

NEWARK TEACHERS UNION UPDATE

December 14, 2018

Letter from the President

Another Victory!



John Abeigon
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Dear Union Brothers and Sisters,

[This week, the New Jersey Supreme Court helped us take another massive step in cleansing all the corporate reform stench from the Newark Public schools.](#) A group calling itself

“Partnership for Educational Justice” tried to claim that tenure and seniority was harmful to students.

The lawsuit failed since it didn't show that the teachers at the schools the plaintiffs' children attended were evaluated as ineffective. We already have a system in place to remove ineffective teachers through TEACHNJ.

This case was all about weakening public schools and their unions. We're glad that, at least in New Jersey, it puts a period at the end of this witch hunt of experienced and tenured teachers. The war is far from over, but we will continue to fight and win as we have time and time again.

In Solidarity,

A handwritten signature in black ink that reads "John".

John M. Abeigon
President/Director of Organization
Newark Teachers Union

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Newark Teachers
Union

December
3rd-20th

Christmas TOY DRIVE



N.T.U.



1019 Broad Street Newark, NJ 07102

Unwrapped toys for all ages will be
collected and distributed to the YMCA.
Drop off: 1st Floor Conference Room

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WINTER COAT DRIVE

December 3rd-20th

**Newark Teachers
Union**

Accepting all lightly
used coats of all sizes.



Newark Teachers Union
1019 Broad Street
Newark NJ 07102

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NTU Legal Update— Keeps Hands Off, Otherwise Handcuffs will end up on! (Page 1)

Did you see the video which has gone viral showing a teacher punching a student in the face after the student derogatorily called the teacher a racial slur? It was on every television station because the students in the class video recorded it on their cell phones. The male teacher went at the student and pummeled the student to the floor inflicting one punch after another to the face and body of the delinquent student. Another video clip showed what happened before the punching began. The teacher was standing fact to face with the student while in front of the entire class. The teacher was telling the student to stop and leave the class. The student continued to harass the teacher and then the teacher let loose a flurry of punches upon the student. The teacher was arrested and suspended. A legal defense fund has been established for the teacher. Hands off otherwise handcuffs on!

Ask yourself this question ... what would have you done if a student unleashed a canon load of bad words about you in front of a classroom full of students? If I were there, I know what I would have liked to do but should have I done it? Please note the teacher had to be enormously frustrated to do what he did. What caused the teacher to act as he did???

1. Was it a mano to mano situation where male teacher ego couldn't be embarrassed in front of students? This happens all the time between men teachers and male students. Don't bite.

2. Did the student, who was obviously street wise, bait the teacher like the spider who spins a web to catch its victim? Sure did! Spending a weekend in Newark jail before being bailed out is an unpleasant experience for a teacher.

Remember, too often you've heard "get off me. You're not my mother" when you're not even near a student or "you hit or pushed me" when you weren't near the student or the frequently said "I'm gonna get you fired." Believe me students know DYFS better than you as do many of their parents who have been involved with DYFS.

Did the student egg the teacher on knowing that once the teacher blew his stack, the teacher's goose was cooked? Sure looks that way in the film! The student got the teacher. Don't take the bait.

Don't ever be embarrassed to step away and out of a student's territory who you know or suspect is looking to ensnare you in a trap to get you out of the classroom and the student then becomes the victim. The bad kids will unite against you! It happens all the time.

Know who your good students are in every class and preach civility so you have a record of doing so and they hopefully will tell the truth. Preach the back off an count to 10 theory to yourself and colleagues. Don't challenge verbally or physically the challenging students. You must learn a gimmick to cool things down without rushing in like the marines. That is exactly what they want you to do. It's simple "stay out of their approximate territory when things get heated." Don't throw gasoline on the fire.

NTU Legal Update Page 2

Yes, there are times when you physically must intervene and here is when:

18A:6-1. Corporal punishment of pupils

No person employed or engaged in a school or educational institution, whether public or private, shall inflict or cause to be inflicted corporal punishment upon a pupil attending such school or institution; but any such person may, within the scope of his employment, use and apply such amounts of force as is reasonable and necessary:

- (1) to quell a disturbance, threatening physical injury to others;
- (2) to obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil;
- (3) for the purpose of self-defense; and
- (4) for the protection of persons or property;

and such acts, or any of them, shall not be construed to constitute corporal punishment within the meaning and intent of this section. Every resolution, bylaw, rule, ordinance, or other act or authority permitting or authorizing corporal punishment to be inflicted upon a pupil attending a school or educational institution shall be void.

Remember, you can't place your hands on a student as punishment. You can't place your hands on a student as discipline for wrongdoing unless under the above-mentioned circumstances and only in a reasonable manner so as not to inflict harm, bleeding, bruises. Force must be minimal and released as soon as possible. Avoid head, neck, breast and genital areas. If you can and have time, send a student for security.

Yes, unfortunately, there are times that you physically must intervene otherwise you could be charged with neglect of supervision. Make sure, when possible, you first verbally intervene and do so promptly after seeing the possibility of a physical altercation between students and record your immediate verbal intervention in your incident report, a copy of which you must keep for your records. De-escalate! De-escalate verbally!

