

MILLTOWN BOARD OF EDUCATION
Milltown, New Jersey

Policy Manual

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Bylaw

ROLE OF THE BOARD

The general mandatory powers and duties of the Milltown Board of Education are defined in Title 18A of New Jersey statutes. Other sections of the statutes state or imply that a local board of education has full power to operate the local public schools as it deems fit in compliance with state and federal mandates and pertinent laws of the municipality. The board functions only when in session.

The Milltown Board of Education sees these as its required functions:

A. Policy oversight

The board is responsible for the development of policy and for the employment of a chief school administrator who shall carry out its policies through the development and implementation of regulations. The board is responsible for evaluating the effectiveness of its policies and their implementation. This includes setting and evaluating goals in educational and financial areas.

B. Educational planning

The board is responsible for requiring and acquiring reliable information from responsible sources that will enable it and the staff to work toward the continuing improvement of the educational program.

C. Provision of financial resources

The board has major responsibilities for the adoption of a budget that will provide the wherewithal--in terms of buildings, staff, materials, and equipment--to enable the school system to carry out its functions.

D. Interpretation

The board is responsible for providing adequate and direct means for keeping the local community informed about the school and for keeping itself and the school staff informed about the wishes of the public. All planning, that which is and that which is not related to the budget, needs to be interpreted to the public if citizens are to support the school program.

The board believes that, by diligently exercising these functions, it will be able to provide the best educational opportunities possible for our children within the financial limitations set by the community, the best educational opportunities possible for our children.

The board shall exercise its powers through the legislation of bylaws and policies for the organization and operation of the Milltown School District.

The board shall be responsible for the operation of the school but shall delegate the administration to the chief school administrator, who shall be appointed by a recorded roll-call majority vote of the full board.

The board may hear appeals in complaints and in grievance and disciplinary actions as defined in these policies and in the law.

ROLE OF THE BOARD (continued)

Adopted: March 26, 1996
 Revised: August 25, 1998
 NJSBA Review/Update: March 2009
 Readopted: September 22, 2009

Key Words

Boards of Education, Role of the Board

<u>Legal References:</u> <u>N.J.S.A.</u> 18A:10-1	Constitution of boards of education; conduct of schools; state-operated school district
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	School Ethics Act
<u>N.J.S.A.</u> 18A:17-15	Appointment of chief school administrators; terms; apportionment of expense
<u>N.J.S.A.</u> 18A:33-1	District to furnish suitable facilities; adoption of courses of study
<u>N.J.S.A.</u> 18A:34-1	Textbooks; selection; furnished free with supplies; appropriations
<u>N.J.S.A.</u> 18A:36-2	Time when schools are open; determination
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.A.C.</u> 6A:4-1.1 <u>et seq.</u>	Appeals
<u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u>	Standards and Assessment
<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-1.1 <u>et seq.</u>	School District Operations
<u>N.J.A.C.</u> 6A:32-3.2	Requirements for the Code of Ethics for school board members and charter school board of trustees members

Possible

<u>Cross References:</u> *1000/1010	Concepts and roles in community relations; goals and objectives
*2000/2010	Concepts and roles in administration; goals and objectives
*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
4000	Concepts and roles in personnel
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*6140	Curriculum adoption
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*9314	Suspension of policies, bylaws and regulations

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

ROLE OF THE MEMBER

It is understood that the members of the Milltown Board of Education have authority only when acting as a board legally in session. The board shall not be bound in any way by any action or statement on the part of any individual board member except when such statement or action is in pursuance of specific instructions from the board.

Members of the board shall adhere to the code of ethics for board members in bylaw 9271.

No board member, by virtue of his/her office, shall exercise any administrative responsibility nor direct any administrator or other district personnel with respect to the schools or as an individual command the services of any school employee.

Board members visiting the schools for any reason shall observe district regulations for all visitors.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Individual Board Member, Board Members' Role

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-21 et seq. School Ethics Act
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission

Possible

Cross References: *1250 Visitors
*9020 Public statements
*9271 Code of ethics

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

PUBLIC STATEMENTS

Only the board president of the Milltown Board of Education shall authorize or make statements of official board positions. In his/her absence or if otherwise directed by the board, the chief school administrator may make such statements.

No other member of the board of education individually will speak for, or in the name of, the total board unless by explicit direction of the board. Board members should emphasize to the media that they can only speak as a private citizen unless empowered by the board to speak as a board member on their behalf.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Board Members' Role, Public Statements

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:42-4 Distribution of literature to candidacy, board issues, or other public question to be submitted at election; prohibited
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Possible

Cross References: *1100 Communicating with the public
*1110 Media
*9010 Role of the member
*9271 Code of ethics

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

NUMBER OF MEMBERS AND TERMS OF OFFICE

Membership

The Milltown Board of Education shall be comprised of nine (9) members serving terms of three (3) years, as required by law.

Terms of Office

The term of a Board member shall be three years, except that a member appointed to fill a vacancy shall serve until the organization meeting following the next annual election, unless he/she has been appointed to fill a vacancy occurring within the sixty (60) days immediately preceding such election to fill a term extending beyond such election, in which case he/she shall serve until the organization meeting following the second annual election next succeeding the occurrence of the vacancy. All members shall serve after the expiration of their respective terms until the appointment and qualification of their successors.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Board Members' Role, Public Statements

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:42-4 Distribution of literature to candidacy, board issues, or other public question to be submitted at election; prohibited
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Possible

Cross References: *1100 Communicating with the public
*1110 Media
*9010 Role of the member
*9271 Code of ethics

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

QUALIFICATIONS AND REQUIREMENTS OF BOARD MEMBERS

Qualifications for member of the board of education are as follows:

- A. He/she is a citizen of the United States of America;
- B. He/she is at least eighteen years of age;
- C. He/she is able to read and write;
- D. He/she has been a resident of the municipality from which he/she is elected or appointed, for at least one year immediately preceding the date of the election;
- E. He/she is registered to vote in the municipality from which he/she is elected;
- F. He/she is not disqualified as a voter pursuant to N.J.S.A. 19:4.1;
- G. He/she does not hold office as mayor or as a member of the governing body of a constituent municipality;
- H. He/she has no interest directly or indirectly in any contract with or claim against the board; and
- I. He/she has not been disqualified due to the conviction of a crime or offense listed in N.J.S.A. 18A:12-1. In order to fulfill this requirement:
 - 1. Each member of the board of education, within 30 days of the election or appointment to the board shall undergo a criminal history background check investigation for the purpose of ensuring that the member is not disqualified for membership due to a conviction of a crime or offense pursuant to the statute listed above; and
 - 2. The board shall reimburse the member for the cost of the criminal history record check, including all costs for administering and processing the check.

Within 30 days of election/appointment, board members shall file with the board secretary, on forms provided by the School Ethics Commission, both a Personal/Relative Disclosure Form (N.J.S.A. 18A:12-25) and a Financial Disclosure Statement (N.J.S.A. 18A:12-26). The board secretary shall file the original with the executive county superintendent (N.J.A.C. 6A:28-3.1).

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009
Readopted: October 8, 2013

Legal References: N.J.S.A. 18A:12-1 et seq. Qualifications of Board Members
See particularly:
N.J.S.A. 18A:12-1.2 Criminal history background investigation for board of education members
N.J.S.A. 18A:12-25, 26 Personal/Relative Disclosure Form and Financial Disclosure Form
N.J.S.A. 18A:13-7 Regional Board Members
N.J.S.A. 19:4-1 Constitutional Qualifications
N.J.A.C. 6A:28-3.1 Filing disclosure statements

QUALIFICATION AND REQUIREMENTS
OF BOARD MEMBERS (continued)

File Code: 9111

Possible

Cross References: *9200 Orientation and Training of Board Members
 *9270 Conflict of Interest
 *9271 Code of Ethics

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

QUALIFICATIONS OF A BOARD MEMBER

A member of the Milltown Board of Education member must be at least 18 years of age, a citizen and resident of the district for at least one year immediately preceding his/her election and able to read and write.

No board member shall not be interested directly or indirectly in any contract or claim against the district or board and must be a registered voter.

Date: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Legal References: N.J.S.A. 18A:12-11 Election and number of board members; terms
N.J.S.A. 18A:14-1et seq. Annual and special school elections
N.J.S.A. 18A:14-2 Time of holding annual school election
N.J.S.A. 18A:14-19 Notices; contents; posting and publication
N.J.S.A. 18A:14-61 Tally sheets, poll lists, ballots and statement of results; delivery to secretary of board of education; canvas; announcement of results, certification

Bylaw

ELECTIONS

The annual election shall be held on a date specified by law. If this day falls on a legal holiday, the election is held the following day. Members are chosen to the board for a three year term from candidates who have filed the necessary petition with the Board Secretary/Business Administrator. A board member may succeed himself/herself.

The Board Secretary/ Business Administrator shall post no fewer than seven notices of the annual election in schoolhouses and in other areas as deemed necessary by him/her.

Date: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Legal References: N.J.S.A. 18A:12-11 Election and number of board members; terms
N.J.S.A. 18A:14-1et seq. Annual and special school elections
N.J.S.A. 18A:14-2 Time of holding annual school election
N.J.S.A. 18A:14-19 Notices; contents; posting and publication
N.J.S.A. 18A:14-61 Tally sheets, poll lists, ballots and statement of results; delivery to secretary of board of education; canvas; announcement of results, certification

Bylaw

FILLING VACANCIES

Vacancies Filled by the Board

The Milltown Board of education, a Type II district, shall fill vacancies created by the resignation, removal by the board for cause or death of a serving member, or when a member ceases to be a bona fide resident of the district. The vacancy shall be filled within the 65 days prescribed by law.

Procedures by which to select the persons to fill such vacancies may include advertisement of the vacancy in suitable local media, and interviews with interested parties conducted in public by the board acting as committee of the whole.

The board shall select a candidate who, in its opinion, is the most qualified to serve the best interest of the children and the school district.

If a vacancy occurs on the board due to the recall of a board member, all procedures of the law shall be followed to fill that vacancy.

Vacancies filled by the board shall be by a majority vote of the remaining members of the board after the vacancy occurs.

Vacancies Filled by the Executive County Superintendent

The executive county superintendent fills vacancies that the board fails to fill within 65 days, and those caused by the voters' failure to elect a member, or by the removal of a member because of lack of qualifications, some flaw in the election, or when a recount or contested election fails to elect a member. The executive county superintendent also appoints enough members to make up a quorum.

Adopted: March 26, 1996
Revised: August 25, 1998
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Filling Vacancies, Board Vacancies

Legal References:	<u>N.J.S.A.</u> 18A:6-56	Election of members of representative assembly; vacancies (educational services commission)
	<u>N.J.S.A.</u> 18A:12-1	Qualifications of board members
	<u>N.J.S.A.</u> 18A:12-3	Removal of members
	<u>N.J.S.A.</u> 18A:12-7	Boards; appointments; vacancies (Type I district)
	<u>N.J.S.A.</u> 18A:12-15	Vacancies (Type II district)
	<u>N.J.S.A.</u> 18A:13-11	Vacancies in membership of board; filling (regional)
	<u>N.J.S.A.</u> 18A:38-8.1	Additional member on board of education in each sending district
	<u>N.J.S.A.</u> 19:27A-1 <u>et seq.</u>	Uniform Recall Election Law

Bylaw

RESIGNATION AND REMOVAL FROM OFFICE

Whenever a member of the Milltown Board of Education shall cease to be a bona fide resident of the District, or shall become mayor or a member of the governing body of a municipality, that member's membership in the Board shall immediately cease; and, any member who fails to attend three (3) consecutive meetings of the Board without good cause may be removed by it.

