

Bylaw

ROLE OF THE BOARD

The general mandatory powers and duties of the board 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 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 Superintendent 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, both 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 board shall exercise its powers through the legislation of bylaws and policies for the organization and operation of the school district.

The board shall be responsible for the operation of the school but shall delegate the administration to the Superintendent, 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.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

ROLE OF THE BOARD (continued)Key Words

Boards of Education, Role of the Board

| | |
|---|---|
| Legal References: <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 superintendents; 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

| | |
|-------------------------------------|---|
| Cross References: *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 non-instructional operations; goals and objectives |
| 4000 | Concepts and roles in personnel |
| 5000 | Concepts and roles in pupil personnel |
| 6000 | Concepts and roles in instruction |
| *6140 | Curriculum adoption |
| *6161.1 | Guidelines for evaluation and selection of instructional materials |
| 7000 | Concepts and roles in construction, remodeling and renovation |
| *9311 | Formulation, adoption, amendment of policies |
| *9312 | Formulation, adoption, amendment of bylaws |
| *9313 | Formulation, adoption, amendment of administrative regulations |
| *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 board 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 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.

Oath of Office

Each member of the Paulsboro School District Board of Education must take the required oath of office. This includes members of this board who may also be serving as board members of a sending district.

Adopted: 1994
NJSBA Review/Update: December 2008
Readopted: March 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

The Board of Education recognizes that arbitrary or independent actions of board members can produce serious consequences and affect the effectiveness of school operations. An essential quality of effective board operation is teamwork in problem resolution and cooperative decision making.

Only the board president shall authorize or make statements of official board positions.

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 that they can only speak as individual board members unless empowered by the board to speak for it.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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

MEMBERSHIP AND TERM OF OFFICE

Membership

The Paulsboro Board of Education shall be comprised of nine (9) members elected by the voters of the Paulsboro District at the annual school board election in accordance with law. At present, 1 member appointed by Gibbstown.

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: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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: October 12, 2011

Legal References: N.J.S.A. 18A:12-1 *et seq.* Qualifications of Board 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

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. NJSBA Review: February 2016

Bylaw

ELECTIONS/APPOINTMENT

The annual election shall be held on a date specified by law. Three 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 of Education shall encourage the participation of as many voters as possible in the annual school election by disseminating information about the budget, location of polls and the time during which the polls will be open.

Date: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Elections, Nominating Petitions, Candidates

| | | |
|---------------------------------|---------------------------|--|
| <u>Legal References:</u> | <u>N.J.S.A.</u> 18A:6-46 | Delegates to state association |
| | <u>N.J.S.A.</u> 18A:12-1 | Election and number of board members; terms |
| | <u>N.J.S.A.</u> 18A:14-2 | Time of holding annual school election |
| | <u>N.J.S.A.</u> 18A:14-19 | Notices; contents; posting and publication |
| | <u>N.J.S.A.</u> 18A:14-36 | Open election |
| | <u>N.J.S.A.</u> 18A:14-63 | Duties of secretary of the board of education (re: elections) |
| | <u>N.J.S.A.</u> 18A:17-2 | Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees |
| | <u>N.J.S.A.</u> 18A:17-5 | Appointment of a secretary of board of education; terms; compensation; vacancy |
| | <u>N.J.S.A.</u> 18A:17-13 | Assistant and acting secretaries; appointment, powers and duties |
| | <u>N.J.S.A.</u> 18A:17-31 | Treasurer of school moneys |
| | <u>N.J.S.A.</u> 18A:23-1 | Audit when and how made |
| | <u>N.J.S.A.</u> 18A:40-1 | Employment of medical inspectors, optometrists and nurses; salaries; terms; rules |
| | <u>N.J.S.A.</u> 18A:46-11 | Psychological and other examinations |
| | <u>N.J.S.A.</u> 18A:38-32 | District and county vocational school attendance officer |

Possible

| | | |
|---------------------------------|------------|---|
| <u>Cross References:</u> | *1120 | Board of education meetings |
| | *3570 | District records and reports |
| | *6142.10 | Technology |
| | *9121 | Election and duties of president |
| | *9271 | Code of ethics |
| | *9322 | Public and executive sessions |
| | *9323/9324 | Agenda preparation/advance delivery of meeting material |
| | *9326 | Minutes |

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

Bylaw

FILLING VACANCIES

Vacancies Filled by the Board

The board 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.

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: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Filling Vacancies, Board Vacancies

| | | |
|---------------------------------|---|---|
| <u>Legal References:</u> | <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 |

Possible

| | | |
|---------------------------------|-------|---------------------------------------|
| <u>Cross References:</u> | *9010 | Role of member |
| | 9110 | Number of members and terms of office |
| | 9112 | Elections/appointments |
| | 9114 | Resignation/removal from office |

FILLING VACANCIES (continued)

*9270 Conflict of interest
*9271 Code of ethics

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

Bylaw

RESIGNATION AND REMOVAL FROM OFFICE

Resignation from Office

The resignation of a member of the board shall become effective upon official board motion and the affirmative vote of a plurality of the board at a legally convened meeting.

The resignation of an officer of the board from his/her office shall become effective by official board motion and the affirmative vote of a majority of the total board membership at a legally convened meeting. If the board fails to fill the office of president or vice president within 30 days thereafter the executive county superintendent shall fill the vacancy for the unexpired terms.

Removal from Office

A president or vice president who shall refuse to perform a duty imposed upon his/her by this title may be removed by the majority vote of all the members of the board.

