

9000 - BYLAWS OF THE BOARD

9000	Role of the Board
9010	Role of the Member
9020	Public Statements
9110	Number of Members and Terms of Office
9111	Qualifications
9112	Elections/Appointment
9113	Filling Vacancies
9114	Resignation/Removal from Office
9121	Election and Duties of President
9122	Election and Duties of Vice President
9123/9124	Appointment of Board Secretary, Business Administrator
9126	Legal Services
9126.1	Appointment of Solicitor
9126.2	Appointment of Labor Attorney
9127	Appointment of the Auditor
9130	Committees
	➤ Regulation
9140	Board Representatives
	➤ Regulation
9150	Board Consultants
9200	Orientation and Training of Board Members
9250	Expenses
9270	Conflict of Interest
9271	Code of Ethics
9310	Development, Distribution and Maintenance of Governance Manual
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
9321	Time, Place, Notification of Meetings
9322	Public and Executive Sessions
	➤ Regulation
9322.1	Organization Meeting
9323/9324	Agenda Preparation/Advance Delivery of Meeting Material
9325	Meeting Procedures
9325.4	Voting Method
	➤ Exhibit
9326	Minutes
9340	Membership in Associations
9360	Legislative Program
9400	Board Self-evaluation
9420	Recognition of Individuals--Citizens, Pupils, Staff Members or Members of Board
9430	Evaluating District Operations Under QSAC Monitoring

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 Camden City 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: June 24, 1985
 Revised: April 15, 1988
 Revised: September 10, 1991
 Revised: August 23, 1995
 Revised: August 14, 2007
 NJSBA Review/Update: March 2009

Key Words

Boards of Education, Role of the Board

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

Possible

<u>Cross References:</u>	<p>*1000/1010 *2000/2010 *3000/3010 4000 5000 6000 *6140 *6161.1 7000 *9311 *9312 *9313 *9314</p>	<p>Concepts and roles in community relations; goals and objectives Concepts and roles in administration; goals and objectives Concepts and roles in business and non-instructional operations; goals and objectives Concepts and roles in personnel Concepts and roles in pupil personnel Concepts and roles in instruction Curriculum adoption Guidelines for evaluation and selection of instructional materials Concepts and roles in construction, remodeling and renovation Formulation, adoption, amendment of policies Formulation, adoption, amendment of bylaws Formulation, adoption, amendment of administrative regulations Suspension of policies, bylaws and regulations</p>
---------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

*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.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: 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

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, when asked to speak as a Board member.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: 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

NUMBER OF MEMBERS AND TERMS OF OFFICE

The Camden City Board of Education shall consist of nine (9) appointed members serving terms of three (3) years, as required by law.

Adopted: June 24, 1985
Revised: April 12, 1988
Revised: October 29, 1990
Revised: August 23, 1995
Readopted: August 14, 2007
NJSBA Review/Update: March 2009
Approved: June 23, 2009
NJSBA Review/Update: February 2010
Readopted: June 16, 2010

Key Words

Appointed Member, Term, Term of Office

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:12-1	Qualifications of Members
	<u>N.J.S.A.</u> 18A:12-6	Boards; Numbers of Members
	<u>N.J.S.A.</u> 18A:12-7	Boards; Appointments; vacancies
	<u>N.J.S.A.</u> 18A:12-8	Appointment; commencement of terms
	<u>P.L.</u> 2009, <u>c.</u> 337	

Possible

Cross References: 9140 Board Representatives

Bylaw

QUALIFICATIONS

Each member of the Board shall possess the qualifications required by law.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Qualifications

Legal References: N.J.S.A. 18A:12-1 Qualifications of Board Members
 N.J.S.A. 18A:12-2 Inconsistent Interests or Office Prohibited
 N.J.S.A. 18A:12-2.1 Qualifying Oaths

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

Bylaw

ELECTIONS/APPOINTMENT

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

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

Election and Appointment of Officers and Auxiliary Personnel

The Board shall elect a President and a Vice President at its annual organizational meeting. Nominations shall be made from the membership of the Board present. If no nominee receives a majority vote of the whole Board membership, the nominations previously made shall be declared void and the nominations reopened.

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

The Board shall, by a recorded roll call majority vote of its full membership at its annual organization meeting, appoint a person to serve as Board Secretary unless the person holding that office is tenured.

The Board shall also appoint a treasurer of school moneys at the annual reorganization meeting. The treasurer shall be bonded according to law.

Other auxiliary officials the Board finds necessary such as an attorney or architect or others permitted or required by law, shall be appointed at the organizational meeting when feasible, or otherwise at a later date.