Notwithstanding the provisions of N.J.S.A. 2C:51-1 or any other law to the contrary, whenever a member of the Board is disqualified as a voter pursuant to RS 19:4-1, or is convicted of false swearing as provided in N.J.S.A. 18A:12-2.2 that member's membership on the Board shall immediately cease.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Resignation, Removal

Legal References: N.J.S.A. 18A:12-3 et seq. Removal of members
N.J.S.A. 18A:15-2 et seq. President and vice president; election or failure to elect

Regulation

RESIGNATION/REMOVAL FROM OFFICE

A Milltown Board of Education member's lack of attendance at any meeting will not be eligible for consideration by the board as absent for "good cause" unless that member shall have requested in advance of said meeting an excused absence by contacting the office of the chief school administrator (C.S.A.). When so notifying the office of the C.S.A., that board member shall give sufficient detail describing the reason for said absence to the C.S.A. The C.S.A. shall then report to the board at its meeting the reason(s) for the board member's absence. If the board determines that the reason(s) for said absence are for "good cause", then the absence shall be recorded as an "excused absence."

Adopted: March 26, 1996

Bylaw

ELECTION AND APPOINTMENT OF OFFICERS AND AUXILIARY PERSONNEL

The Milltown Board of Education shall elect a president and vice president at its annual organization meeting. Nominations shall be made by Board members. A majority of those present and voting shall suffice.

Should the office of the president or vice president become vacant, the Board shall use the method of election set forth above to select a member to fill the vacancy for the balance of the unexpired term. The election shall take place within 30 days of such time as the office becomes vacant.

The vice president shall serve as acting president only until such time as the president is seated due to absence or vacancy.

The Board shall, by a recorded roll-call majority vote at its annual organization meeting, appoint a person to serve as board secretary.

Adopted: March 26, 1996
Revised: February 14, 2006
Revised: March 27, 2007
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Vice President, President

<u>Legal References:</u>	N.J.S.A. 18A:15-1	President and vice-president; election or failure to elect
	N.J.S.A. 18A: 15-2	Removal of president or vice president vacancies
	N.J.S.A. 18A: 17-5	Appointment of secretary
	N.J.S.A. 18A:17-6	Bonding of secretary
	N.J.S.A. 18A: 17-3 1	Appointment of treasurer of school monies
	N.J.S.A. 18A: 17-32	Bonding of treasurer

Bylaw

ELECTION AND DUTIES OF PRESIDENT

The president shall preside at all meetings of the Milltown Board of Education and shall perform other duties as directed by statute, state department of education regulations, and this board. In carrying out these responsibilities, the president shall:

- A. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the board;
- B. Consult with the chief school administrator on the board's agendas;
- C. Appoint board committees and chairpersons;
- D. Call such meetings of the board as he/she may deem necessary upon at least two days' notice;
- E. Be an ex officio member of all board committees;
- F. Confer with the chief school administrator on crucial matters which may occur between board meetings;
- G. Be responsible for the orderly conduct of all board meetings.

As presiding officer at all meetings of the board, the president shall:

- A. Call the meeting to order at the appointed time;
- B. Announce the business to come before the board in its proper order;
- C. Enforce the board's policies relating to the order of business and the conduct of meetings;
- D. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
- E. Explain what the effect of a motion would be if it is not clear to every member;
- F. Restrict discussion to the question when a motion is before the board;
- G. Answer all parliamentary inquiries, referring questions of law to the board's attorney;
- H. Put motions to a vote, stating definitely and clearly the vote and result thereof.

The president shall have the right, as other board members have, to offer resolutions, to discuss questions, and to vote. The president shall vote last on all items before the board.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

ELECTION AND DUTIES OF PRESIDENT (continued)

President, Board President

Legal References:	<u>N.J.S.A.</u> 18A:6-20	The right to testify; counsel; witnesses; compulsory process
	<u>N.J.S.A.</u> 18A:6-54	Representative assembly; organization; election of board of directors and officers (educational services commission)
	<u>N.J.S.A.</u> 18A:13-12	Organization of boards; failure to organize
	<u>N.J.S.A.</u> 18A:15-1	President and vice president; election or failure to elect
	<u>N.J.S.A.</u> 18A:15-2	Removal of president or vice president; vacancies
	<u>N.J.S.A.</u> 18A:19-1	Expenditure of funds on warrant only; requisites
	<u>N.J.S.A.</u> 18A:19-9	Compensation of teachers, etc., payrolls
	<u>N.J.S.A.</u> 18A:54-18	Organization of boards of education (county vocational schools)
	<u>N.J.A.C.</u> 6A:32-3.1	Special meetings of district boards of education

Possible

Cross References:	*1120	Board of education meetings
	*9020	Public statements
	*9130	Committees
	*9322	Public and executive sessions

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

ELECTION AND DUTIES OF VICE PRESIDENT

The vice president shall perform all duties of the president in his/her absence and perform such other duties as may be designated to him/her. The vice president shall not have the authority to alter any committee assignment already made by the president without the consent of the board.

The vice president shall preside at all meetings of the Milltown Board from which the president is absent. Upon arrival of the president the vice president shall immediately relinquish the chair unless the president requests that the vice president complete the particular item on the agenda currently under discussion. When the vice president is presiding officer the vice president shall vote last on all items coming before the board.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Legal References: N.J.S.A. 18A:15-1 President and vice president; election or failure to elect
N.J.S.A. 18A:15-2 Removal of president or vice president; vacancies

Bylaw

TREASURER OF SCHOOL MONIES

The Milltown Board of Education shall at its annual organization meeting appoint by a majority vote of the full membership of the Board a treasurer of school monies (treasurer). The appointment shall be for the ensuing school year. The Board also shall appoint to such position whenever there is a vacancy in said position.

The term of office of the treasurer of school monies (treasurer) shall expire annually on June 30 of each year, but if a municipal officer is appointed treasurer, his/her term shall cease if he/she ceases to hold the municipal office and in either case, the treasurer shall continue in office after the expiration of his/her term until a successor is qualified. The initial appointment shall be made at the time of vacancy; subsequent appointments shall be made at the annual organization meeting of the Milltown Board of Education.

The treasurer of school monies shall be bonded in such amount, and with such surety, as the Board shall direct. The Board in its determination of the amount shall be guided by a schedule of minimum limits to be promulgated by the State Board of Education.

Functions

1. The treasurer shall pay out money only on warrants signed by the president and/or vice president and the Board secretary/business administrator. Each warrant shall specify the object for which payment is made and shall be made out to the person entitled to receive the payment.
2. A payroll, certified by the president, chief school administrator, and board secretary/business manager and stating the names of employees and the amount to be paid to each, may be delivered to the treasurer, accompanied by a warrant drawn to his/her order for the full amount. The payroll warrant shall be deposited in a separate bank account, and the treasurer shall deliver to the Board secretary/business manager individual checks for the employees.
3. A warrant for payment of current expenses, when issued by the Board to the treasurer, shall bear legal interest if the treasurer does not have sufficient funds in hand to pay the needed sum. When the treasurer has collected enough funds, he/she gives public notice and the interest ceases.
4. The treasurer shall keep records of sums received and paid on books provided for that purpose. The treasurer shall make a monthly report to the Board, giving a detailed account of receipts and warrants signed by him/her, the accounts against which the amounts were drawn, and the balance in each account.
5. Such others as may be prescribed, statute, code, Board policy or Board-approved job description.

At the close of each year, the treasurer of monies shall transmit to the Board a report showing the amounts received and disbursed, and shall file a duplicate with the Executive County Superintendent of Schools.

The treasurer shall pay over to his/her successor in office the balance of school funds.

The treasurer shall make deposits in the bank designated by the Board of Education.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

TREASURER OF SCHOOL MONIES (continued)Key Words

Treasurer of School Money, Treasurer of School Monies, Treasurer

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
	<u>N.J.S.A.</u> 18A:17-31	Custodians of school monies; who to act
	<u>N.J.S.A.</u> 18A:17-32	Bond of custodian
	<u>N.J.S.A.</u> 18A:17-33	Compensation
	<u>N.J.S.A.</u> 18A:17-34	Receipt and disposition of monies
	<u>N.J.S.A.</u> 18A:17-35	Records and receipts and payments
	<u>N.J.S.A.</u> 18A:17-36	Accounting; monthly and annual reports
	<u>N.J.S.A.</u> 18A:19-1	Expenditure of funds on warrants only; requisites
	<u>N.J.S.A.</u> 18A:10-9	Compensation of teachers, etc., payrolls
	<u>N.J.S.A.</u> 18A:19-10	Payroll bank account; check for compensation
	<u>N.J.S.A.</u> 18A:19-12	Interest payable on certain warrants not immediately

Possible

<u>Cross References:</u>	*1120	Board of education meetings
	*3570	District records and reports
	3571	Financial reports
	*3571.4	Audit

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

AUDITOR

The Milltown Board of Education shall at its annual organization meeting appoint by a majority vote of the full membership of the Board an auditor of the Board (auditor). The Board also shall appoint to such position whenever there is a vacancy in said position.

The auditor shall serve at the pleasure of the Board. The auditor shall be paid at a fee to be approved by the Board.

The auditor's main duties shall be to make the annual audit including the child nutrition audit, and act as a consultant to the Board on financial matters and such others as prescribed by statute, code, Board policy or Board-approved job description.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Auditor, Audit, Money, Funds, Appointment, Secretary

Legal References: N.J.S.A. 18A:23-1 et seq. Audits and auditors

Bylaw

COMMITTEES

In order to use the time, effort and expertise of the members of the Milltown Board of Education effectively, the board shall operate under a committee system.

Standing Committees

Standing committees shall be delegated limited authority and duties in major areas of continuing Board responsibility. Within the area of their assignment, they shall consult with staff and other specialists to study, screen and make recommendations to the full Board.

Committee meetings may be called at any time by the committee chairperson.

Standing committees of the Board shall be:

- A. Education (regular education, Special Education, curriculum, and transportation)
- B. Finance and Negotiations (bills, financial reports, grants/funding, budget, contracts, salaries, Board/chief school administrator evaluation)
- C. Policy, Legislation and Personnel (hire)
- D. Buildings, Grounds, and Public Relations

Ad Hoc Committees

The President or a majority of the Board shall appoint such special committees as may from time to time be deemed necessary or advisable. Whether the ad hoc committee is appointed by the President or a majority of the Board, the President shall appoint the chairperson. The duties of each special committee shall be outlined at the time of its appointment, and the committee dissolved when its report has been made and accepted. Ad hoc committees and citizen committees will act in an advisory capacity only.

Committees shall be comprised of a chairperson and up to three other Board members appointed by the President of the Board and approved by a majority of the full membership of the Board.

No individual Board member may chair more than one ad hoc committee.

Liaisons

The President or a majority of the Board shall appoint such special liaisons as may from time to time be deemed necessary or advisable, with the exception of the Spotswood Board member, who shall be elected by the Board at the Board meeting closest to permitting said person to attend the Spotswood annual organization meeting:

- A. New Jersey/Middlesex County School Board Associations
- B. Mayor and Council
- C. Parent Teachers Association

COMMITTEES (continued)

D. Spotswood Board of Education

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Committees, Board Committees

Legal References: N.J.S.A. 10:4-6 et seq. Open Public Meetings Act
N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-21 et seq. School Ethics Act
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A33-95

School Ethics Commission, Advisory Opinion, A02-00

School Ethics Commission, Advisory Opinion, A14-00

Possible

Cross References: *1220 Ad hoc advisory committees
*9121 Election and duties of president
9320 Meetings

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

BOARD CONSULTANTS

The Milltown Board of Education will consider hiring expert consultants when it feels its own resources are too limited to conduct a complete study of an important topic for decision or to supply a required service or whenever the board desires an independent perspective.. The fees must be consistent with budget appropriations and shall require board approval.

