

South Orange Maplewood School District
Policy Committee of the Board 2021
October 11, 2021 - 5:30 pm
Agenda

Superintendent: Dr. Ronald Taylor

Committee Chair: Susan Bergin

Members: Elissa Malespina, Erin Siders, Student Representative Noah Morros

Administrative Liaison: Dr. Gretel Perez, Assistant Superintendent for Access and Equity

In-House Counsel: Joanne Butler¹

Policy 5600 and General Discussion of Policy Procedures-

- Ms. Butler spoke about the Code of Conduct and language that links the two together that requires the Code to have BOE approval.
- The way the policy is written, it's unclear whether the Code of Conduct should be approved by the Board.
- Recommendation is that policy language be changed to keep policy and code of conduct separate.
- Dr. Taylor noted that the Code can go before the Board and make recommendations every 3 years.
- Ms. Butler shared that she prepared a memo and can provide same to the committee;
 - Question of how often policies should be updated;
- Policies should be updated whenever there is a change. Mandated policies should be reviewed to make sure they are updated;
- Using the Strauss Esmay service to let us know when the policies are updated is helpful.
- It allows the District to update policies on a more frequent basis.
- More work is needed;
- Committee should make note of and discuss mandated policies as they are updated.
 - Request that the spreadsheet that Dr. Morana was working on be shared with the committee.
 - Question: If we have a policy that needs to be passed at the end of the month, what is the guidance
- Plan for emergency/virtual instruction needs to be updated; If more time is needed, additional time can be requested from the county.
- Board may have action meeting or working meeting;
- Taking a reasonable action by taking it for first read while plan is being approved, we are safe under the requirements.

Re-Voting on policies passed in May

¹ Ms. Butler left the meeting at 6:23 pm.

- Question about how to deal with the May policies since BOE members did not want to vote on the policies a certain way, and the policies could not be severed since we were past the time.
- Easiest to rescind those motions and revote and do them as separate motions.
- Moving forward, resolutions are broken down as separate policies.
- Cannot rescind a motion to do something that the board cannot undo -- such as 'ungrant an employee tenure.'
 - Question: How does that work if the policy has been put into effect?
 - Is there a concern on the timing of the rescission of the policies.
- Policies can also be amended.
- Can make a resolution and re-do.
- This should not have to go through the policy committee - just decide whether to rescind or amend.
- Recommend that it be rescinded rather than amended.
 - Discussion: There's a legal opinion that we can do this without a problem.
 - Board member requests that we move forward with this.
 - Discussion: Board member prefers not to rescind policies that have been in effect for a few months. Amending may be preferred approach.
 - Question: If the policy is rescinded and it doesn't pass, does the existing policy remain in effect? Need to know what policy would have been in effect for the last few months - want to avoid the ambiguity especially regarding the federal funding policies.
- Rescission would be of the resolution -- not the policy.
 - Question: Is there a third option for a vote of affirmation or the BOE to continue to affirm this policy.
- Legal does not recommend that.
 - Questions: What is the process for this? Does someone have to make a motion -- who can make the motion? Does it get seconded? Are there two motions?
- There would be a motion to the resolution #, seconded by ... Then a resolution to approve the policies.
 - Question: Can anyone make the motion and second that motion?
- Motion should be done by Board member who voted in favor of the original resolution.
- Motion can be done by someone who voted in May, anyone can second.
- There can be a discussion and then a vote;
 - Question: Is it a 50% +1 vote?
- It's a two-thirds majority vote.
- Amending the policy means to strike out the text;
- Motion to rescind has to be separate before motion to sever the policies.
 - Question: What is written on the agenda?
- Recommendation to handle under the old business/new business methodology -- alleviating the assumption that the resolution will pass.
- Can add this in new business so that it doesn't appear that the Board has already decided to vote on the resolution.
 - Question about policies that are required as per federal grants.

- Question: Should a board member discuss with the Board President which is our process when needing legal consultation.
- Yes.