Adopted: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:6-46	Delegates to state association
	<u>N.J.S.A.</u> 18A:15-1	President and vice president, election or failure to elect;
	<u>N.J.S.A.</u> 18A:15-2	Removal of president or vice president, vacancies;
	<u>N.J.S.A.</u> 18A:17-5	Appointment of secretary
	<u>N.J.S.A.</u> 18A:17-6	Bonding of secretary
	<u>N.J.S.A.</u> 18A:17-31	Appointment of treasurer of school moneys
	<u>N.J.S.A.</u> 18A:17-32	Bonding of treasurer
	<u>N.J.S.A.</u> 18A:23-1	Audit when and how made
	<u>N.J.S.A.</u> 18A:12-11	Election and number of Board members, terms;
	<u>N.J.S.A.</u> 18A:14	Generally
	<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:14-46	Opening 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:38-32	District...attendance officers
<u>N.J.S.A.</u> 18A:40-1	Employment of medical inspectors
<u>N.J.S.A.</u> 18A:46-11	Psychological and other examinations
<u>N.J.S.A.</u> 44:6-2	Dental clinics...for indigent children

<u>Cross References:</u>	9121	President
	9122	Vice president
	9123	School Business Administrator/Board Secretary
	9322.1	Annual organization meeting

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: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Filling Vacancies, Board Vacancies

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

Bylaw

RESIGNATION/REMOVAL FROM OFFICE

Whenever a member ceases to be a bona fide resident of the district, his/her membership shall cease immediately. The removal of a member who resigns shall become effective upon the presentation of the resignation to the Board in a regular meeting.

Any member who fails to attend three consecutive regular meetings of the Board without good cause may be removed from office on the affirmative vote of a majority of the full Board, provided that the action shall have been proposed at the preceding meeting of the Board and provided that notice of the action has been given to the absent member in advance of the meeting for which such action has been proposed.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Resignation, Removal, President, Vice President

Legal References: N.J.S.A. 18A:12-3 Removal of members
N.J.S.A. 18A:15-2 Removal of President or Vice President; vacancies

Possible

Cross References: *9010 Role of member
*9113 Filling vacancies
*9270 Conflict of interest
*9271 Code of ethics

*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 and Board vice president 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 on crucial matters which may occur between Board meetings;
- G. Be responsible for the orderly conduct of all Board meetings.
- H. As presiding officer at all meetings of the Board, the president shall:
 - I. Call the meeting to order at the appointed time;
 - J. Announce the business to come before the Board in its proper order;
 - K. Enforce the Board's policies relating to the order of business and the conduct of meetings;
 - L. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
 - M. Explain what the effect of a motion would be if it is not clear to every member;
 - N. Restrict discussion to the question when a motion is before the Board;
 - O. Answer all parliamentary inquiries, referring questions of law to the Board's attorney;
 - P. 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.

Adopted: June 24, 1985
Revised: September 19, 1994
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

President, Board President

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

Possible

<u>Cross References:</u>	*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

DUTIES OF BOARD VICE PRESIDENT

In the absence of the President, the Vice President shall perform all the duties and have all the obligations of the President. If both members are absent, the most senior member present shall preside over the meeting.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Vice President

Cross Reference: 9112 Elections/Appointment

Bylaw

APPOINTMENT OF BOARD SECRETARY/BUSINESS ADMINISTRATOR

The duties of the Business Administrator/Board Secretary shall include all those specified by law, and such other appropriate duties as the Board may require.

The Board will fix his/her salary annually by resolution. He/she shall be bonded for not less than the law requires. The Board shall pay the expense of the bond.

Adopted: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:10-4	Secretary to give notice of meetings
	<u>N.J.S.A.</u> 18A:16-8	Salary Deduction for government bonds
	<u>N.J.S.A.</u> 18A:17-2	Tenure of secretaries, assistant secretaries, business administrators, business managers and secretarial and clerical employees
	<u>N.J.S.A.</u> 18A:17-5	Appointment of a secretary of the Board of Education
	<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 and keep minutes
	<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. custodial duties, 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:17-13	Assistant and acting secretaries; appointment, powers and duties
	<u>N.J.S.A.</u> 18A:18A-3	Purchasing, contracts and agreements not requiring advertisement
	<u>N.J.S.A.</u> 18A:19-4	Audit claims, etc., by secretary, warrants for payment
	<u>N.J.S.A.</u> 18A:22-2, -6	Secretary
	<u>N.J.S.A.</u> 18A:23-4	Preparation and distribution of synopsis or summary

<u>Cross References:</u>	3000/3010	Concepts and roles/goals and objectives in business and noninstructional operations;
	9323/9324	Agenda preparation, advance delivery of meeting material
	9326	Minutes

Bylaw

LEGAL SERVICES

In accordance with N.J.A.C. 6A:23A - 5.2, the Board adopts this Bylaw and its strategies to ensure the efficient and appropriate use of legal services and to further minimize the cost of legal services used by employees and the Board members and the tracking of the use of legal services.

The Board authorizes the Superintendent, School Business Administrator/Board Secretary, Policy Committee Chairperson and Board President as designated contact persons to request services or advice from contracted legal counsel.