Consultants, whether they are temporary, part-time, or full-time workers, shall exercise no administrative authority over the work of employees of the board, but shall act only as advisers in those fields in which they are qualified to offer expert assistance.

All administrative supervision of employees shall be in the hands of those to whom such responsibility has been specifically delegated.

Date:	March 26, 1996
NJSBA Review/Update:	March 2009
Readopted:	September 22, 2009

Cross Reference: 2121 Line of responsibility

Bylaw

ORIENTATION AND TRAINING OF BOARD MEMBERS

Orientation of New Board Members

The board secretary under the direction of the chief school administrator shall prepare materials to introduce new board members to the operating procedures of the Milltown School District and the details of the curriculum.

Sufficient funds shall be allocated to reimburse new board members for attending NJSBA training in chief school administrator evaluation within the first six months after taking office, and an NJSBA new board member orientation within the first year of taking office.

Administrative code defines "newly elected or appointed board member" as any board member who has never served as a member of either an elected or appointed school board.

Mandated Training

The board shall ensure that each newly elected or appointed board member receive training in their first year of service regarding skills and knowledge necessary to serve as a school board member. This training shall be offered by the NJSBA, in consultation with New Jersey Association of School administrators, the New Jersey Principals and Supervisors Association, and the Department of Education, and shall include information regarding the New Jersey Quality Single Accountability Continuum, and the five key components of school district effectiveness on which the school district is monitored: instruction and program; personnel; fiscal management, operations and governance.

Within one year after being newly elected or appointed or being re-elected or re-appointed to the board of education, a board member shall complete a training program on harassment, intimidation, and bullying in schools, including the school district's responsibilities as required by law (N.J.S.A. 18A:37-13 et seq.). A board member shall be required to complete the program only once (N.J.S.A. 18A:12-33).

Each board member shall, in both the second and third year of service on the board, complete the NJSBA training on school district governance.

The NJSBA advanced training program shall be completed by board members within one year of re-election or reappointment to the board of education.

Inservice Development

State, regional and national workshops, conventions, conferences and seminars developed by associations such as the New Jersey School Boards Association, the National School Boards Association, the New Jersey Association of School Administrators, etc., provide unique opportunities for board members to broaden their understanding of their responsibilities, learn new tools and techniques for coping with them, and keep up to date on educational trends.

Therefore, the board recommends that, in addition to sending the mandated delegate to the New Jersey School Boards Association's Delegate Assemblies, the board send representatives to such educational conferences, workshops, conventions and seminars as it shall decide upon each year. A maximum of four members may attend any such function held out-of-state.

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

The same regulations regarding travel arrangements and reimbursement developed for other district-paid attendance at such events shall apply.

The chief school administrator shall prepare a checklist for district representatives to such events, to aid them in preparing meaningful reports for the board and the district as a whole. The report shall be presented orally or in writing at the discretion of the board president at a regular meeting of the board within a month of the delegation's return.

Adopted: March 26, 1996
 NJSBA Review/Update: March 2009
 Readopted: September 22, 2009
 Revised: August 15, 2011
 Readopted: September 27, 2011

Key Words

Orientation and Training of Board Members, Board Member Orientation, Board Member Training

Legal References: N.J.S.A. 18A:6-45 through -50 New Jersey School Boards Association established ...
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-24.1 Code of Ethics for School Board Members
N.J.S.A. 18A:12-33 Training program for new board members
N.J.S.A. 18A:17-20.3 Evaluation of chief school administrators; school board training
N.J.S.A. 18A:37-13 Anti-Bullying Bill of Rights Act program
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:28-1.2 Definitions
N.J.A.C. 6A:28-1.6 Order to show cause
N.J.A.C. 6A:28-1.6 Board member training
N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for school board members and charter school board of trustee members
N.J.A.C. 6A:32-4.3 Evaluation of tenured and nontenured chief school administrators

Amended resolution of the School Ethics Commission (3/23/99)

Possible

Cross References: 1500 Relations between area, county, state, regional and national associations and the district
 *2131 Chief school administrator
 *9250 Expenses
 *9271 Code of Ethics

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

EXPENSES AND REIMBURSEMENTS

Board members receive no payment for their services. With board approval, they may be reimbursed for out-of-pocket expenses incurred on board business.

Travel and Related Expenses

Travel reimbursement will be paid only upon compliance with the board's policy provisions and approval requirements. Board members, trustees and employees shall only be reimbursed for work-related travel that is directly related to and within the scope of the board member's, trustee's and employee's current work responsibilities. Board members, trustees and employees shall only be reimbursed for travel that:

- A. Promotes the delivery of instruction and is critical to the instructional needs of the school district or furthers the efficient operation of the school district;
- B. Is educationally necessary and fiscally prudent; and
- C. Is directly related to and within the scope of the board member's current responsibilities, and for school district employees, the school district's professional development plan.

As described in this policy, school district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and for the travel event. School district travel expenditures include costs for all required training and all travel authorized in existing school district employee contracts and school board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school board members, and attendance at specific conferences authorized in existing employee contracts.

Travel Payments

Travel payments will be paid only upon compliance with the school board's policy provisions and approval requirements. The school board will not ratify or approve payments or reimbursements for travel after completion of the travel event. All board members, trustees and employees shall adhere to the following specifications to be considered for reimbursement:

- A. Reimbursement may not exceed State travel reimbursement guidelines as established by the Department of Treasury in NJOMB circular including but not limited to the types of travel, methods of transportation, mileage allowance, meal allowance, overnight travel and supporting documentation.
- B. Reimbursement must also be in compliance with OMB Circular A-87 (found at http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html). No reimbursement will be issued without submission of written documentation such as receipts, checks and vouchers detailing the amount the expenditures. Such documentation must be submitted within a timeframe to be established by the board.
- C. Travel expenditures must be in compliance with state travel payment guidelines as established by the Department of the Treasury and with guidelines established by the federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. The board of education shall specify in its travel policy the applicable restrictions and requirements set forth in the State and federal guidelines including, but not limited to, types of travel, methods of

EXPENSES (continued)

transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks or vouchers.

- D. Board members, trustees and employees shall provide within one week, a brief report that includes, as appropriate, but may not be limited to, a description of the primary purpose for the travel, and a summary of the goals and key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district. This report will be submitted to the board secretary or other appropriate party designated by the board.
- E. Pursuant to N.J.A.C. 6A:23A-5.8 concerning out-of state and high-cost travel events, out-of-state travel shall be limited to the fewest number of board members or employees needed to present the content at the conclusion of the event. Lodging may only be provided if the event occurs on two or more consecutive days and where home-to-event commute exceeds 50 miles. Prior written approval of the executive county superintendent may be required when the travel event has a total cost that exceeds \$5000.

In addition to the requirements above, employee travel, to be reimbursable, must be directly related to the employee's professional development. No district employee shall be reimbursed for travel and related expenses without prior written approval of the chief school administrator or charter school lead person, and prior approval by a majority of the full voting membership of the board (as set forth below).

Prior Approval Is Required

Board members and trustees shall only be reimbursed for travel and related expenses that have received prior approval by a majority of the full voting membership of the board, and is in compliance with N.J.S.A. 18A:12-24 and 24.1 of the School Ethics Act.

- A. Specifically, a board member must recuse himself from voting on travel if the board member, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his objectivity or independence of judgment.
- B. Also, a board member shall not: act in his official capacity in any matter in which he or a member of his immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his independence of judgment in the execution of his official duties.
- C. For employees, a board of education requires that travel occur only upon prior written approval of the chief school administrator and prior approval by a majority of the full voting membership of the board.
- D. For board members, travel may occur only upon prior approval by a majority of the full voting membership of the board and that the travel be in compliance with section 4 of P.L.1991, c.393 (C.18A:12-24) and section 5 of P.L.2001, c.178 (C.18A:12-24.1).

Regular Business Travel Authorization and Approval

Regular business travel, such as NJDOE meetings and association events, is authorized by the board not to exceed \$1,500 per employee, pursuant to N.J.A.C. 6A:23A-7.3(b). Approval by the chief school administrator or designee is required, including justification for the travel. Regular business travel is authorized for regularly scheduled in-state professional development activities for which the registration fee does not exceed \$150 per employee or board member.

EXPENSES (continued)Travel Advances Are Banned.

An employee of the school board, a school board member, or organization, shall not receive an amount for travel and travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

Annual Maximum Travel Expenditure Amount

The board shall:

- A. Allot in its annual budget a maximum travel expenditure amount and annually review its policy to assure that it properly reflects the amount budgeted.
- B. Vote to authorize each reimbursement; specifying the way in which it promotes the delivery of instruction or furthers the efficient operation of the school district, within the maximum annual amount.
- C. Annually in the prebudget year, establish by school board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The school board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date.
- D. Provide that the maximum school district travel expenditure amount shall include all travel in accordance with this policy supported by local and State funds.

Additional Detailed Accounting Requirements which Demonstrate Compliance

In order to demonstrate compliance with this policy, documentation of all reimbursed travel expenses shall be maintained on file. This record may include receipts, checks and vouchers submitted in connection with any reimbursement. The district shall maintain separate accounting for school district travel expenditures as necessary, to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the board's policy and this section, and shall provide auditable information.

To minimize travel expenditures, school boards and staff will take the following steps:

- A. "Retreats" will be held at school district facilities, if available. A retreat is a meeting of school district employees and school board members, held away from the normal work environment, at which organizational goals and objectives are discussed.
- B. A school district shall not bare costs for car rentals, limousine services, and chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees accommodations at the travel event.
- C. One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in Department of the Treasury guidelines.
- D. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following:
 1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as established in the federal register for the current year;

EXPENSES (continued)

2. Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
3. Receipts are required for hotel expenses. Meal expenses under the federal per diem allowance limits do not require receipts;
4. In any case in which the total per diem reimbursement is greater than the federal per diem rate, except when the going rate for lodging at the site of the convention or meeting exceeds federal per diem rates, the costs will be considered to be excessive and shall not be paid by school district funds;
5. School districts shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.
7. Air and rail tickets shall be purchased via the internet, if possible, using online travel services.

Blanket or general pre-approval for travel is not authorized, and will not be permitted by the board. Specifically, approval shall be itemized by event, event total cost, and number of employees and school board members attending the event. However a school board may also approve, at any time prior to the event, travel for multiple months as long as the school board approval, as detailed in school board minutes, itemizes the approval by event, total cost, and number of employees and school board members attending the event.

Types of Expenditures Not Eligible for Reimbursement

Unnecessary and excessive travel expenditures as listed in N.J.A.C. 6A:23A:7.8 are prohibited. Prohibited types of expenditures include: travel by spouses and other relatives; costs for unnecessary employee attendance (for example employees who merely coordinate other attendees' accommodations at the travel event); charges for laundry, valet service and entertainment; district payment for alcoholic beverages; excessive tipping and gratuities; airfare without documentation of at least three (3) price quotes; and souvenirs. Travel expenses, subsistence expenses and incidental travel expenses shall only be allowable when consistent with N.J.A.C. 6A:23A-7.

Penalties:

The board by this policy informs its members and staffs that the penalties for violating this policy based on state law include:

- A. By law, any district board of education that violates its established maximum travel expenditure, or that otherwise is not in compliance with the travel limitations set forth in this section may be subject to sanctions by the commissioner as authorized pursuant to N.J.S.A. 18A:4-23 and N.J.S.A. 18A:4-24, including reduction of State aid in an amount equal to any excess expenditure.
- B. A person who approves any travel in violation of the school district's policy or this section shall be required to reimburse the school district in an amount equal to three times the cost associated with

EXPENSES (continued)

attending the event.

- C. An employee or member of the board of education who travels in violation of the school district's policy or this section shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

The chief school administrator or charter school lead person may develop regulations to implement this policy.