The board may remove a fellow member who shall fail to attend three consecutive regular meetings, without good cause by, the affirmative vote of a majority of the full board. It is provided, however, that such action shall have been proposed at the preceding meeting of the board and that notice of such action has been given to the absent member in advance of the meeting for which such action has been proposed.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Resignation, Removal

| | | |
|---------------------------------|--|---|
| <u>Legal References:</u> | <u>N.J.S.A.</u> 18A:11-1 | General mandatory powers and duties |
| | <u>N.J.S.A.</u> 18A:12-2 | Inconsistent interests or office prohibited |
| | <u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u> | School Ethics Act |
| | <u>See particularly:</u> | |
| | <u>N.J.S.A.</u> 18A:12-24, -24.1 | |
| | <u>N.J.S.A.</u> 19:27A-1 <u>et seq.</u> | Uniform Recall Election Law |
| | <u>N.J.A.C.</u> 6A:4-1.1 <u>et seq.</u> | Appeals |
| | <u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u> | School Ethics Commission |

| | | |
|---------------------------------|----------------|---|
| <u>Cross References:</u> | *4112.8/4212.8 | Nepotism |
| | *9113 | Filling Vacancies |
| | *9200 | Orientation and training of board members |
| | *9270 | Conflict of interest |

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

Bylaw

ELECTION AND DUTIES OF PRESIDENT

The president shall preside at all meetings of the board 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 Superintendent of Schools 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 Superintendent of Schools 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.

Vice President

The Vice President shall be elected by a roll call majority vote of the full board at the organizational meeting.

In case of the resignation, absence or disability of the President the Vice-President shall perform the of the President. In case of absence or disability of both the President and Vice- President the Board shall choose a President pro-tem, who shall perform all the duties of the President

ELECTION AND DUTIES OF PRESIDENT (continued)

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

President, Board President

Legal References: N.J.S.A. 18A:6-20 The right to testify; counsel; witnesses; compulsory process
N.J.S.A. 18A:6-54 Representative assembly; organization; election of board of directors and officers (educational services commission)
N.J.S.A. 18A:13-12 Organization of boards; failure to organize
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:19-1 Expenditure of funds on warrant only; requisites
N.J.S.A. 18A:19-9 Compensation of teachers, etc., payrolls
N.J.S.A. 18A:54-18 Organization of boards of education (county vocational schools)
N.J.A.C. 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

BUSINESS ADMINISTRATOR/BOARD SECRETARY

The Paulsboro Public School District operates under unit control. The business administrator/board secretary must hold all appropriate certifications as required by the New Jersey Administrative code. The board secretary portion of this position reports directly to the board.

Final selection of the business administrator/board secretary shall be made by the board upon recommendation of the superintendent. The board shall fix the compensation for the business administrator/board secretary.

The business administrator/board secretary's duties shall include all those specified by statute, code, and case law as well as such other appropriate duties as the board may require.

The business administrator/board secretary shall be bonded for not less than the minimum required by statute. The board shall pay the bond expense.

Contracts

Contracts for business administrators shall not exceed one year. The executive county superintendent must review and approve all business administrators' contracts including:

- A. New contracts;
- B. Contracts that replace existing contracts;
- C. Renegotiations, extension, amendments or other alterations of the terms of existing contracts that have been previously reviewed by the executive county superintendent;
- D. Provisions for contract extensions where such terms were not included in the original employment contract or are different from the provisions contained in the original approved contract.

The contract review and approval must take place prior to any required public notice and hearing. The board shall provide the executive county superintendent with a detailed statement setting forth the total cost of the contract for each applicable year, including salary, longevity (if applicable), benefits and all other emoluments.

The review shall ensure comparability of salary, benefits and other emoluments to contracts of similarly credentialed and experienced administrators in similar districts within the region. In addition the review shall require that the contract must:

- A. Comply with all statutory requirements relating to travel reimbursement (see policy 9250 Travel Reimbursement);
- B. Not include provisions providing for reimbursement or payment of employee contributions that are required either by law or by a contract with other teaching staff members;
- C. Provide payment upon separation from service that is not excessive and does not exceed the lesser of:

BOARD SECRETARY (continued)

1. The remaining salary due under the contract; or
 2. The three months pay for every year remaining on the contract (not to exceed 12 months) with proration for partial years;
- D. Allow payment for unused sick leave that does not exceed statutory limit of \$15,000.00, is paid on retirement only and is not paid to an individual's estate or beneficiaries;
- E. Permit payment, at time of separation, for unused vacation time only for vacation accrued in the current or immediately previous year unless that vacation time has been accrued prior to 2007;
- F. Include calculation of per diem for 12 month employees based on a 260 day work year;
- G. Not include a bonus except where payment is contingent upon achievement of measurable specific performance objectives;
- H. Not provide payment at the time of separation or retirement for work not performed;
- I. Not include any monthly allowance except for a reasonable car allowance which cannot exceed the average monthly miles traveled for business purposes multiplied by the NJOMB allowable mileage reimbursement.

In order to renegotiate, extend, amend or otherwise alter the terms of the business administrator/board secretary's contract, the board must:

- A. Provide notice to the public at least 30 days prior to any scheduled action;
- B. Hold a public hearing on the proposed contract and not take action until the hearing has been held;
- C. Provide the public with at least 10 days notice of the public hearing.

The requirement for a public hearing does not apply to new contracts, including contracts that replace expired contracts for existing employees.