TERRITORY EXAMPLES

- Student is 10 to 15 feet away from you cursing at you or other students. What's the wise thing to do?
- Student who you know to be aggressive picks up a chair and says he will throw it at you or nearby student. What should you do?
- Student is running around room knocking over chairs and ripping down posters? What should you do?
- Student in music class is banging on keyboards where the instrument may break. What should you do? To what degree should you restrain him? How much force should you use?
- Student attacks with force a smaller student with ability to cause serious harm. What should you do?

Students who have broken your rules rather than face the consequences will shift wrongdoing to you knowing that by accusing you of wrongful touching they might get off the hook. It happens daily in our schools.

I think of the teacher who was verbally and racially abused who simply couldn't take any more of it and blew his cool! The student got under the teacher's skin purposely. The media blew the incident up like an atomic bomb. The student is back at school proud as a peacock. The teacher is suspended without pay facing criminal charges!

Call the NTU if you are accused of anything by anyone! Your livelihood depends on your being cool and composed when territorial issues arise. Contemplate in advance on how you're going to handle various categories of incidents.

Please print this out for yourself and keep it with your lesson plans for substitutes. They are more victimized by students and have the most difficult time not knowing when it's wise to stay out of a misbehaving student's territory. Please discuss with your co-workers the contents of this communication. Make "territory" a discussion subject at a faculty meeting. So far this year per diem subs and teacher aides have been the largest group charged with child abuse and neglect. Share this memo with them. Our teacher aides are wonderful but they too often treat students like their mothers and grandmothers which they aren't. Repeatedly, please tell them hand's off otherwise they face handcuffs on!

Next Topic – What, in the education world, is conduct unbecoming? Can you lose your job for conduct outside school hours?

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Scholarship Opportunities!



The NTU is proud to announce our 21st Annual Albert Shanker Scholarship Award Dinner! Every year, we are able to give out several scholarships to our members' children, our paraprofessionals, and the students of Newark.

The application is currently on our website, and more information will be coming in the next few weeks.

[Click here to apply!!](#)

The Essex-West Hudson Labor Council is also offering 10 \$1000 scholarships to families of Union members, including the Newark Teachers Union. That application is due April 19, 2019!

[Click here for more information and to apply!](#)

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CONTRACT SURVEY!

We have received around 300 responses to our Contract Survey! A great start, but that is only a tenth of the membership. Negotiations will be starting in January, and the more surveys we get the more strength we will have in negotiations.

This year, we are focusing in on several issues that our members have told us are of particular importance, ranging from more prep time to additional protections and benefits for per diem staff. You can also add your own suggested topics. Remember! The more we hear something, the more we can push for it. So work with your Building Rep and Committee to bring forward issues that are important to you!

YOUR VOICE, YOUR CHOICE!!



Prudential Center Tickets

The NTU still has tickets available for several upcoming events at Prudential Center, including Frozen on Ice, Harlem Globetrotters, and Monster Jam.

Just click on the Prudential Center logo for more information or to purchase tickets! Remember the more successful these promotions are, the more the NTU can put together for our members to enjoy!

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- **NTU Board of Education Meeting**—Tuesday, December 18, 2018—6 PM @ University High School, 55 Clinton Place
- Friday, December 21—Early Dismissal for Students and Staff
- Monday, December 24—Holiday, Christmas Eve
- Tuesday, December 25—Holiday, Christmas
- Wednesday—Friday, December 26 to December 28—Winter Recess
- Monday, December 31—Holiday New Year’s Eve
- Tuesday, January 1—Holiday, New Years Day

Please note that Friday, December 21 and Wednesday, January 2 are the days before and after a holiday respectively. To ensure that you get paid for the holiday weekend, you must take a personal day if you are going to be absent on December 21 and/or January 2.

You can take a sick day on those days as long as it is part of an approved medical leave. Unless it is part of an extended FMLA, you must submit a medical certificate to NPS Office of Administrative Services within 3 days of your return to work.

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NTUNIVERSITY

We are looking for Workshops, Presentations, Activities to be presented by our members, for our members. Please reach out to Michael Iovino at miovino@newarkteachersunion.com if you are interested!

MEMBER SERVICES

NTU Members should never hesitate to communicate with us by phone, email, etc regarding any of the issues we handle at the Newark Teachers Union.

- Supplemental Fringe Benefits
- Planning for Retirement
- Pension & Buy Back Issues
- ER+D Staff Development
- AFT Membership Benefits
- FMLA and other leaves of absence
- Assistance with Evaluations and Observations
- Disciplinary Hearings
- Labor Relations & Payroll
- Legal Representation
- Workers Comp
- Tuition Reimbursement

Call 973-643-8430 or visit our website <http://newark.nj.aft.org/> or email mmaillaro@newarkteachersunion.com to address these or any other concerns you may have.

Don't forget to follow us on Facebook (<https://www.facebook.com/NewarkTeachersUnion481/>) and Twitter [@NTU_481](https://twitter.com/NTU_481)



NEWARK TEACHERS UNION

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