Adopted: March 6, 1996
 Revised: December 13, 2005
 Revised: August 21, 2007
 NJSBA Review/Update: March 2009
 Readopted: September 22, 2009

Key Words

Reimbursement of Board Members, Board Member Reimbursement, Board Member Expenses, Employee Reimbursement, Employee Expenses, Reimbursement of Employees

Legal References: N.J.S.A. 18A:2-1 Power to effectuate action
N.J.S.A. 18A:4-23 Supervision of schools; enforcement of rules
 and 24 Determining efficiency of schools; report to state board
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-4 Compensation of members
N.J.S.A. 18A:12-24 School Ethics Act
 and 24.1 Code of Ethics
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:23A-5.9 Out of state and high cost travel
N.J.A.C. 6A:23B-1.1 et. seq.
 Travel and Related Expense Reimbursement (Non-Abbott Districts)
P.L. 2005, c.132 Appropriations Act
P.L. 2007, c. 52 A5 provides for various school district accountability measures

In the Matter of Anthony Esgro, Luis Perez, Clifford Meeks and Frank Speziali, Glassboro Board of Education, CO7-97, March 30, 1998

Possible

Cross References: 3571 Financial reports
 *9200 Orientation and training of board members
 *9270 Conflict of interest

*Indicates policy is included in the Critical Policy Reference Manual.

CONFLICT OF INTEREST

The board of education accepts the responsibility of governing the operation of the district in the best interests of the total community. Individual members shall subscribe to the code of ethics in bylaw #9271 Code of Ethics. The board as a body, and the members individually, wish at all times to avoid attitudes and actions that might give rise to public questioning of the integrity of any board decision.

Therefore, in addition to complying with all statutory requirements:

- A. No board member shall hold any form of paid employment with the district while he/she is serving, nor for six months after leaving office;
- B. No board member shall have an interest directly or indirectly in any contract with or claim against the board;
- C. No board member shall serve as mayor or as a member of the municipal or county level governing body of the district;
- D. Board members shall be in compliance with policy 4112.8/4212.8 Nepotism;
- E. In accordance with the N.J.S.A. 18A:12-21 et seq. no board member shall:
 - 1. Have an interest nor shall his/her immediate family have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;
 - 2. Use or attempt to use his/her official position to secure unwarranted privileges, advantages or employment for himself/herself, members of his/her immediate family or others;
 - 3. Act in his official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair his/her objectivity or independence of judgment. No school official shall act in his/her official capacity in any matter where he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family;
 - 4. Undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his/her independence of judgment in the exercise of his/her official duties;
 - 5. Solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him/her, directly or indirectly, in the discharge of his/her official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the school official has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the school official in the discharge of his/her official duties, nor shall a member of his/her immediate family, or business organization in which he/she has an interest;
 - 6. Use, or allow to be used, his/her public office or employment, or any information, not generally available to the members of the public, which he/she receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any

CONFLICT OF INTEREST (continued)

- member of his/her immediate family, or any business organization with which he is associated;
7. Represent any person or party other than the school board or school district in connection with any cause, proceeding, application or other matter pending before the school district in which he/she serves or in any proceeding involving the school district in which he/she serves or, for officers or employees of the New Jersey School Boards Association, any school district. This provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities, nor shall a business organization in which he/she has an interest;
 8. Be deemed in conflict with these provisions if, by reason of his/her participation in any matter required to be voted upon, no material or monetary gain accrues to him/her as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of that business, profession, occupation or group;
 9. Be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the member or a member of his immediate family, whether directly or indirectly, in return therefor; and
 10. Nothing shall prohibit any board member, or members of his/her immediate family, from representing himself/herself, or themselves, in negotiations or proceedings concerning his, or their, own interests.

Adopted: March 26, 1996
 Revised: August 25, 1998
 NJSBA Review/Update: March 2009
 Readopted: September 22, 2009
 Revised & Readopted: December 11, 2012

Key Words

Conflict of Interest, Board Member Conflict of Interest, Board Member Ethics, Ethics

Legal References: N.J.S.A. 18A:6-8 Interest of school officers, etc., in sale of textbooks or supplies; royalties
N.J.S.A. 18A:6-8.4 Right to hold elective or appointive state, county or municipal office
N.J.S.A. 18A:12-1.1 Ineligibility for appointment to paid office or position filled by board
N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited
N.J.S.A. 18A:12-21 et seq. School Ethics Act
N.J.S.A. 52:13D-12 et seq. Legislative findings ... (regarding conflict of interest)
N.J.A.C. 6A:4-1.1 et seq. Appeals
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission
N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for school board members and charter school board of trustee members

Visotcky v. City Council of Garfield, 113 N.J. Super. 263 (App. Div. 1971)

Vittoria v. West Orange Board of Education, 122 N.J. Super. 340 (App. Div. 1973)

Elms v. Mt. Olive Board of Education, 1977 S.L.D. 713

Scola v. Ringwood Board of Education, 1978 S.L.D. 413

CONFLICT OF INTEREST (continued)

Salerno v. Old Bridge Township Board of Education, 1984 S.L.D. (April 23)

Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93

In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g
Commissioner 97

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A021-93

School Ethics Commission, Advisory Opinion, A07-94

School Ethics Commission, Advisory Opinion, A33-95

School Ethics Commission, Advisory Opinion, A02-00

School Ethics Commission, Advisory Opinion, A14-00

Possible

Cross References: *4112.8 Nepotism
*4212.8 Nepotism
*9271 Code of ethics

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

CODE OF ETHICS

The members of the Milltown Board of Education recognize that they hold authority not as individuals but as members of the board. In order to make a clear public statement of its philosophy of service to the pupils of the district, the board adopts this code of ethics.

- A. I will uphold and enforce all laws, state board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.
- B. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.
- C. I will confine my board action to policymaking, planning and appraisal and I will help to frame policies and plans only after the board has consulted those who will be affected by them.
- D. I will behave toward my fellow board members with the respect due their office--demonstrating courtesy, decorum and fair play at all public meetings and in all public statements.
- E. I will refrain from inappropriate conduct in public meetings and in making public statements, refraining from any disparagement of my fellow board members or others on a personal, social, racial or religious basis.
- F. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.
- G. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action which may compromise the board.
- H. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- I. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its schools.
- J. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief school administrator.
- K. I will support and protect school personnel in proper performance of their duties.
- L. I will refer all complaints to the chief school administrator and will act on such complaints at public meetings only after failure of an administrative solution.

The board shall see that all members of the board receive training in understanding and adhering to this code of ethics and shall discuss it annually at a regularly scheduled public meeting. Each member shall sign documentation that he/she has received a copy of it and has read and understood it.

CODE OF ETHICS (continued)

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Conflict of Interest, Code of Ethics, Board Member Conflict of Interest, Board Member Ethics, Ethics

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited
N.J.S.A. 18A:12-21 et seq. School Ethics Act
See particularly:
N.J.S.A. 18A:12-24, -24.1
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:4-1.1 et seq. Appeals
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission
N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for school board members and charter school board of trustee members

Manual for the Evaluation of Local School Districts

Possible

Cross References: *4112.8 Nepotism
*4212.8 Nepotism
*9270 Conflict of interest

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

DEVELOPMENT DISTRIBUTION AND MAINTENANCE OF GOVERNANCE MANUAL

Milltown Board of Education policy is an ever changing statement of District educational, operational, and managerial needs. New policies will be necessary and existing policies will require revision. Governance manual maintenance shall be the responsibility of the board secretary/business administrator.

The board secretary/business administrator shall ensure that copies of the District manual are issued to the following:

- A. Board members (9)
- B. Chief school administrator (2)
- C. Board secretary/business administrator (2 or 3)
- D. Principals and other District administrators and supervisors. (1 each)
- E. Board attorney (1)
- F. Office of each principal for staff and public inspection (1 each)
- G. Board meeting room (1)

The Board secretary/business administrator shall develop procedures for distributing copies of new or amended policies as they are adopted, and for collecting policy manuals from retiring Board members and at least one time annually from all Board members for updating purposes. It shall be each Board member's personal responsibility, however, to keep his/her manual up-to-date based upon the issuance of periodic updates.

Adopted:	March 26, 1996
NJSBA Review/Update:	March 2009
Readopted:	September 22, 2009

Key Words

Individual Board Member, Board Members' Role

Bylaw

FORMULATION, ADOPTION, AMENDMENT OF POLICIES

The governance of the Milltown School District through policies directed toward providing a thorough and efficient education for its pupils is one of the most important functions of the board of education. Therefore, the board shall establish a careful process to ensure:

- A. Development of clear, workable, legal policies that reflect mature consideration of the will and needs of the community, and
- B. Timely, accurate evaluation of the effectiveness of the policies in the achievement of district objectives and progress toward goals.

In order to ensure that the total policy process is implemented effectively, the board appoints the chief school administrator as policy coordinator. In cooperation with the board, he/she shall establish procedures to implement this bylaw that shall include an action plan for the careful development of policies and their regular review; appropriate policy goal-setting; a process for evaluation of district and school progress toward or achievement of policy goals; and appropriate standards of measurement and criteria for judging such progress.

The procedures shall conform in all respects to the bylaws of the board concerning agenda and meetings. The procedures shall provide a means whereby all interested parties in the school community may submit proposals for additions and amendments to the school district governance manual, and may contribute opinions and information for the board's consideration.

The policy coordinator shall ascertain any conflicts between proposed and existing policies and bring them to the attention of the board at the first reading of the draft. Policies may be adopted on second reading by a majority vote of the members of the board present and voting or may be further revised until consensus is reached. **NOTE: FIRST READING MEANS THE FIRST TIME THE POLICY IS PRESENTED, NOT THE FIRST TIME A POLICY IS APPROVED IN ITS FINAL FORM.**

In the interest of efficient administration, the chief school administrator shall have the power to decide all matters of detail that may arise for which no specific provision is made in the policies adopted by the board, but no emergency action shall constitute official board policy. The chief school administrator shall present the matter at the next board meeting, so the board can consider policy to deal with that situation in the future.

The board reserves to itself the right to final determination of what shall be the official policy of the school district.

Adopted: March 26, 1998
Revised: August 25, 1998
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Policy, Board Policy

FORMULATION, ADOPTION, AMENDMENT OF POLICIES (continued)

Legal References:

<u>N.J.S.A.</u> 10:4-6 <u>et seq.</u>	Open Public Meetings Act
<u>N.J.S.A.</u> 18A:10-6	Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:17-20	Tenured and nontenured chief school administrators; general powers and duties
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 47:1A-1 <u>et seq.</u>	Public Records; Examination and Copies ("Open Public Records Act")

New Jersey Department of State, Division of Archives and Records Management, School District Records Retention

Matawan Teachers Assn. v. Board of Education, 223 N.J. Super. 504 (App. Div.1988)

Possible

Cross References:

*2210	Administrative leeway in absence of board policy
*9000	Role of the board
*9314	Suspension of policies, bylaws and regulations
*9322	Public and executive sessions
*9323/9324	Agenda preparation/advance delivery of meeting material

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

FORMULATION, ADOPTION, AMENDMENT OF BYLAWS

The Milltown Board of Education's bylaws are rules designed to organize and control its internal operations. Some bylaws are set by statute. Others may be formulated and adopted at its option by the board of education itself as long as they are in harmony with the intent and specifics of the statutes.