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009, June 2016
 Revised:

Key Words

Board Secretary, Business Administrator, Organization Meeting

| | | |
|---------------------------------|--|--|
| <u>Legal References:</u> | <u>N.J.S.A.</u> 18A:4-14 <u>N.J.S.A.</u> 18A:6-7.1 through -7-5 <u>N.J.S.A.</u> 18A:7 <i>et seq.</i> <u>N.J.S.A.</u> 18A:7F Financing Act <u>N.J.S.A.</u> 18:A7G <u>N.J.S.A.</u> 18A:12 <u>N.J.S.A.</u> 18A:16-1 <u>N.J.S.A.</u> 18A:16-2 <u>N.J.S.A.</u> 18A:17-1 | Uniform system of bookkeeping for all school districts Criminal history record; employee in regular contact with students; grounds for disqualification from employment, exception Executive county superintendents Comprehensive Educational Improvement and Educational Facilities construction and financing Act School Ethics Act Officers and Employees in general Physical examinations: requirement Removal, etc. of secretaries, assistant secretaries, school |
|---------------------------------|--|--|

BOARD SECRETARY (continued)

| | |
|---|--|
| <u>N.J.S.A.</u> 18A:17-2 | business administrators and business managers during terms of office Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees |
| <u>N.J.S.A.</u> 18A:17-5 | Appointment of secretary; terms ; compensation; vacancy; |
| <u>N.J.S.A.</u> 18A:17-6 | Bond of Secretary |
| <u>N.J.S.A.</u> 18A:17-7 | Secretary to give notices, keep minutes, etc. |
| <u>N.J.S.A.</u> 18A:17-8 | Secretary; collection of tuition and auditing of accounts |
| <u>N.J.S.A.</u> 18A:17-9 | Secretary; report of appropriations, etc. |
| <u>N.J.S.A.</u> 18A:17-10 | Secretary; annual report |
| <u>N.J.S.A.</u> 18A:17-11 | Secretary; taking oaths |
| <u>N.J.S.A.</u> 18A:17-12 | Secretary; annual financial report to the commissioner |
| <u>N.J.S.A.</u> 18A:17-12.1, 12.2 | Secretary; retirement of pension amount |
| <u>N.J.S.A.</u> 18A:17-13 and duties | Assistant and acting secretaries, appointment, powers |
| <u>N.J.S.A.</u> 18A:17-14 | Clerks in the Secretaries office |
| <u>N.J.S.A.</u> 18A:17-14.1 | Appointment of school business administrator |
| <u>N.J.S.A.</u> 18A:17-14.2 | Qualifications |
| <u>N.J.S.A.</u> 18A:17-14.3 | Secretary or business manager appointed school |
| <u>N.J.S.A.</u> 18A:17-24.1 through -24.9 | Superintendents and school business administrators shared by two or more school districts, approval |
| <u>N.J.S.A.</u> 18A:18A | Public School contract Law |
| <u>N.J.S.A.</u> 18A:19 | Expenditures of funds; Audited payment of claims |
| <u>N.J.S.A.</u> 18A:21 | Capital projects |
| <u>N.J.S.A.</u> 18A:22 | Budget and Appropriations |
| <u>N.J.S.A.</u> 18A:23-4 | Preparation and distribution of synopsis or summary |
| <u>N.J.S.A.</u> 18A:28-5 | Tenure of teaching staff members |
| <u>N.J.S.A.</u> 18A:-30.5 | Payment for accumulated sick leave |
| <u>N.J.S.A.</u> 18A:30-9 | Payment for accumulated vacation leave |
| <u>N.J.S.A.</u> 18A:33 | Facilities in general |
| <u>N.J.S.A.</u> 18A:39 | Transportation to and from school s |
| <u>N.J.S.A.</u> 19:60 | School election |
| <u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u> | NJ Worker and Community Right to Know Act |
| <u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u> | Managing for equality and equity in education |
| <u>N.J.A.C.</u> 6A:9 | Professional standards |
| <u>See particularly</u> <u>N.J.A.C.</u> 6A:9-3.4 | Professional standards for teachers and school leaders |
| <u>N.J.A.C.</u> 6A:9B-11.3 | Authorization |
| <u>N.J.A.C.</u> 6A:9B-11.7 | School business administrator |
| <u>N.J.A.C.</u> 6A:9B-13 | Acting administrators |
| <u>N.J.A.C.</u> 6A:9C-s.1 <u>et seq.</u> | Required professional development for school leaders |
| <u>N.J.A.C.</u> 6A:16-1.3 and 3.1 | Prohibition of substance smoking and tobacco use on school grounds |
| <u>N.J.A.C.</u> 6A:23A | Fiscal Accountability, efficiency and budgeting procedures |
| <u>N.J.A.C.</u> 6A:23A-3.1 | Review of contracts for superintendents, assistant superintendents and business administrators |
| <u>N.J.A.C.</u> 6A:24 | Urban education reforms in Abbot districts |
| <u>N.J.A.C.</u> 6A:25 | Qualified zone academy bonds |
| <u>N.J.A.C.</u> 6A:26 | Educational facilities |
| <u>N.J.A.C.</u> 6A:27 | Student Transportation |

BOARD SECRETARY (continued)

| | |
|--|---|
| <u>N.J.A.C.</u> 6A:28 | School operations |
| <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:32-4.4 | Evaluation of tenured teaching staff |
| <u>N.J.A.C.</u> 6A:32-4.5 | Evaluation of non-tenured teaching staff |
| <u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u> | School employees physical exams |
| <u>N.J.A.C.</u> 8:59-11.1 <u>et seq.</u> | NJ Worker and Community Right to Know Act |
| <u>N.J.A.C.</u> 12:100-4.2 | Safety and health standards for public employees occupational exposure to bloodborne pathogens |

Immigration Reform and Control Act of 1986 8 U.S.C.A. 100 et seq.

