designee to review lesson plans, assign extra or alternative duties to teaching staff members, and excuse teaching staff members from faculty meetings. Regulation Guide 3270 has been rewritten to incorporate updates to make Regulation Guide 3270 current and applicable to school districts. Policy and Regulation Guides 3270 are not required by any applicable statute or administrative code; therefore, a school district may make revisions to these Guides as necessary or use their own locally developed policies and regulations. Policy and Regulation Guides 3270 are not mandated, but it is recommended a Board of Education adopt a professional responsibilities policy and regulation to assist school districts in developing procedures for teaching staff members' lesson plans and plan books.

*Policy Guide 3270 is **RECOMMENDED***

*Regulation Guide 3270 is **RECOMMENDED***

- P/R 5513 - Care of School Property (M) - (Revised)

Policy Guide 5513 has been revised to update language and include an updated legal citation. N.J.A.C. 6A:23-6.6 has been moved to N.J.A.C. 6A:23A-20. This code section addresses the school district's right to reimbursement for damaged, lost, or destroyed textbooks loaned to a student. There are also several minor revisions to the language of Policy Guide 5513. In addition, Regulation Guide 5513 has been revised to include an updated process used to assess and collect textbook fines.

The schedule of fines included in E.1. of the Regulation Guide has been removed and the schedule is now addressed in C.8. of the Regulation Guide indicating fines may be assessed for lost and damaged textbooks in accordance with a schedule as approved by the Superintendent or designee. Most provisions in the Regulation Guide are not governed by statute or administrative code. Therefore, a district may revise Regulation Guide 5513 to address local district practice regarding book fines.

*Policy Guide 5513 is **MANDATED***

*Regulation Guide 5513 is **MANDATED***

- P 5722 - Student Journalism (M) - (New)

P.L. 2021, c. 309 was recently signed into law and codified at N.J.S.A. 18A:36-44 and N.J.S.A. 18A:36-45. The new statutes require school districts to adopt a written policy concerning student freedom of expression in accordance with the provisions of the new statutes. The new statutes include definitions; indicates a student journalist has the right to exercise freedom of speech and of the press in school-sponsored media; provides student expression that is not protected expression by a student journalist; includes a process school officials must follow when it is believed the student expression in school-sponsored media is not protected; and provides an appeal process of a school official's decision restraining student expression. In accordance with the new statutes, the Superintendent or designee shall determine reasonable provisions for the time, place, and manner of student expression for the purposes of school-sponsored media. Schools continue to have the right to determine the time, place, and manner of school-sponsored media as these provisions are locally determined and are unique to each school district's student media program.

Many of the provisions in the new statutes are currently addressed in Strauss Esmay's current Policy Guide 2432 – School Sponsored Publications; however, now that New Jersey statutes address school-sponsored publications and student journalists, Strauss Esmay recommends Policy and Regulation 2432 be abolished and the Board adopt this new Policy Guide 5722. Most of the information included in Strauss Esmay's existing Policy and Regulation 2432 has been incorporated into the new Policy Guide 5722.

Many New Jersey school districts recently received an email and Model Policy on this subject from the Student Press Law Center (SPLC), a Washington, D.C. non-profit organization that promotes, supports, and defends the First Amendment and press freedom of student journalists and their advisors. Sections of the SPLC Model Policy are directly from the New Jersey statutes and are included in this new Policy Guide 5722, while some sections in the SPLC Model Policy are not included in the New Jersey statutes. Strauss Esmay's Policy Guide 5722 incorporates all the provisions in the New Jersey statutes with the addition of a student appeal process, which is not a requirement in the New Jersey statutes, but makes sense to include in Policy Guide 5722.

*Policy Guide 5722 is new and is mandated for a school district that has student journalists and school-sponsored media as defined in the New Jersey statutes and this Policy Guide. Policy Guide 5722 is **MANDATED***

- P 8420 - Emergency and Crisis Situations (M) - (Revised)

Policy Guide 8420 has been updated to include the new language in N.J.S.A. 18A:41-7a. regarding school security drills. This new law requires a school district to ensure a school security drill that occurs when students are present and does not expose the students to content or imaging that is not

*developmentally or age-appropriate. The new law also provides a school district may permit emergency personnel access to the buildings and grounds of its schools for school security drills that are scheduled outside of school hours and during such times when students are not present. A school district shall now review and update its school security drill procedures using a process that coincides with the review of the school safety and security plan developed pursuant to N.J.A.C. 6A:16-5.1 and shall also collect input from emergency personnel, parents, teachers and staff, mental health professionals, and student government representatives from multiple grade levels. The new law also requires a school district to annually track data on such measures and information as required by the Commissioner of Education and also report the data to the Commissioner. Policy Guide 8420 is mandated. Policy Guide 8420 is **MANDATED***

- P/R - 9320 - Cooperation with Law Enforcement Agencies (M) - (Revised)

Policy and Regulation Guides 9320 have been re-written to align with N.J.A.C. 6A:16-6.2 which governs the development and implementation of policies and procedures for law enforcement operations in a school. All school districts must annually review, revise when appropriate, and adopt a “Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials” (MOA) pursuant to N.J.A.C. 6A:16-6.2(b)13 through 14. The MOA provides a much greater level of detail regarding N.J.A.C. 6A:16-6 and all of the requirements outlined therein. Strauss Esmay has included some requirements from the MOA under section C. of Regulation Guide 9320. This section of Regulation Guide 9320 addresses the requirement of Mandatory Reporting to Law Enforcement.

Policy and Regulation Guides 9320 have been re-written to reflect the required code language in N.J.A.C. 6A:16-6.2 and to incorporate the school district’s MOA by reference throughout the Guides. This provides school districts greater flexibility to address their MOA annually without having to revise and adopt Policy and Regulation Guides 9320. This also ensures that as long as school districts annually review and adopt the MOA as required by law their Policy and Regulation 9320 will be up to date and accurate. If there are any subsequent changes to N.J.A.C. 6A:16-6.2, Strauss Esmay will revise Policy and Regulation Guides 9320 to reflect those changes. Policy and Regulation Guides 5530 also address requirements from the MOA and is referenced within Policy and Regulation Guides 9320 to ensure all aspects of N.J.A.C. 6A:16-6.2 are fully addressed. Policy and Regulation Guides 9320 are mandated and must be adopted by the Board.

*Policy Guide 9320 is **MANDATED***

*Regulation Guide 9320 is **MANDATED***

Co-Curricular - no agenda items to discuss

Safety and Security

- ALICE Institute - Navigate 360

LTASA - no agenda items to discuss

Other

- Redistricting Committee Update

Next Meeting: Tentative - November 15, 2022