In its deliberations leading to the establishment or amendment of its bylaws, the board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

Proposed new bylaws and suggested amendments to or revisions of existing bylaws shall be adopted by a majority vote of the members of the board present and voting during the second of two regularly or specially scheduled meetings of the board. The proposed additions, amendments or revisions shall have been described in writing in the calls for these meetings.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Bylaws, Board Bylaws

Legal References: N.J.S.A. 10:4-6 et seq. Open Public Meetings Act
N.J.S.A. 18A:10-6 Board meetings public; frequency; hours commencement; adjournment, etc., for lack of quorum
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Possible

Cross References: *9311 Formulation, adoption, amendment of policies
*9314 Suspension of policies, bylaws and regulations
*9323/9324 Agenda preparation/advance delivery of meeting material

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

FORMULATION, ADOPTION, AMENDMENT OF ADMINISTRATIVE REGULATIONS

The Milltown Board of Education delegates to the chief school administrator the function of specifying required actions and designing the detailed procedures under which the school will be operated. Such rules and detailed procedures shall constitute the administrative regulations governing the schools.

These administrative rules and regulations must be consistent with board contracts and policies, the law, rulings of the Commissioner, and rules of the State Board of Education.

Such rules and regulations shall be binding on all employees unless or until the board should vote to change or rescind any such rule or regulation following its presentation at a public meeting of the board. The board itself will adopt administrative regulations when specific state laws require board adoption, and may do so when the chief school administrator recommends board adoption. The board reserves the right to review and cause revisions of administrative regulations should they, in the board's judgment, be inconsistent with the policies adopted by the board.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Administrative Regulations, Procedures

Legal References:	<u>N.J.S.A.</u> 18A: 11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:17-20	Chief school administrator; general powers and duties
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:32-2.1	Definitions (chief school administrator and administrative principal)
	<u>N.J.A.C.</u> 6A:32-4.3	Evaluation of tenured and nontenured chief school administrator

Possible

Cross References:	*2131	Chief school administrator
	*2210	Administrative leeway in absence of board policy
	*9130	Committees
	*9311	Formulation, adoption, amendment of policies
	*9312	Formulation, adoption, amendment of bylaws
	*9314	Suspension of policies, bylaws and regulations
	*9323/9324	Agenda preparation/advance delivery of meeting material

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS

The Milltown Board of Education has developed a careful and deliberate process of formulating and adopting its policies and bylaws. Requests for suspension of any existing policy or bylaw should receive the same careful consideration.

Therefore:

- A. Any request for a waiver of policy or bylaw shall be considered in light of the policy or bylaw itself, rather than any particular circumstances of the moment.
- B. The board shall decide whether the policy or bylaw still reflects the considered intent of the board. If it does, the suspension will be denied and the policy or bylaw reaffirmed in the minutes.
- C. If the policy or bylaw does not reflect the intent of the board, then the policy shall be waived by a majority vote of the members of the board present and voting and development of a revised policy or bylaw shall become the board's prime policy priority.
- D. The board shall determine whether rights of the public would be adversely affected by the proposed suspension or waiver of policy. If the public's rights would be adversely affected, the suspension or waiver will be denied.

In the event of an emergency requiring immediate action, the chief school administrator shall have the power to waive policy or regulation in the single instance. In such cases, the chief school administrator shall report the instance to the board president immediately, and request reconsideration of the policy at the next regular meeting.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Policy; Board Policy; Bylaws; Board Bylaws; Regulations; Administrative Regulations; Suspension of Policies; Bylaws and Regulations

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:17-20 Tenured and non-tenured chief school administrators;
general powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:32-2.1 Definitions (chief school administrator and administrative
principal)
N.J.A.C. 6A:32-4.3 Evaluation of tenured and nontenured chief
school administrator

Matawan Teachers' Assn. v. Board of Education 223 N.J. Super 504
(App. Div. 1988)

SUSPENSION OF POLICIES, BYLAWS
AND REGULATIONS (continued)

Possible

Cross References: *2210 Administrative leeway in absence of board policy
*9311 Formulation, adoption, amendment of policies
*9312 Formulation, adoption, amendment of bylaws
*9313 Formulation, adoption, amendment of administrative regulations

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

TIME, PLACE, NOTIFICATION OF MEETINGS

Regular meetings of the Milltown Board of Education shall be held on dates and at times and places determined by the board at its annual organization meeting. Special meetings shall be called by the board secretary at the request of the president or upon a petition signed by a majority of the board members, and shall commence no later than 8 p.m.

Adequate Notice

Adequate notice shall be given for all regular and special meetings. Adequate notice for regular meetings shall be in accordance with the annual notice provisions set forth below. Adequate notice for special meetings generally means written advance notice of at least 48 hours, giving the time, date and location, and, to the extent known, the agenda of the meeting. The notice must state whether formal action may or may not be taken at the meeting. The notice must be:

- A. Prominently posted in at least one public place reserved for such announcements;
- B. Communicated to at least two newspapers designated by the board because they have the greatest likelihood of informing the board's public; and
- C. Filed with the clerk of the municipality.

The board of education may hold an emergency meeting without providing adequate public notice if:

- A. Three-quarters of the members present vote to do so; and
- B. The meeting is required to deal with matters of such urgency and importance that delay would be likely to result in substantial harm to the public interest; and
- C. The meeting will be limited to discussion of and action on these matters; and
- D. Adequate notice of such meeting is provided as soon as possible following the calling of such meeting; and
- E. One of the following:
 - 1. Either the board could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided; or
 - 2. The need could have been foreseen in time but the board failed to give adequate notice.

Announcement of Adequate Notice/Statement of Compliance

At the beginning of every meeting, the presiding officer must announce that adequate notice of the meeting was provided and must specify the time, place and manner in which the notice was provided.

However, if adequate notice was not provided, the presiding officer must say so, and in addition, must state:

TIME, PLACE, NOTIFICATION OF MEETINGS (continued)

- A. The nature of the matter of urgency or importance for which the meeting without adequate notice was called; and
- B. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting; and
- C. That the meeting will be limited to discussion of and action on such matters of urgency and importance; and
- D. The time, place, and manner in which some notice of the meeting was provided; and
- E. Either of the following:
 - 1. That the need for such meeting could not reasonably have been foreseen at a time when adequate notice could have been provided, and why this was so; or
 - 2. That such need could reasonably have been foreseen in time for adequate notice, but nevertheless such notice was not provided, and the reasons why.

Annual Notice

Annual notice of the year's regular meeting schedule must be posted publicly and sent to at least two newspapers and the municipal clerk within seven days following the annual organization meeting. This notice should contain the location of each meeting to the extent it is known as well as the time and date. If the schedule is revised at all, notice must be given within seven days of the revision.

The annual schedule serves as sufficient notice of any regularly scheduled meeting as long as it contains the proper date and location. If most meetings are on a regularly scheduled basis, whether they are formal sessions or study sessions, the notice requirement can be largely met through the once-a-year schedule.

Both the annual schedule of meetings, any revisions to that schedule, and notices of any additional meetings must be sent to any person upon request and upon prepayment of a sum set by the board. Requests to be on the mailing list for notices can be made on an annual basis and are renewable each reorganization meeting.

Adjournment

The board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

Adopted:	March 26, 1996
NJSBA Review/Update:	March 2009
Readopted:	September 22, 2009

Key Words

Meetings; Board of Education Meetings; Time, Place, Notification of Meetings

Legal References: N.J.S.A. 10:4-6 et seq. Open Public Meetings Act

TIME, PLACE, NOTIFICATION OF MEETINGS (continued)

<u>N.J.S.A.</u> 10:4-9.1	Electronic notice of meeting of public body; terms defined
<u>N.J.S.A.</u> 18A:10-3	First regular meeting of board
<u>N.J.S.A.</u> 18A:10-4	Secretary to give notice of meeting
<u>N.J.S.A.</u> 18A:10-5	Organization meeting as business meeting
<u>N.J.S.A.</u> 18A:10-6	Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
<u>N.J.A.C.</u> 6A:32-3.1	Special meetings of district boards of education

Possible

Cross References: *1120 Board of education meetings
*2240 Research, evaluation and planning

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

PUBLIC AND EXECUTIVE SESSIONS

The board of education shall officially transact all business at a legal meeting of the board in accordance with New Jersey law.

All meetings of the board of education shall be open to the public with the exception of meetings to discuss:

- A. Any matter which by express provision of state or federal law or rule of court shall be rendered confidential;
- B. Any matter in which the release of information would impair a right to receive federal funds;
- C. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy, unless the individual (or all the individuals) concerned shall request in writing that the same be disclosed publicly. This includes information contained in pupil records, and any reports or recommendations concerning a specific individual (see policy 1120 Board of Education Meeting);
- D. Any collective bargaining agreement or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the actual negotiating sessions with representatives of employee groups;
- E. Any matter involving the purchase, lease or acquisition of real property (land or buildings) with public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
- F. The tactics and techniques used in protecting the safety and property of the public, provided that their disclosure could impair such protection;
- G. Any investigations of violations or possible violations of law;
- H. Any pending or anticipated litigation or contract negotiations other than collective bargaining, and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;
- I. Any matter involving employment, appointment, termination, terms and conditions of employment, evaluation, promotion or disciplining of any prospective or current public employee or officer unless all the individual employees whose rights could be adversely affected request in writing that the matter be discussed at a public meeting; and
- J. Any deliberations occurring after a public hearing that may result in the imposition of a specified civil penalty or loss of license to an individual.

Such sessions shall be closed to the public and press, and shall be declared so by a formal motion at a public meeting. Minutes taken at such meetings shall remain confidential only so long as their publication would defeat the purpose of the executive session. That such a meeting will be or was held shall be recorded in the minutes of the preceding or subsequent regular meeting. Board members and other persons attending the session shall not disclose the topic or details of discussion at executive session.

The board may invite staff members or others to attend executive sessions at its discretion.

When public employees make statements pursuant to their official duties: in the classroom, at board

PUBLIC AND EXECUTIVE SESSIONS (continued)

meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline (Garcetti v. Ceballos).

No official action shall be taken at executive sessions, except such as may be sanctioned by law. To take final action on any other matter discussed, the board shall convene or reconvene in open session.

Public Participation

Meetings of the board are open to the public and all members of the community should feel free to attend. A time for public discussion of agenda items shall be included in the order of business at an appropriate time.

Brief comments on any matter of interest to the district should be reserved for the time provided in the order of business.

Provision may be made for the introduction by a member of the public of business not on the agenda when the matter is of such urgency or wide interest that delaying consideration of it to the next meeting would not be in the public interest.

Grievances or complaints that have not previously been considered through administrative channels shall not be acted upon by the board.

Electronic Participation in Meetings

The board authorizes that a board member may participate in a board meeting from a remote location through the use of an electronic device according to the following guidelines:

- A. There is a good reason why the board member cannot attend the meeting in person:
- B. A request for remote participation is made in advance to, and approved by the board president; and
- C. An electronic connection is available and is sufficient to be heard by the public.

Board members approved to participate in a board meeting from a remote location through an electronic device may be counted in the quorum. The electronic connection must be audible to the public and in the same location as the meeting.

The Board member will be required to submit the attached, notarized Statement of Electronic Participation (Exhibit A) prior to the next scheduled BOE meeting.

Electronic Communication among Board Members

The board of education believes that electronic communication among its members and the administration is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, board members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to email, internet web forums and internet chat rooms. They should understand at all times that these communications represent permanent school district records that can be subject to public disclosure. Electronic messaging communication shall conform to the same standards of judgment, propriety and ethics as other forms of board-related communication (committee meetings, telephone calls, etc.). Board

PUBLIC AND EXECUTIVE SESSIONS (continued)

members shall adhere to the following guidelines when communicating electronically:

- A. Board members shall not use email or any other electronic messaging service as a substitute for deliberations at board meetings. The Open Public Meetings Act defines a “meeting” as any gathering attended by, or open to, all of the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body;
- B. Board members shall be aware that email and email attachments received or prepared for use in board business are likely to be regarded as public records that may be inspected by any person upon request, unless otherwise made confidential by law;
- C. Board members shall avoid reference to confidential information about employees, students or others in email communications because of the risk of improper disclosure;
- D. Board members shall adhere to the district “acceptable use” policy in all email communications and shall refrain from sending inappropriate, profane, harassing or abusive emails. (See file code 6142.10 Technology);
- E. Board members shall not reveal their passwords to others in the network or to anyone outside of it, except to the system administrator. If any board member has reason to believe a password has been lost or stolen, or that email is being accessed by someone without authorization, he/she shall notify the chief school administrator immediately.