Blood-borne Pathogens Standard 29 CFR 1910 1030

| | |
|--|---|
| <u>Cross References:</u> 3000/3010* | Concepts and Roles in \business and Non-Instructional Operations; Goals and Objectives |
| 3160* | 3100* Budget Planning, Preparation and Adoption Transfer of Funds Between Line Items/Amendment/Purchases not Budgeted |
| 3250* | Income from Fees, Fines, Charges |
| 3260* | Sale and Disposal of Books, Equipment and Supplies |
| 3290 | Funds Management |
| 3293 | Depositories |
| 3300 | Expenditures/Expending authority |
| 3320* | Purchasing Procedures |
| 3326* | Payment for Goods and Services |
| 3440* | Inventories |
| 3453* | School Activity Funds |
| 3510* | Operation and Maintenance of Plant |
| 3541.1* | Transportation routes and Services |
| 3541.31* | Privately Owned Vehicles |
| 3570* | District Records and Reports |
| 3571 | Financial Reports |
| 3571.4* | Audit |
| 9250* | Expenses and travel reimbursement |
| 9321* | Time, Place, Notification of Meetings |
| 9322.1 | Organization meeting |
| 9323/9324* | Agenda Preparation/Advance Delivery of Meeting Material |

*Indicates policy is included in the Critical Policy Reference Manual

Bylaw

TREASURER OF SCHOOL FUNDS

The Paulsboro Board of Education shall designate either the custodian of moneys or the tax collector of the borough to serve as the treasurer of school moneys; however, if neither wishes to serve as the Treasurer of School Moneys, the board shall appoint any other suitable person except a member or employee of the board, for a term of one (1) fiscal year, commencing July 1 and ending June 30, subject to renewal annually by the board.

The treasurer of school moneys shall be required to give bond in an amount set by the board for the faithful performance of his/her duties as treasurer, and the premium for said bond shall be paid by the board of education.

The board of education shall fix the compensation for the treasurer of school moneys annually.

The treasurer of school moneys shall account to the district all sources of revenue, except for such moneys as are derived from athletic events or other student activities, and be responsible for the depositing of all such revenue to the banking institutions designated by the board, as well as the cash management fund.

The treasurer of school moneys shall keep a record of revenue received and paid out in accordance with the uniform system of bookkeeping prescribed by the State Board. Upon ceasing to hold said office, the Treasurer shall account and pay over any balance of school funds to his/her successor in office.

The Treasurer of school Moneys shall render to the school business administrator/board secretary a monthly A-149 (treasurer of school moneys) report, detailing all receipts and amounts of all warrants signed by said Treasurer. Said A-149 reports are due not later than forty (40) days after the end of the month, e.g., the report ending the month of July shall be completed and submitted for inclusion on the board's September work session agenda.

The treasurer of school moneys shall submit the annual A-149 report closing the fiscal year ending June 30 not later than August 1, with duplicate filed with the executive county superintendent of schools in the manner and form prescribed by the Commissioner of Education.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009, June 2016
Revised:

Key Words

Treasurer, Money, Funds, Appointment

Legal Reference:

N.J.S.A. 18A:17-31 et seq. Treasurer of school monies

Possible

Cross References: *3000/3010 Concepts and roles/goals and objectives in business and noninstructional operations;
*3100 Budget planning and preparation
*9323/9324 Agenda preparation, advance delivery of meeting material

TREASURER (continued)

*9326

Minutes

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

Bylaw

ATTORNEY

The attorney should advise the board as to proper legal and contractual procedures in which the board must take action and/or make a decision. When necessary, the attorney shall be responsible for drawing up contracts including construction contracts to be entered into by the board.

The attorney shall be accessible for consultation by the Superintendent, board president and board secretary concerning legal matters. Legal inquiries of administrative staff and board members shall be directed through the Superintendent or board president.

The board attorney shall act as counsel for the board in prosecuting and defending any action or suit in which the board is involved and perform such other legal services as the board may from time to time subscribe.

The counsel or representative shall attend all regular board meetings and shall attend other meetings upon request.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Board Attorney, Organization Meeting

Legal References: N.J.S.A. 18A:16-1 Officers and employees in general
N.J.S.A. 18A:16-6 Indemnity of officers and employees against civil actions
N.J.A.C. 6A:23A-5.2 Public relations and professional services

Cross References: 3327* Relations with vendors (use of legal services)
9322.1 Organization Meeting

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

Bylaw

AUDITOR

The accountant shall conduct the necessary investigation, accounting and checking of those accounts, bills, revenues, etc., essential to the public statement of the financial status of the Board for the school year as demanded by State Department ruler of audit, which audit shall be completed not later than three months after the end of the school fiscal year. (18A: 23-1)

Each annual audit shall include an audit of the books, accounts and monies, and a verification of all cash and bank balances, of the board and of any officer or employee thereof and of monies derived from athletic events or the activities of any organization of public school pupils conducted under the auspices of the board, from the date of the last annual audit to the date of the audit in question. (18A: 23-2)

The report of each annual audit shall be filed by the public school accountant making the same, with his recommendations to the board of education of the district, and such accountant shall within five days thereafter file two duplicate copies thereof certified under his signature in the office of the commissioner. (18A: 23-3)

The secretary of the board shall prepare or have prepared a synopsis or summary of the annual audit and recommendations, prior to the holding of the meeting of the board of education to take action thereon; a copy of which synopsis or summary shall be available for distribution to interested parties at the meeting. (18A: 23-4)

Within 30 days following the receipt of the report of the annual audit the board of education of the district shall, at a regularly scheduled public meeting, cause the recommendations of the auditor to be read and to be discussed and the discussion duly noted on the official minutes of said meeting. (18A: 23-5)

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Auditor, Organization Meeting

| | | |
|---------------------------------|---|--|
| <u>Legal References:</u> | <u>N.J.S.A.</u> 18A: 4-14 | Uniform system of bookkeeping for all school districts |
| | <u>N.J.S.A.</u> 18A:23-1 | Audit, when and how made |
| | <u>N.J.S.A.</u> 18A:23-2 | Scope of audit |
| | <u>N.J.S.A.</u> 18A:23-3 | Filing of recommendations; publication |
| | <u>N.J.S.A.</u> 18A:23-7 | Report signed by auditor |
| | <u>N.J.S.A.</u> 18A:23-8 | Audit made by licensed public school accountant |
| | <u>N.J.S.A.</u> 18A:23-9 | Declaration of accountant |
| | <u>N.J.A.C.</u> 6A:23A-16.1 through -16.3 | Double entry bookkeeping and GAAP accounting in local school districts |

| | | |
|---------------------------------|------------|---|
| <u>Cross References:</u> | 3000/3010* | Concepts and Roles in Business and Non-Instructional Operations |
| | 3571.4 | Audit |
| | 9322.1 | Organization Meeting |