1. Board Policy Reviews and SLT (and Administration) Input

a. Policies for **Second Reading (review any comments received)**

3160.01 - Quarantine policy- discuss & address feedback

- Board member feedback suggested deleting the 2nd paragraph;
- Persons having to travel would need to quarantine.
- Teachers quarantining to take care of their children;
- Add the number of days that a teacher can teach from home
- Few things we can do; schools have permanent subs - would be for outside subs;
- Depends on the age group - younger child versus a 17 year;
 - Question: Are we limited the policy to the age group that cannot be vaccinated and those for medical reasons;
- Add the age group and the 5 day; current schedule is 10 day;
- Make it up to 10 days;
- Need to add proof of quarantining;
- Board members raised concerns about contact tracing versus exposure at school or not at school;
 - Question: Can the wording be adjusted for contact tracing in the schools;
- Dr. Taylor presented the following scenario:
 - If a kindergarten student tests positive and a 5th grade teacher also tests positive, that has never met the student - we can say with certainty that the student did not cause the teacher to get COVID.
- District hasn't had in-school spread.
- If a teacher is at school and exposed and vaccinated, they don't need to quarantine.
- More of an incentive to be careful in all scenarios even outside of work;
- If the board supports the policy, a policy can be updated/developed for non-certificated staff;
- This policy will be adopted as is - specific to teaching/certificated staff;
- Depending on the Board's action, can see if this is warranted for support staff.
- Concern is that if we add in the language "certificated staff", what kind of specificity would be needed to pick up principals, aps, guidance counselors?
- A cap on days would help; Concern is always abuse;
- Can also capture information in the regulation;
- Will be discussed in the Personnel Committee, SLT and with ASCA.

1648 Road Back (repeal 2 others)

1648.13 - School Employee Vaccination Requirements

- Add a timeline for submitting tests and that staff member should pay for the test.

- Nurse Porter and Ms. Robinson discussed the timeline for the testing;
- Testing on Sunday - results not available for Monday;
- It's fair for employees to submit their negative test the day before;
- Unvaccinated must submit their test results every Sunday.
- Delete notes after "recovered info...)

2417 Pupil Intervention and Referral Service - discuss & address feedback

- Add language that I&RS is not something that stands between the parent and CST;
- Would like to put this on again for first read -- based on feedback from SEPAC and new information;
- Board member would like opening statement stating commitment for LRE;
- Added "regularly" before "access the effectiveness;"
- Quarterly reviews;
- Development of regulations on the I&RS process, action plan, timeframe for referrals.
- Policy doesn't mention the Asst. Supt. of Special Services;
- Principal reports need to go to Asst. Supt. Special services;
- Dr. Morana provided data on which students went to I&RS process and how many stayed in general education;
- The Board used to get that data;
- Instead of getting a report -- the Board can get a report out;
- Report should include demographic information;
- Administration will look at work that may have already started by Dr. Alegria.

5770 Student Right of Privacy

- No feedback; proceed to second reading;

5751 Sexual Harassment - discuss feedback, add education & prevention (will it be ready for second?)

- Their commented about whether we have an employee code of conduct?
- There's no employee code of conduct or handbook -- it's what's in the policy;
- Staff is included in parts of the student code of conduct;
- Behavior would need to refer to board policies;
- Some districts use 6A and 18A;
- Instead of applicable law and district policies, and the language: "Applicable State Legal Guidelines/Statutes (6a & 16a) and District Policies;"
- Clarification that this policy applies to the US - if it didn't happen in the US it would not be applicable;
 - Question: Why is the anonymous box located at the CHS.
- Concern about being at CHS due to the limit of school visitors;
- Will speak with principals about where we place the drop box;
- Maybe have the box in every guidance office; - in each school's guidance suite;
- Ask Director of Guidance to spearhead;
 - Question: Is there a limitation on reporting statutes;
- No limitation;

- Making HIB separate;
 - Question on whether this applies to social media;
- Added online or in-person; It applies to wherever the school has jurisdiction; To make it clearer, added District activity, online and in-person;
 - Questions about definitions
- Counsel recommended against changing as it's directly from the statute;

b. Policies in Process of Being Prepared for First Reading

0143.2- Student Representatives to the Board of Education

- Can be added for first read;
- After the last round of elections, discussions to remove the requirements for school board signatures;
- The 75 student and 10 teacher signatures seem like enough;

2425 Emergency Virtual or Remote Instruction Program

- There's a lot about who we would pay when we go virtual for folks who cannot do their jobs;
- Previously, law allowed for payment of vendors;
- An important change in this version;
- May be a difference of opinion among board members;
- Add it on for first reading;

2422 Health & Physical Education (Combine with 2425; repeal 2425) -SLT to revise

- Will determine whether to add for this policy on for first reading after discussion in C&I;

2431 Athletic Competition - SLT to review & complete

- Will determine whether to add for this policy on for first reading after discussion in C&I;

c. Strauss Esmay Policy Alert Review

[Alert 223](#) (in Drive)

[Alert 224](#) (In Drive)

[Alert 225](#) (In Drive)

Will send out the alerts to all the committee members;

Meeting adjourned at 7:39 pm.

2. New Business

- a. Updating policies on the website

3. Old Business

- a. Determine which committee is responsible for which policy sections so we can share review of Alerts; here is one proposal (giving Policy the ones that don't fit neatly anywhere else)

000	Bylaws - EXEC
1000	Administration: EXEC
2000	Program: C&I
3000	Teaching Staff Members: PERSONNEL
4000	Support Staff: PERSONNEL
5000	Students: C&I
6000	Finances: FFT
7000	Property: FFT
8000	Operations: FFT
9000	Community: POLICY