Electronic “Surveying” Communications

The board of education believes that “paperless board meetings” are a type of electronic communication among its members and the administration that is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, board members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to surveying, email, internet web forums and internet chat rooms.

The surveying features of paperless board meetings shall be used consistent with the New Jersey Open Public Meetings Act by restricting its use in the following ways:

- A. The board shall maintain and provide access to all electronic communications pursuant to the New Jersey Open Public Records Act;
- B. Surveying is a type of electronic messaging communication, and shall conform to the same standards of judgment, propriety and ethics as other forms of board-related communications (committee meetings, telephone calls, etc.);
- C. Board members shall not use surveys, email or any other electronic messaging service as a substitute for deliberations at board meetings. The Open Public Meetings Act defines a “meeting” as any gathering, whether corporeal or by means of communication equipment, attended by or open to all of the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body;
- D. Surveying will not be used for topics referring to confidential information about employees, students or others in email communications because of the risk or improper disclosure; and
- E. The district will avoid the appearance of conducting board discussion or actions, in which opinions are exchanged among a quorum of board members through repeated survey questions and answers, outside

PUBLIC AND EXECUTIVE SESSIONS (continued)

an open public meeting.

The board shall annually review its electronic communication policy and practices with the board attorney.

Revised & Readopted: 4-16-2018

Exhibit A

ELECTRONIC PARTICIPATION IN BOARD OF EDUCATION MEETINGS

I, _____, of full age, duly certify as follows:

1. I am a member of the Milltown Board of Education ("Board").
2. On _____, 20____, I was unable to personally attend the regularly scheduled meeting of the Board because _____.
3. As a result, I requested to participate in the meeting by telephone conference call.
4. In order to comply with the requirements of the New Jersey Open Public Meetings Act, Board Policy, and Robert's Rules of Order, I adhered to a number of restrictions which are advised for Board members who participate in a Board meeting telephonically, each of which is described in further detail below.
5. Prior to my participation in the aforementioned Board meeting by telephone, the Board and I arranged for me to dial into the meeting prior to its opening so as to avoid any unnecessary and avoidable disruption, and I remained on the line for the entirety of the meeting.
6. Throughout my participation in the aforementioned Board meeting by telephone, I used equipment that allowed all parties to clearly understand each other without interference; maintained and followed the rules of the meeting; and sufficiently secluded myself so as to eliminate or minimize as much as possible any distracting background noise or other intrusions that may have impeded the orderly conduct of the meeting.
7. I also attended and participated in the executive session portion of the aforementioned Board meeting by telephone. Throughout my participation in the executive session portion of the meeting by telephone, to the best of my knowledge, I was the only person present on the telephone call, and was the only person listening to the Board's confidential discussion conducted during closed session, other than the other Board members who participated in those discussions in person at the meeting.
8. With regard to each resolution considered during the aforementioned Board meeting, I voted as follows:

PUBLIC AND EXECUTIVE SESSIONS (continued)

9. I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by law.

_____, Board Member
Milltown Board of Education

DATED: _____

State of New Jersey)
) SS
County of Middlesex,)

On _____, 20__ before me, _____, Notary Public in and for
said county, personally appeared _____, who has satisfactorily identified himself
or herself as the signer to the above-referenced document.

Regulation

PUBLIC AND EXECUTIVE SESSIONS: PUBLIC PARTICIPATION

Public Participation

Meetings of the board are open to the public and all members of the community should feel free to attend. A time for public discussion of agenda items shall be included in the order of business at an appropriate time.

Public Participation shall be governed by the following rules:

- A. There shall be two designated time periods for public comments. Public comments regarding agenda items only will be heard at the beginning of each board meeting. General public comments will be heard at the end of each board meeting.
- B. Public comments will only be permitted during those portions of the meeting designated for the hearing of the public. The portions of the meetings during which the participation of the public is invited shall be limited to 30 minutes unless extended by a majority vote of the board members present.
- C. A participant must be recognized by the presiding officer and must preface his or her comments by an announcement of his or her name, place of residence, and group affiliation, if applicable.
- D. Each statement made by a participant shall be limited to Three (3) minutes duration.
- E. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- F. All statements shall be directed to the presiding officer; no participant may address or question an administrator.

The presiding officer may:

- A. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, duplicative, personally directed, abusive, obscene, or irrelevant;
- B. Request any individual to leave the meeting when that person does not observe reasonable decorum;
- C. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
- D. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; and
- E. Waive these rules when necessary for the protection of privacy or the efficient administration of the board's business.

PUBLIC AND EXECUTIVE SESSIONS:
PUBLIC PARTICIPATION (continued)

The above stated rules governing public participation shall be printed and available at the start of all public meetings.

Grievances or complaints that have not previously been considered through administrative channels shall not be considered by the board.

Bylaw

ORGANIZATION MEETING

The Milltown Board of Education shall organize annually at a regular meeting beginning not later than 8 p.m. on a day appointed by statute. If the organization meeting cannot take place on that day because of lack of a quorum or for any other reason, the meeting shall be held within three days thereafter.

The organization meeting shall be called to order by the board secretary/business administrator, who shall act as temporary chairperson. The board shall proceed to the election of a president who shall immediately become chairperson; the board shall then elect a vice president. A majority vote of the members of the board present and voting shall be necessary for election.

At the organization meeting, the Board shall appoint a Board secretary if the incumbent is not tenured.

Therefore, at the organization meeting, the Board shall:

- A. Elect a president
- B. Elect a vice president
- C. Appoint a Board secretary
- D. Adopt rules of order
- E. Adopt Board policies, by-laws, rules and regulations
- F. Adopt curriculum guides and courses of study
- G. Adopt basal series
- H. Designate at least two newspapers distributed within the District as the official newspapers
- I. Designate a depository(ies) for school funds and signatures
- J. Adopt an annual meeting schedule to conduct the business of the Board
- K. Appoint the following personnel if not tenured
 - 1. School Board secretary
 - 2. Attorney to the Board
 - 3. Auditors to the Board
 - 4. Treasurer of school monies
 - 5. Attendance officers
 - 6. School physician/medical examiner
 - 7. Compliance personnel
- L. Adopt any mandated plans

- M. Establish committees of the board if other than those specified in the bylaws. (the president to appoint the members and chairpersons)
- N. Elect a Milltown Board of Education member as a member of the Spotswood Board of Education in school years commencing with an odd numbered year (1995-96, 1997-98, etc.)
- O. Designate liaisons to:
 - 1. NJ and Middlesex County School Boards Association
 - 2. Local Parent Teachers/Association
 - 3. Mayor and council
- P. Elect a representative (a Board member or chief school administrator) to serve as a member to the Representative Assembly of the Middlesex County Educational Services Commission.

Date: March 26, 1996
 NJSBA Review/Update: March 2009
 Readopted: September 22, 2009

Legal References: N.J.S.A. 18A:10-3 First regular meeting of board (Type I and Type II)
N.J.S.A. 18A:10-4 Secretary to give notice of meeting
N.J.S.A. 18A:10-5 Organization meeting as business meeting
N.J.S.A. 18A:15-1 President and vice president; election of failure to elect

Cross References: 9121 Election and duties president
 9122 Election and duties vice president
 9123 Appointment of board secretary/business administrator
 9126 Appointment of attorney
 9130 Committees
 9340 Membership in associations

Bylaw

AGENDA PREPARATION/ADVANCE DELIVERY OF MEETING MATERIAL

The chief school administrator and the board president shall prepare the agenda for all meetings of the board. In doing so, they shall consult the board secretary.

Items of business suggested by any board member, staff member, or citizen of the district may be included at the discretion of the chief school administrator and board president. When appropriate, the agenda shall allow time for the remarks of citizens, staff members, or pupils who wish to speak briefly before the board.

The agenda shall be published pursuant to provisions of the Open Public Meetings Act. The board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present and voting. At a regularly scheduled meeting for which an advance agenda has been provided to the public, items of business not anticipated at the time the agenda was prepared may be discussed and acted upon if a majority of the board present and voting agrees to consider them. However, existing board policies and bylaws may not be revised or new ones adopted unless the proposals are on the written agenda.

The agenda, together with supporting materials, shall be distributed to board members sufficiently prior to the board meeting to permit them to give items of business careful consideration. The agenda shall also be made available to the press, representatives of community and staff groups, and others, upon request.

Adopted: March 26, 1996
Revised: August 25, 1998
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Board Meeting Agenda, Delivery of Meeting Materials, Board Meeting Materials, Agenda

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Crifasi v. Governing Body of the Borough of Oakland, 156 N.J. Super. 182
(App. Div. 1978)

Possible

Cross References: *1120 Board of education meetings
*9311 Formulation, adoption, amendment of policies
*9312 Formulation, adoption, amendment of bylaws

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

MEETING PROCEDURES

Order Of Business

The order of business for regularly scheduled, public meetings of the Milltown Board of Education shall be as follows, unless otherwise determined by the board:

- A. Call to order
- B. Salute to flag
- C. Reading of Open Meeting Act Notice
- D. Roll Call
- E. Any special reports or presentations of the chief school administrator or staff
- F. Approval of minutes
- G. Correspondences
- H. Committee reports and board action
- I. Public portion
- J. Old business
- K. New Business
- L. Adjournment

Executive sessions as permitted by state law may be held as needed.

Rules of Order

Except as otherwise provided by law, regulations of the State Department of Education or by the Milltown Board of Education, meetings of the board of education shall be conducted in accordance with the most recent edition of Robert's Rules of Order, Revised.

The Board Secretary/ Business Administrator shall serve as parliamentarian.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Meeting Procedures, Parliamentary Procedure, Quorum, Order of Business

Bylaw

VOTING METHOD

Official actions may be taken only at a regular monthly or specially called meeting of the Milltown Board of Education at which a quorum is present. All motions shall require for adoption a majority vote of those present and voting (minimally, a majority of the quorum), except as provided by code or statute.

A vote can be conducted by voice, show of hands or roll call, provided that the vote of each member is recorded, except where a recorded roll call majority is required by code or statute. Proxy voting is prohibited. Any member may request that the board be polled.

Abstentions

A member may abstain from voting. An abstention shall be so recorded and shall not be counted as either an affirmative or a negative vote. Abstentions are to be so recorded, regardless of whether a person speaks for or against a motion prior to stating his/her wish to abstain. The silence of a member on any vote shall be recorded as an abstention.

Adopted: March 26, 1996
Revised: August 26, 1997
Revised: August 25, 1998
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Voting Method, Abstentions

Legal References: N.J.S.A. 18A:38-8.1 Additional member on board of education to represent board of education in each sending district

Aurentz v. Little Egg Harbor Township Planning Board, 171 N.J. Super. (Law Div. 1979)

King v. Asbury Park Board of Education, 1939-49 S.L.D. 20

Matawan Teachers' Assn. v. Board of Education, 223 N.J. Super. 504 (App. Div. 1988)

Lincoln Park Bd. of Ed. v. Boonton Bd. of Ed., 97 N.J.A.R. 2d (EDU) _____ (May 30)

Little Ferry Bd. of Ed. v. Ridgefield Park Bd. of Ed., 97 N.J.A.R. 2d (EDU) _____ (July 24)

Green Twp. Bd. of Ed. v. Newton Bd. of Ed., 97 N.J.A.R. 2d (EDU) _____ (August 5)

Exhibit

VOTING METHOD

BOARD VOTING REQUIREMENTS

The following actions require a recorded roll call vote and must pass by an affirmative vote of a majority of the full membership of the board. "Full membership" means the number of board members when all the members' seats are filled. A "majority of the full membership" means a majority of that number. N.J.S.A. 18A:1-1.