AUDITOR (continued)

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

Bylaw

COMMITTEES

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

Standing Committees

The board may authorize the establishment of such standing committees from among its membership as it finds necessary to study operations in specific areas and to make recommendations for board action. The following rules will govern the appointment and function of such committees:

- A. The committee shall be established through action of the board.
- B. The committee chairperson and members shall be appointed by the board president.
- C. The committee shall be provided with a list of its functions and duties.
- D. The committee may make recommendations for board action, but it may not act for the board.
- E. The board president and Superintendent of Schools shall be ex officio members of all standing committees.
- F. All standing committees shall be dissolved at the end of the board's year--at the annual organizational meeting. They may be dissolved at any time by a motion of the board.

Ad Hoc Committees

Ad Hoc committees shall be appointed by the President to research specific problems before deliberation by the full board. The same rules shall apply to Ad Hoc committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

Committee of the Whole

The board reserves the right to meet and work as a committee of the whole in informational, discussion, and exploratory sessions. No official action shall be taken at these meetings, unless so advertised.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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

COMMITTEES (continued)

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.

BOARD CONSULTANTS

The board 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. 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.

Date: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Board Consultants

Possible

| | |
|---------------------------------------|--------------------------------------|
| <u>Cross References:</u> *1250 | Visitors |
| 1313 | Gifts to district employees |
| *1330 | Use of school facilities |
| *2224 | Nondiscrimination/affirmative action |
| *3320 | Purchasing procedures |
| *3327 | Relations with vendors |
| *4112.8/4212.8 | Nepotism |
| *4119.21/4219.21 | Conflict of interest |
| *9270 | Conflict of interest |

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

Bylaw

ORIENTATION AND TRAINING OF BOARD MEMBERS

Orientation of New Board Members

The Superintendent of Schools and Board Secretary shall prepare materials to introduce new board members to the operating procedures of the district and the details of the curriculum. Each new board member shall receive a copy of the Board policy manual, current signed negotiated agreement, budget statement and audit report.

Sufficient funds shall be allocated to reimburse new board members for attending NJSBA training in superintendent 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.

Code of Ethics Training

The board shall ensure that all members of the board receive and review a copy of the Code of Ethics for School Board Members. Each board member shall sign an acknowledgement that he/she has received and read it. Training as required by the administrative code shall be scheduled to familiarize board members with the contents and requirements of the Code of Ethics.

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.

In-service 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

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

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 three (3) members may attend any such function held out-of-state.

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

The Superintendent of Schools 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 at a regular meeting of the board within a month of the delegation's return.

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009, June 2016
 Revised:

Key Words

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

| | | |
|---------------------------------|---|--|
| <u>Legal References:</u> | <u>N.J.S.A.</u> 18A:6-45 through -50 | New Jersey School Boards Association established ... |
| | <u>N.J.S.A.</u> 18A:11-1 | General mandatory powers and duties |
| | <u>N.J.S.A.</u> 18A:12-21 <i>et. seq.</i> | <u>School Ethics Act</u> |
| | <u>N.J.S.A.</u> 18A:12-24.1 | Code of Ethics for School Board Members |
| | <u>N.J.S.A.</u> 18A:12-33 | Training program for new board members |
| | <u>N.J.S.A.</u> 18A:17-20.3 | Evaluation of superintendents; school board training program |
| | <u>N.J.S.A.</u> 18A:37-13 | Anti-Bullying Bill of Rights Act |
| | <u>N.J.S.A.</u> 18A:54-20 | Powers of board (county vocational schools) |
| | <u>N.J.A.C.</u> 6A:10-8.1 <i>et seq.</i> | Evaluation of the chief school administrator |
| | <u>N.J.A.C.</u> 6A:28-1.2 | Definitions |
| | <u>N.J.A.C.</u> 6A:28-1.6 | Order to show cause |
| | <u>N.J.A.C.</u> 6A:28-4.1 | Board member training |
| | <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 trustee members |

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

Possible

| | | |
|---------------------------------|-------|--|
| <u>Cross References:</u> | 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.

PAULSBORO BOARD OF EDUCATION
Paulsboro, New Jersey

FILE CODE: 9250

| | |
|---------------|----------------------|
| <u> </u> | Monitored |
| <u> X </u> | Mandated |
| <u> X </u> | Other Reasons |

Bylaw

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 and employees shall only be reimbursed for work-related travel that is directly related to and within the scope of the board member's and employee's current work responsibilities. Board members 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 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](http://www.state.nj.us/infobank/circular/cir0819b.pdf), (<http://www.state.nj.us/infobank/circular/cir0819b.pdf>) 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. All applicable restrictions and requirements set forth in the State and federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks or vouchers, shall be observed;

EXPENSES (continued)

- D. Board members 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-5.9 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 superintendent of schools and prior approval by a majority of the full voting membership of the board (as set forth below).

Prior Approval Is Required

Board members 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 are 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 superintendent of schools and prior approval by a majority of the full voting membership of the board; and
- 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 superintendent 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.

Travel Advances Are Banned

EXPENSES (continued)

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 bear 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;
 - 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

EXPENSES (continued)

- 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;
 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; and
 7. Air and rail tickets shall be purchased via the internet, if possible, using online travel services such as Travelocity, Expedia, Hotwire or Priceline.

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 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 superintendent of schools may develop regulations to implement this policy.

EXPENSES (continued)

Adopted: January 19, 2006
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 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:23A-7.1 et seq. School district travel policies and procedures

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 v 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.