1. Directing the Board Secretary to make deductions for United States government bonds from salaries of participating employees (N.J.S.A. 18A:16-8).
2. Appointing and fixing the salary and term of a Board Secretary (N.J.S.A. 18A:17-5).
3. Appointing and fixing the salary and term of an Assistant or Acting Board Secretary (N.J.S.A. 18A:17-13).
4. Appointing and fixing the term of a Chief school administrator of Schools (N.J.S.A. 18A:17-15).
5. Appointing or removing an Assistant Chief school administrator of Schools (N.J.S.A. 18A:17-16).
6. Appointing and fixing the term of an Administrative Principal (N.J.S.A. 18A:17-20.5).
7. Appointing and fixing the term of a shared Chief school administrator or a shared School Business Administrator (N.J.S.A. 18A:17-24.3). (Please note that this particular statute only requires a "majority of the membership.")
8. Appointing or removing and fixing the salary of a Business Manager in a Type I school district (N.J.S.A. 18A:17-25).
9. Appointing an executive chief school administrator in districts in cities of the first class with a population over 325,000 (N.J.S.A. 18A:17A-1).
10. Disposing of lands owned by the board, or rights or interests therein (N.J.S.A. 18A:20-5).
11. Exchanging lands owned by the board (N.J.S.A. 18A:20-8).
12. Adopting a budget in Type II districts having a Board of School Estimate (N.J.S.A. 18A:22-26).
13. Fixing and determining the amount of money to be voted upon by the voters of the district at or after the public hearing on the school budget for Type II districts without a Board of School Estimate (N.J.S.A. 18A:22-32).

14. Adopting the question(s) to be submitted to the voters concerning any capital project(s) to be paid for from the proceeds of an issue of bonds in Type II districts without a Board of School Estimate (N.J.S.A. 18A:22-39).
15. Adopting a proposal for the issuance of school bonds by Type II districts having a Board of School Estimate (N.J.S.A. 18A:24-10b).
16. Transferring a teaching staff member (N.J.S.A. 18A:25-1).
17. Restoring or removing an Assistant Chief school administrator, principal or teacher, following suspension by the Chief school administrator of Schools (N.J.S.A. 18A:25-6). (Please note that this particular statute only requires a "majority of the membership.")
18. Appointing a teaching staff member (N.J.S.A. 18A:27-1).
19. Appointing, transferring, removing or renewing the employment contract of a certificated or non-certificated officer or employee (N.J.S.A. 18A:27-4.1).
20. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment increment (N.J.S.A. 18A:29-14).
21. Adopting or altering a course of study (N.J.S.A. 18A:33-1).
22. Selecting textbooks (N.J.S.A. 18A:34-1).
23. Applying for membership in an already established county educational audiovisual aids center (N.J.S.A. 18A:51-11).
24. Applying to the county chief school administrator to investigate the advisability of withdrawing from a regional district (N.J.A.C. 6A:32-11.1). (Note that in this case, the roll call majority vote is required by administrative code provision. This is not a statutory requirement.)
25. Submitting, for county chief school administrator review, the content of separate questions to be submitted to the voters that propose programs in addition to the core curriculum context standards that may be in excess of its adjusted spending growth limitation (N.J.A.C. 6A:23-8.5(b)). (Note that in this case, the roll call majority vote is required by administrative code provision. This is not a statutory requirement.)

The following actions require a recorded roll call vote and must pass by an affirmative vote of two-thirds of the full membership of the board.

1. Determining the necessity to sell bonds to raise money for a capital project by a Type II district with a Board of School Estimate (N.J.S.A. 18A:22-27).
2. Permitting the private sale of certain bonds if no legally acceptable bid is received by a Type II district (N.J.S.A. 18A:24-45(c)).

The following actions require an affirmative vote of the majority of the full membership of the board. They do not require a roll call vote. Some of the statutory votes require "all of the members of the board" or a "majority of the board of education."

1. Determining the sufficiency of charges to dismiss or reduce the salary of a tenured employee (N.J.S.A. 18A:6-11).
2. Filling of vacancies on elected boards of education ("majority vote of the remaining members") (N.J.S.A. 18A:12-15).
3. Removing from office a president or vice president of a board for failure to perform a duty imposed upon him by law (N.J.S.A. 18A:15-2). ("majority vote of all of the members")

4. Appointing, fixing the salary and defining the duties of a school business administrator or appointing a shared business administrator between two or more districts. (N.J.S.A. 18A:17-14.1). (“majority vote of all of the members”)
5. Disqualifying a bidder who would otherwise be determined to be the lowest responsible bidder due to prior negative experience (N.J.S.A. 18A:18A-4). (“majority of the board of education”)
6. Authorizing of purchase of securities (N.J.S.A. 18A:20-37). (“majority vote of all of its members”)
7. Authorizing of sale of securities (N.J.S.A. 18A:20-39). (“majority vote of all of its members”)
8. Adopting a proposal for the issuance of school bonds in Type II districts without a Board of School Estimate (including regional districts) (N.J.S.A. 18A:24-10c).
9. Admitting pupils, who have never attended public or private school, after October 1 following the opening of school for the full term (N.J.S.A. 18A:38-6). (“majority vote of all of the members”)
10. Deciding to establish, with other school districts of the county, a county educational audio-visual aids center (N.J.S.A. 18A: 51-1).
11. Employee travel, with prior CSA approval (“majority of full voting membership”) (N.J.S.A. 18A:11-12(f))
12. Board Member travel (“majority of full voting membership”) (N.J.S.A. 18A:11-12(g))
13. In a school district with a board of school estimate, approval of additional tax levy (N.J.S.A. 18A:7F-39)(“majority of those board members who are present”)

The following actions require an affirmative vote of two-thirds of the full membership of the board. They do not require a roll call vote.

1. Determination of member district’s share of educational services commission expenses (two-thirds of representative assembly) (N.J.S.A. 18A:6-62).
2. Adoption of new corporate name for school district composed of two or more municipalities (N.J.S.A. 18A:8-17.1).
3. Authorization to negotiate, award or enter into a contract or agreement after the board has solicited and received at least three quotations on materials, supplies or equipment for which a State contract has been issued, and the lowest responsible quotation is at least ten percent (10%) less than the cost charged under the State contract (N.J.S.A. 18A:18A-5(e)).
4. Adopting a refunding bond ordinance by a Type II school district (N.J.S.A. 18A:24-61.4).
5. Selling or exchanging refunding bonds (N.J.S.A. 18A:24-61.9).
6. Endorsing approval of a lease purchase and authorizing the chief school administrator and/or board secretary to advertise and solicit proposals in connection with a lease purchase, and to request state approval of a lease purchase of five years or less (N.J.A.C. 6A:26-10.3(h)). (Note that in this case, the two-thirds majority vote is required by administrative code provision. This is not a statutory requirement.)
7. Endorsing approval of a lease of facilities in excess of five years and authorizing the board of education to request approval of an amendment to its long range facilities plan to reflect the leased facility (N.J.A.C. 6A:26-10.11 (c)). (Note that in this case, the two-thirds majority vote is required by administrative code provision. This is not a statutory requirement.)

The following actions require an affirmative vote of two thirds of the “authorized membership” of the school board. “Authorized membership of the school board” means the full membership of the district board of education as established pursuant to N.J.S.A. 18A:12.

1. Transferring amounts among line items and program categories (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A-8.2 (e), N.J.A.C. 6A:23-2.11(f)).
2. Petitioning the Commissioner for authority to make a transfer of surplus, unbudgeted or under budgeted revenue amounts to line items and program categories prior to April 1 due to an emergent circumstance (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A-8.2 (b), N.J.A.C. 6A:23-2.11(c)).
3. Petitioning the Commissioner for authority to make a transfer of surplus, unbudgeted or under budgeted revenue amounts to line items and program categories between April 1 and June 30 in order to achieve the thoroughness standards for the current year (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A-8.2 (a), N.J.A.C. 6A:23-2.11(b)). Note that the Abbott code speaks to achieving the efficiency and effectiveness standards, not the thoroughness standards.
4. Authorization to negotiate and award a contract or agreement after twice advertising for bids pursuant to N.J.S.A. 18A:18A-4, with subsequent failure to receive any bids (N.J.S.A. 18A:18A-5(c)).
5. Authorization to negotiate and award a contract or agreement after twice advertising for bids and having rejected those bids for appropriate reasons (N.J.S.A. 18A:18A-5(c)).
6. Authorization to negotiate and award a contract or agreement after twice advertising for bids and having once failed to receive bids and having once rejected bids received for appropriate reasons (N.J.S.A. 18A:18A-5 (c)).

The following action requires an affirmative vote of three-quarters of the members present. It does not require a roll call vote.

1. Calling an emergency meeting of the board without providing adequate prior notice (N.J.S.A. 10:4-9).

When in doubt or where a question exists concerning the formal requirements of a vote, the board should take action by roll call vote and should consult its board attorney.

Bylaw

MINUTES

The minutes of all meetings of the Milltown Board of Education shall be sufficiently detailed to serve as documentation of board compliance with New Jersey statutes and administrative code.

The minutes of the meetings of the Board of Education shall include:

- A. The classification (regular, adjourned or special), date, and place of meeting;
- B. The call to order stating time, person presiding and his/her office;
- C. The record of the roll call of members;
- D. A notation of the presence of the chief school administrator, school business administrator, Board secretary, administrators and the public;
- E. Announcement of notification listing the newspapers by name;
- F. A record of any corrections to the minutes of the previous meetings and the action approving them;
- G. A record of all communications presented to the Board;
- H. A record of each motion placed before the Board, the result of the vote, and the vote of each member.

A copy of the draft of the unapproved minutes of the previous meeting, excepting for executive session minutes, shall be sent to all Board members along with agenda materials. If any unusual circumstance prevents said from taking place, the Board secretary shall so advise the Board president.

The minutes shall be filed permanently for reference purposes.

All reports requiring Board action, resolutions, agreements and other written documents shall be placed in the files of the Board secretary and/or the chief school administrator as a permanent record.

Minutes of Closed Meetings

The minutes of closed meetings must be made available to the public as soon as the reason for confidentiality no longer applies. When a closed meeting deals with more than one privileged matter, the minutes shall be prepared in such a way that each matter can be separated and disclosed in a timely manner.

Access to Minutes

Minutes of all regular meetings shall be available to the public for inspection within two weeks of the meeting.

The board secretary (or other person deemed to be the custodian of public records) shall permit the minutes to be inspected, examined and copies by any person during regular business hours. However, for a board of education having a total district enrollment of 500 pupils or fewer, minutes shall be available during, not less than six regular business hours over, not less than three business days per week or the board's regularly scheduled business hours, whichever is less. The board may charge a fee for copies of the minutes as provided by law.

MINUTES (continued)

NOTE: IF THE BOARD TAPE RECORDS PUBLIC MEETINGS, A SECTION ON TAPING SHOULD BE INCLUDED IN THIS BYLAW.

Official Tapes of Public Meetings

The board secretary may make a video or audio recording of public meetings of the Board in order to assure proper documentation of occurrences and the preparation or transcription of minutes. All video or audio recordings are the sole property of the board, and any individual requesting access to these materials must do so in writing five working days in advance. The video or audio recordings shall not be removed from the board office and must be played in the presence of the board secretary/designee. All video or audio recordings shall be stored in a locked cabinet located in the board office and shall be retained under the NJDARM schedule for 45 days or until official transcripts or minutes are prepared and adopted, whichever is longer.