Bylaw

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;

Prohibited Actions

In accordance with the N.J.S.A. 18A:12-21 et seq. no board member shall:

- A. 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;
- B. 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;
- C. 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;
- D. 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;
- E. 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;

CONFLICT OF INTEREST (continued)

- F. 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 member of his/her immediate family, or any business organization with which he is associated;
- G. 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;
- H. 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;
- I. 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
- J. 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: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009, June 2016
 Revised:

Key Words

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

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

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

CONFLICT OF INTEREST (continued)

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

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 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 Superintendent of Schools.
- K. I will support and protect school personnel in proper performance of their duties.
- L. I will refer all complaints to the Superintendent of Schools 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: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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

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 POLICY MANUAL

The Paulsboro Board of Education desires to make this manual of Bylaws and Policies a useful guide to all members of the Board, and the administration of this district; therefore, copies of this manual shall be given to the following: board members, Superintendent, Board Secretary, each building principal, board attorney, each recognized bargaining unit.

Copies of this manual shall be numbered and a record maintained by the board secretary as to the placement of each copy. Copies of revised pages will be furnished to the holders of copies as changes are made.

The manual of bylaws and policies shall be considered a public record and shall be open for inspection in the board offices and in each school building during regular office hours.

The Board Secretary shall maintain an orderly plan for the promulgation of policies to staff members who are affected by them and shall provide easy accessibility to an up-to-date collection of bylaws and policies for all employees of the school system and is designated to review existing policy monthly in light of board actions and in light of revisions to state statutes and procedures, and to recommend to the Superintendent such changes as may be desirable to maintain the board manual of bylaws and policies in a current status.

Each holder of a policy manual shall return the same to the board secretary upon the termination of his/her service with the district.

The board secretary shall maintain a master policy manual which shall be the official record of the bylaws and policies adopted by the board (9311 Formulation, Adoption, Amendments of Policies).

Adopted: May 17, 1993
NJSBA Review/Update: May 2008, February 2016
Readopted: March 2009

Key Words

Governance Manual, Distribution of Governance Manual, Maintenance of Governance Manual,

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties

Cross References:

| | |
|-------|--|
| 9200* | Orientation and Training of Board Members |
| 9311* | Formulation, Adoption, Amendment of Policies |
| 9312* | Formulation, Adoption, Amendment of Bylaws |
| 9313* | Formulation, Adoption, Amendment of Administrative Regulations |
| 9314* | Suspension of Policies, Bylaws and Regulations |

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

Bylaw

FORMULATION, ADOPTION, AMENDMENT OF POLICIES

The governance of the 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 Superintendent of Schools 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 Superintendent of Schools 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 Superintendent of Schools 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: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Policy, Board Policy

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;

FORMULATION, ADOPTION, AMENDMENT OF POLICIES (continued)

| | |
|--|--|
| | 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 superintendents; 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

| | | |
|---------------------------------|------------|---|
| <u>Cross References:</u> | *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 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: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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 Board of Education delegates to the Superintendent of Schools 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.

In the development of rules, regulations, and procedures for the operation of the school system, the Superintendent of Schools shall include at the planning stage, whenever appropriate, those employees who will be affected by such provisions.

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 Superintendent of Schools 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: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Administrative Regulations, Procedures

Legal References: N.J.S.A. 18A: 11-1 General mandatory powers and duties
N.J.S.A. 18A:17-20 Superintendent; general powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:10-1.2 Definitions (chief school administrator and administrative principal)
N.J.A.C. 6A:10-8.1 et seq. Evaluation of the 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 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 Superintendent of Schools shall have the power to waive policy or regulation in the single instance. In such cases, the Superintendent of Schools shall report the instance to the board president immediately, and request reconsideration of the policy at the next regular meeting.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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 superintendents; general powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:10-8.1 et seq. Evaluation of the chief school administrator
N.J.A.C. 6A:32-2.1 Definitions (chief school administrator and administrative principal)

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
*9311 Formulation, adoption, amendment of policies
*9312 Formulation, adoption, amendment of bylaws

SUSPENSION OF POLICIES, BYLAWS
AND REGULATIONS (continued)

*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 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 municipal clerk of the Borough of Paulsboro.

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:

- A. The nature of the matter of urgency or importance for which the meeting without adequate notice was

TIME, PLACE, NOTIFICATION OF MEETINGS (continued)

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: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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
N.J.S.A. 10:4-9.1 Electronic notice of meeting of public body; terms defined
N.J.S.A. 18A:10-3 First regular meeting of board
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

TIME, PLACE, NOTIFICATION OF MEETINGS (continued)

| | |
|---------------------------|--|
| <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;
- 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;
- 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.

PUBLIC AND EXECUTIVE SESSIONS (continued)

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 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 considered by the board.

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 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).

PUBLIC AND EXECUTIVE SESSIONS (continued)

- 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 Superintendent of Schools 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 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.
- 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 an open public meeting.

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

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009

Key Words

Board of Education Meetings, Public and Executive Sessions, Executive Sessions

Legal References: N.J.S.A. 2C:33-8 Disrupting meetings and processions
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

PUBLIC AND EXECUTIVE SESSIONS (continued)

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.S.A. 47:1A-1 et seq. Public Records; Examination and Copies (Open Public Records Act)
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the performance of school districts

Rice v. Union City Board of Education, 143 N.J. Super 64 (1978)

5 U.S.C. Section 552as amended by Public Law No. 104-231,110 Stat. 3048 Freedom of Information Act

Garcetti v. Ceballos 2006 U.S. LEXIS 4341(May 2006)

Possible

Cross References: *1120 Board of education meetings
*3570 District records and reports
*6142.10 Technology
*9121 Election and duties of president
*9271 Code of ethics
*9323/9324 Agenda preparation/advance delivery of meeting material
*9326 Minutes

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

Bylaw

AGENDA PREPARATION/ADVANCE DELIVERY OF MEETING MATERIAL

The Superintendent 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 Superintendent and board president. All agenda items and communications must be submitted to the board secretary or Superintendent at least seven (7) days prior to the scheduled board meeting. Emergency addendum items must be submitted by the end of the work day, the Monday directly prior to the scheduled board meeting.