Video and Audio Recordings by Members of the Public

Any member of the public is entitled to make an audio or video recording of a board of education meeting; subject to reasonable restrictions including that the taping will minimize intrusiveness and not interrupt the proceedings. Any person wishing to make an audio or video recording of a meeting shall provide written notice of their name, address and telephone number and will consent to the board, at its own expense and upon request, to make a reproduction of the recording. Absent prior to board approval, no additional artificial lighting shall be permitted. No electrical or other wiring is allowed due to the danger of entanglement and tripping. All persons recording board proceedings shall hold the board harmless against all damage or injury whether to equipment, to themselves or to others. To protect privacy, there shall be no recording of closed executive sessions and no audio pick up of private conversations occurring in the audience or between the board and its attorney. Persons making video or audio recordings of the public meetings shall not move around the room while meetings are in session and equipment, once positioned, shall not be moved during the board meeting. Unless waived by the board, no more than two portable video cameras, operated by not more than two persons, shall be allowed, on a first-come, first-served basis. Following the adjournment of the board's meeting, any persons responsible for recording shall immediately remove all equipment and restore the facility to the same condition it was in immediately prior to the recording equipment being set up.

The Board reserves the right to request a copy of any video or audio recording of a Board meeting made by a member of the public. Any and all copying costs shall be borne by the Board.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009
Readopted: December 11, 2012

Key Words

Minutes, Board Meeting Minutes, Records, District Records and Reports

Legal References: N.J.S.A. 10:4-6 et seq. Open Public Meetings Act
See particularly:
N.J.S.A. 10:4-10, -14
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:17-7 Secretary to give notices and keep minutes, etc.

MINUTES (continued)

<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 47:1A-1 <u>et seq.</u>	Public Records; Examination and Copies ("Open Public Records Act")
<u>N.J.A.C.</u> 6A:8-4.3	Accountability
<u>N.J.A.C.</u> 6A:30-1.4	NJQSAC
<u>N.J.A.C.</u> 6A:32-12.1	Reporting requirements

Executive Order No. 9, September 30, 1963; modified by Executive Order No. 11, November 15, 1974

Maurice River Board of Education v. Maurice River Teachers Assn. 193 N.J. Super. 488 (App. Div. 1984)

Matawan Ed. Ass'n. v. Matawan-Aberdeen Ed. Bd., 212 N.J. Super. 328

Liebeskind v. Mayor & Mun. Coun. of Bayonne, 265 N.J. Super. 389, 400-401 (App. Div. 1993)

Atlantic City Convention Center Authority v. South Jersey Publishing Co., Inc., 135 N.J. 53 (1994). Tapes made during closed government meetings are common law public records, subject to the removal of any confidential or privileged information before disclosure. "Blanket access to the tapes would not be required; rather, access could be limited to those portions of the tapes necessary to vindicate the public interest."

Robert Wayne Tarus v. Borough of Pine Hill, et al., NJ Supreme Court (A-93-2005, decided March 7, 2007). The public's right of access to governmental proceedings includes the right to videotape.

Manual for the Evaluation of Local School Districts (September 2002)

New Jersey Department of State, Division of Archives and Records Management, School District Records Retention Schedule

Possible

Cross References: *3570 District records and reports
9123 Appointment of board secretary

*Indicates policy is included in the Critical Policy Reference Manual.

Regulation

MINUTES

(AUDIOTAPING, VIDEOTAPING, TRANSCRIBING OF BOARD OF EDUCATION MEETINGS)

Philosophy

The board of education recognizes that current law requires it to allow audiotaping, videotaping and transcribing of board of education meetings, but that the law also permits the Board to formulate reasonable guidelines for such taping and transcribing so as to minimize intrusiveness, preserve confidentiality where required, and maintain the dignity of the board's meetings. Therefore, the board fixes the following regulations which shall be followed in the event any attendees, including residents, media, board members, or any other persons wish to record the board's meetings or any part thereof. If the board finds that any taping or transcribing does not comply with these guidelines or otherwise is interfering with the board's proceedings, it may order that any such non-complying or interfering audio or video taping or transcribing cease immediately.

Notice Requirements

Any person(s) wishing to audio or video tape board of education meetings shall provide the board secretary with advance written notice of such intent on a form to be provided by the board. The written notice shall contain the person's name, address and home and work telephone numbers and shall contain the person's consent to permit the board, at the board's sole expense and upon its request, to make a reproduction of the recording. Such advance notice shall be provided no later than 3:00 p.m. on the Friday immediately preceding the board meeting to be taped or transcribed. Not more than two portable video tape cameras, operated by not more than two persons, shall be permitted during any board meeting or proceeding. The board will grant appropriate requests on a first-come, first-served basis. Unless otherwise designated by the board, any such recording or transcription shall not be represented as an official record of the board in any manner or for any purpose. The board may waive the advance notice requirement for good cause.

Right to Privacy

Where the board determines that any person's right to privacy may be violated by continued taping or transcribing of the meeting, or any portion thereof, the board shall request that all such taping or transcribing be suspended temporarily. Any person so taping or transcribing shall comply with the board's request which may be made by the board president in his or her sole discretion. To protect a persons' right to privacy and the attorney-client privilege, there shall be no audio or video pickup or transcription of private conversations occurring in the audience or between the board and its attorney. During the conduct of any hearing or proceeding otherwise closed to the public pursuant to any applicable law or regulation, all taping or transcription of any kind, except that by the board secretary shall cease.

MINUTES (AUDIOTAPING, VIDEOTAPING, TRANSCRIBING OF BOARD OF EDUCATION MEETINGS)Permissible Equipment

Only audio or video or transcribing equipment which does not produce distracting sound or light, either from the equipment or its operation, shall be employed in the audio or video taping or transcribing of board meetings. Only tapes of extended length (audio: minimum of 45 minutes per side; video: minimum of 2 hours) shall be permitted so as to minimize the distraction caused by changing tapes. The board reserves the right not to permit the changing of tapes in the event it would disrupt the board's proceedings. It shall be an affirmative duty of any person wishing to audio or video tape or transcribe board meetings that the equipment used complies with the criteria set forth herein. Persons wishing to audio tape board meetings shall be permitted to utilize unobtrusive recording devices limited to the size category commonly known as hand-held, mini-cassette, micro-cassette or standard portable cassette. Persons wishing to video tape board meetings shall be permitted to utilize unobtrusive recording devices limited to the size category commonly known as hand-held camcorders or palmcorders. Persons wishing to transcribe board meetings shall be permitted to use equipment limited to size categories outlined for audio and video equipment.

Additionally, the board shall permit any recording or transcription device permitted under the "New Jersey Supreme Court Guidelines for Still and Television Camera and Audio Coverage or Proceeding of the Courts of New Jersey", except to the extent that such devices may be inappropriate in light to differences between the space available in the board's meeting room in comparison to a court house. Absent prior board approval, no artificial lighting device of any kind shall be employed in connection with any equipment. Any electrical or other wiring shall be secured to the floor in such a way as to prevent such wires from becoming entangled with other equipment or posing physical danger or any kind. All equipment shall be approved by an appropriate body or clearinghouse charged with evaluating the safety of electrical equipment pursuant to uniform standards.

Location and Positioning of Equipment and Persons Recording

Audio, video, or transcribing equipment shall be positioned only at such locations as are designated or approved by the board and shall not be moved in any way as to attract attention. The designated areas shall provide reasonable access to coverage. Persons taping or transcribing shall not move around the room while meetings are in session. Microphones or taping equipment, once positioned, shall not be removed during the pendency of a board meeting. Following the adjournment of the board's meeting, any persons responsible for taping or transcribing shall immediately remove all equipment and shall restore the facility to the same condition it was in immediately prior to the equipment being set up.

Hold Harmless and Indemnification

The board shall bear absolutely no liability for any damaged, lost or stolen recording or transcribing equipment or for any damage or injury proximately caused by any person recording board proceedings or by any such recording or transcribing equipment. All persons recording or transcribing board proceedings shall hold the board harmless from and indemnify the board against all such damage and injury whether to themselves or others.

Adopted: March 26, 1996

Form

MINUTES

Notification of Intent to Audio, VideoTape or to Transcribe a Public Meeting

Applicant's Data

Person's name: _____

Full Address: _____

Home phone: _____ Work phone: _____

Time and date making request: _____ a.m.
p.m.

Date of meeting: _____

- _____ audio request
- _____ video request
- _____ transcription request

Details of Any Other Person Assisting You

Person's name: _____

Full Address: _____

Home phone: _____ Work phone: _____

1. Consent: I/we hereby consent to permit the Board, at the Board's sole expense and upon its request, to make a reproduction of the recording or transcription.
2. Hold Harmless Indemnification: The Board shall bear absolutely no liability for any damaged, lost or stolen recording equipment or for any damage or injury proximately caused by any person recording Board proceedings or by any such recording equipment. All persons recording Board proceedings shall hold the Board harmless from and indemnify the Board against all such damage and injury whether to themselves or others.
3. Acknowledgment: I/we have read and fully understand the provisions of the policies and regulations pertaining to this request to audio tape, video tape, or to transcribe Board meetings. I/we agree to fully abide by their provisions.

Signature of applicant

Date

Signature of assistant

Date

Attest: by Board secretary _____

Bylaw

MEMBERSHIP IN ASSOCIATIONS

The Milltown Board of Education shall be a member of the New Jersey School Boards Association, the Middlesex County School Boards Association and such other associations as shall be determined annually by the board.

Adopted: 1994
NJSBA Review/Update: December 2008
Readopted: September 22, 2009

Legal References: N.J.S.A. 18A:6-45 New Jersey School Boards Association established
N.J.S.A. 18A:6-46 Delegates to state association
N.J.S.A. 18A:6-50 Expenses of delegates, dues

Bylaw

LEGISLATIVE PROGRAM

To ensure that the Milltown Board of Education has the opportunity to make its views known to the elected representatives of the district at the local, state and national level, the chief school administrator is directed to notify the board of any pending legislation which might affect the district.

It shall be the practice of this board to send resolutions to the governor, members of the legislature and any other appropriate officials of the local, county, state or federal government expressing the board's concern on matters affecting public education.

Date:	March 26, 1996
NJSBA Review/Update:	March 2009
Readopted:	September 22, 2009

Bylaw

BOARD SELF-EVALUATION

The members of the Milltown Board of Education shall conduct an annual self-evaluation to determine the degree to which they are meeting their responsibilities as board members and the needs of their educational community. This self-evaluation shall be positive, frank and honest, and shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the board. It shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the board. This shall be a phase of the evaluation process of the chief school administrator and shall include at least two formative conferences and a summative conference throughout the school year in a manner with school policy.

The board shall use a multifaceted self-evaluation instrument.

Adopted: March 26, 1996
NJSBA Review/Update: March 2009
Readopted: September 22, 2009

Key Words

Board Self-evaluation, Evaluation

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

Possible

Cross References: *2131 Chief school administrator
*9000 Role of the board

*Indicates policy is included in the Critical Policy Reference Manual.

Bylaw

RECOGNITION OF EMPLOYEES, RETIRED EMPLOYEES, AND BOARD MEMBERS

Wishing to recognize the loyalty and service of longtime employees and Milltown Board of Education Board members with a tangible proof of appreciation, the Board directs the chief school administrator to procure appropriate tokens of recognition for employees who have met career milestones or who are retiring from active employment in the District and Board members who have completed their service on the Board.

Recognition is to be made on a nondiscriminatory basis. Tokens shall be presented at a Board meeting or other scheduled event, with appropriate advance notice so that the public or other particular invitees may attend.

Adopted:	March 26, 1996
NJSBA Review/Update:	March 2009
Readopted:	September 22, 2009

Cross References: 3280 Gifts, grants and bequests
5126 Awards for achievement