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.

Advance written notice of time, date, location and the agenda for any scheduled, rescheduled or special meeting will be provided upon request. All expenses for paper copies and postage will be prepaid in advance by the requestor. Written requests for advance notice other than those required by law will be honored for 1 year provided the requestor has paid the board determined copy and postage fee for the year.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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

The regular, special and emergency board meetings of the board shall be conducted according to Roberts Rules and the By-Laws of this board.

The president shall preside over board meeting and in his/her absence the vice-president shall preside. In the absence of both the president and the vice-president the board secretary shall preside until the board elects a chairperson pro-term.

Six members present shall constitute a quorum. (The Board presently consists of 10 members; one from the sending district of Gibbstown.) In the event that a quorum is not present at the hour of convening, the meeting may be recessed to a time no later than 9:00 P.M. the same day. If a quorum is still not assembled the members may adjourn to meeting to commence at a later day within seven (7) days.

Orderly Procedure

In order to provide for orderly discussion, careful consideration of questions and to expedite business it is understood that the following procedures will be followed at any meeting of the board:

- A. Members wishing to speak will address the chair and be recognized;
- B. Any person wishing to address the board shall be given the opportunity provided their remarks are relevant to the subject being considered and provided they do not become personal or abusive. It shall be the responsibility of the President to place any restrictions on the time that may be allotted to the speaker;
- C. Members of the board and the Superintendent shall address the chair and be recognized in their participation in questions being discussed by the board. The board, through the president, may call upon other officers of the board or consultants to participate in the discussion of questions at any time.

Board Actions

All actions of the Board of Education shall be taken only in official board meetings called, scheduled and conducted according to these bylaws and New Jersey State Statutes.

When a question is submitted to vote, every board member present shall have a vote, unless excused by the board.

Order Of Business

The order of business shall be as follows, unless altered by the chairperson or a majority of those present and voting:

- A. Call to order
- B. Flag Salute
- C. Reading of Notice of Meeting
- D. Approval of the minutes of the preceding meeting

MEETING PROCEDURES (continued)

- E. Approve Reports
- F. Payment of Bills
- G. Approve Request Forms
- H. Old Business
- I. New Business
- J. Information and Proposed Items for Board Discussion and Action
- K. Reports to Board
- L. Future Dates
- M. Public Discussion
- N. Adjournment

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Closed Session, Open Session, Quorum, Robert's Rule of Order, Parliamentary

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 and mandatory powers and duties

Cross References: *9321 Time, place and notification of meetings
9322.1 Organization meeting

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

Bylaw

VOTING METHOD

Official actions may be taken only at a regular monthly or specially called meeting 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: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009, June 2016
Revised:

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)

Possible

Cross References: *1120 Board of education meetings
*3570 District records and reports

VOTING METHOD (continued)

| | |
|------------|---|
| *9121 | Election and duties of president |
| *9271 | Code of ethics |
| *9322 | Public and executive sessions |
| *9323/9324 | Agenda preparation/advance delivery of meeting material |
| *9326 | Minutes |

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

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.

- A. Directing the board secretary to make deductions for United States government bonds from salaries of participating employees (N.J.S.A. 18A:16-8);
- B. Appointing and fixing the salary and term of a board secretary (N.J.S.A. 18A:17-5);
- C. Appointing and fixing the salary and term of an assistant or acting board secretary (N.J.S.A. 18A:17-13);
- D. Appointing and fixing the term of a chief school administrator (N.J.S.A. 18A:17-15);
- E. Appointing or removing an assistant chief school administrator (N.J.S.A. 18A:17-16);
- F. Appointing and fixing the term of an administrative principal (N.J.S.A. 18A:17-20.5);
- G. 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.");
- H. Appointing or removing and fixing the salary of a business manager in a type I school district (N.J.S.A. 18A:17-25);
- I. 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);
- J. Disposing of lands owned by the board, or rights or interests therein (N.J.S.A. 18A:20-5);
- K. Exchanging lands owned by the board (N.J.S.A. 18A:20-8);
- L. Adopting a budget in type II districts having a board of school estimate (N.J.S.A. 18A:22-26);
- M. 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);
- N. 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);
- O. 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);
- P. Transferring a teaching staff member (N.J.S.A. 18A:25-1);

VOTING METHOD (continued)

- Q. Restoring or removing an assistant chief school administrator, principal or teacher, following suspension by the chief school administrator (N.J.S.A. 18A:25-6). (Please note that this particular statute only requires a “majority of the membership.”);
- R. Appointing a teaching staff member (N.J.S.A. 18A:27-1);
- S. 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);
- T. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment increment (N.J.S.A. 18A:29-14);
- U. Adopting or altering a course of study (N.J.S.A. 18A:33-1);
- V. Selecting textbooks (N.J.S.A. 18A:34-1);
- W. Applying for membership in an already established county educational audiovisual aids center (N.J.S.A. 18A:51-11);
- X. 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.);
- Y. 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.

- A. 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);
- B. 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.”

- A. Determining the sufficiency of charges to dismiss or reduce the salary of a tenured employee (N.J.S.A. 18A:6-11);
- B. Filling of vacancies on elected boards of education (“majority vote of the remaining members”) (N.J.S.A. 18A:12-15);
- C. 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”);

VOTING METHOD (continued)

- D. 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”);
- E. 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”);
- F. Authorizing of purchase of securities (N.J.S.A. 18A:20-37). (“majority vote of all of its members”);
- G. Authorizing of sale of securities (N.J.S.A. 18A:20-39). (“majority vote of all of its members”);
- H. 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);
- I. 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”);
- J. Deciding to establish, with other school districts of the county, a county educational audio-visual aids center (N.J.S.A. 18A: 51-1);
- K. Employee travel, with prior CSA approval (“majority of full voting membership”) (N.J.S.A. 18A:11-12(f));
- L. Board member travel (“majority of full voting membership”) (N.J.S.A. 18A:11-12(g));
- M. 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.

- A. Determination of member district’s share of educational services commission expenses (two-thirds of representative assembly) (N.J.S.A. 18A:6-62);
- B. Adoption of new corporate name for school district composed of two or more municipalities (N.J.S.A. 18A:8-17.1);
- C. 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));
- D. Adopting a refunding bond ordinance by a type II school district (N.J.S.A. 18A:24-61.4);
- E. Selling or exchanging refunding bonds (N.J.S.A. 18A:24-61.9);
- F. 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.);
- G. 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

VOTING METHOD (continued)

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.

- A. 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));
- B. 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));
- C. 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;
- D. 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));
- E. 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));
- F. 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.

- A. 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 board 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 board members;
- D. A notation of the presence of the Superintendent of Schools, 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 minutes of the previous meeting shall be sent to all board members along with agenda materials. 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 Superintendent of Schools 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.

Public 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 copied 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)Official Tapes of Public Meetings

The board secretary may make video or audio recordings 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 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 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.

Adopted: 1994
 NJSBA Review/Update: December 2008, February 2016
 Readopted: March 2009

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.

N.J.S.A. 18A:54-20

Powers of board (county vocational schools)

N.J.S.A. 47:1A-1 et seq.

Public Records; Examination and Copies ("Open Public Records Act")

N.J.A.C. 6A:8-4.3

Accountability

N.J.A.C. 6A:30-1.4

Evaluation process for the annual review

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.

MINUTES (continued)

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.

Bylaw

MEMBERSHIP IN ASSOCIATIONS

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

Date: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Association, New Jersey School Boards Association, NJSBA, Gloucester County School Boards Association, GCSBA

Legal Reference: N.J.S.A 12-21 et seq. School Ethics Act
N.J.S.A 18A:6-45 New Jersey Boards Association
N.J.S.A 18A:6-46 Delegates to state association
N.J.S.A 18A:6-50 Expenses of delegates, dues

Possible

Cross References: *9000 Role of the board
*9010 Role of the member

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

Bylaw

BOARD SELF-EVALUATION

The members of the Board of Education shall conduct an annual self-evaluation each year 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.

The board shall use a multifaceted self-evaluation instrument.

NJSBA Review/Update: December 2008, February 2016
Adopted: March 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 RETIRED STAFF MEMBERS OR MEMBERS OF BOARD

The Paulsboro Board of Education shall recognize the loyalty and services of long time employees and Board Members with tangible proof of appreciation. The Board directs the Superintendent to procure appropriate certificates or plaques for employees who are retiring from active employment in the district and board members who have completed full terms of office. This recognition shall be made on a non-discriminatory basis.

Date: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 2009

Key Words

Recognition, Awards, Retirement

Possible

| | | |
|---------------------------------|------------|---|
| <u>Cross References:</u> | *1100 | Communicating with the public |
| | *1120 | Board of education meetings |
| | *3100 | Budget planning, preparation and adoption |
| | *3570 | District records and reports |
| | *5145.5 | Photographs of pupils |
| | *9322 | Public and executive sessions |
| | *9323/9324 | Agenda preparation/advance delivery of meeting material |
| | *9326 | Minutes |

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

Bylaw

Evaluation of the District as a Whole

Evaluators of District Accomplishment

The Board has directed the annual evaluation of all parts of the district operation. The evaluation of the district as a whole must rest on the results of these individual evaluations. Therefore, the Superintendent is directed to coordinate the results of the evaluation of:

- A. Administration;
- B. Business and Non-instructional Operations (including all construction of whatever sort);
- C. Personnel (as a whole);
- D. Instructional Programs (including pupil progress and the State evaluation) into a unified report to the Board on the strengths and weaknesses of the district before the September meeting of the Board.

This unified report shall state the indicators of achievement used in each area.

Monitoring Products and Process of School District

The school district's written educational plan shall be sequential and specific. The standards and procedures for assessing and evaluating the plan's long and short-range objectives shall be based on the following major elements:

- A. Clear statements of expectations and purposes (i.e. philosophy, goals and objectives) coupled with specifications of how their successful achievement will be determined;
- B. Provisions for the staff, resources, and support necessary to achieving purposes;
- C. Evaluation carefully designed to determine how well expectations and purposes are met;
- D. Revisions and modifications as needed to improve.

Every effort shall be made by Board, Superintendent, and staff to fulfill the responsibilities of providing a thorough and efficient education for the pupils of the school district.

Reporting Accomplishments

The board directs the Superintendent to employ all appropriate means to provide for continuous and candid reports of staff accomplishments in the pursuit of district goals and objectives and to establish reliable indicators of accomplishment. The purpose of these accomplishment reports shall be to provide the Board with information needed for making continual policy and planning decisions.

The Board of Education shall at least annually provide district citizens with an accomplishment report based on this information. As required by law, the accomplishment report shall include the Commissioner of Education's classification of each school within the district and that of the district as a whole.

The annual accomplishment report shall be presented in clear and concise language with sufficient supporting

EVALUATION OF THE DISTRICT (continued)

documentation.

Special and/or significant accomplishments of staff, students or the district as a whole shall be announced as they occur at the discretion of the board.

Adopted: 1994
NJSBA Review/Update: December 2008, February 2016
Readopted: March 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.