The Board authorizes the establishment of the following procedures to guide such solicitation of legal services/advice:

1. The designated contact persons shall ensure that contracted legal counsel is not contacted unnecessarily for management decisions or readily available information contained in district materials such as Board policies, administrative regulations, or guidance available through professional source materials.
2. All requests for legal services/advice shall be made to any of the designated contact persons in writing and shall be maintained on file in the District. The designated contact person shall determine whether the request warrants legal advice or if legal advice is necessary. The designated contact person shall refer the request to the appropriate school/department administrator in the event the designated contact person deems legal advice is unwarranted or unnecessary.
3. The designated contact person shall maintain a log of all legal counsel contacts including the name of the legal counsel contacted, date of the contact, issue discussed, and length of contact.
4. All written requests for legal advice and logs of legal counsel contacts shall be forwarded to the Superintendent/designee who shall be responsible to compare all legal bills to the contact logs and to investigate and resolve any variances.

Any professional services contract(s) for legal services shall prohibit advance payments. Services to be provided shall be described in detail in the contract and invoices for payment shall itemize the services provided for the billing period. Payments to legal counsel(s) shall only be for services actually provided.

The Board shall not approve contracts with legal counsel or in-house legal counsel to pursue any affirmative claim or cause of action on behalf of District administrators and/or individual Board members or pursuing any claim or cause of action for which the damages to be awarded would benefit an individual rather than the District as a whole.

Contracts for legal services will be issued by the Board in a deliberative and efficient manner such as through a request for proposals based on cost and other specified factors or another comparable process that ensures the District receives the highest quality services at a fair and competitive price or through a shared service arrangement. Contracts for legal services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

The Board will annually establish prior to budget preparation, a maximum dollar limit for legal services. In the event it becomes necessary to exceed the established maximum dollar limit for legal services, the Superintendent shall recommend to the Board an increase in the maximum dollar amount. Any increase in the maximum amount shall require formal board action.

Adopted: April 27, 2010

Legal References:

N.J.S.A. 18A:19-1 et seq.

Professional Services

N.J.A.C. 6A:23A-5.2

Payment requirements and restrictions

Bylaw Discretionary

APPOINTMENT OF SOLICITOR

The Board Solicitor shall be the legal advisor of the Board and its officers in questions related to their official duties. Designated Administrators and Board members shall be able to access the Solicitor at any time in carrying out Board approved responsibilities. Solicitor shall notify in writing the President, Superintendent and Board Secretary of any action/potential personal/professional conflict prior to rendering a legal opinion.

The solicitor shall:

- A. Attend and provide legal advice at meetings of the Board as required.
- B. Prepare and render oral and/or written legal opinions upon request to the Superintendent, designated staff, designated Board members or the Board in general.
- C. Provide legal assistance in the drafting of legal documents, policies, rules and regulations, resolutions, applications and all other legal or quasi-legal request.
- D. Advise the Board in all matters of legal or technical nature relating to the interpretation of statutes, charters, ordinances and contracts.
- E. Advise the Board in all staff contract negotiations.
- F. Prepare and/or review invitations to bid, job specification, and legal contracts as required.
- G. Serves as legal representative of the Board, its members, and/or staff in any judicial or administrative proceedings, at the direction of the board.
- H. Advise the Board on the sale, lease or other disposition of excess physical property.
- I. Monitor and review changes in public school law and advise the Board and the Superintendent regarding legislative changes and necessary Board and/or administrative action.
- J. Provides periodic updates on administrative practice and Board policy, including the review of important commissioner and court decisions and Attorney General's opinions.
- K. Perform other duties consistent with competence in the field of law as the Board or Superintendent may require.

The Board's solicitor shall be appointed annually and shall serve at the pleasure of the Board. The compensation of the solicitor shall be determined by the board at the re-organization meeting.

Date: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: February 3, 2009
NJSBA Review/Update: March 2009
Approved: June 23, 2009
Revised: April 27, 2010

Legal Reference:

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.S.A. 18A:19-1 et seq.	Professional Services
N.J.A.C. 6A:23A-5.2	Payment requirements and restrictions

Koribancis v. Clifton Bd. Of Ed., 48 N.J. 1 (1966)

Perella v. Jersey City Bd. Of Ed., 51 N.J. 323 (1968)

Taylor v. Hoboken Bd. Of Ed., 187 N.J. Super 546 (app. Div. 1983)

Bylaw

APPOINTMENT OF LABOR ATTORNEY

The Board's Labor Attorney shall be the legal advisor of the Board and its officers for matters related to labor negotiations and general personnel matters. Only designated Administrators and Board members are permitted direct access to the Labor Attorney for matter related to their Board approved responsibilities. The Labor Attorney shall notify in writing the President, Superintendent and Board Secretary of any action/potential personal/professional conflict prior to rendering a legal opinion.

The Labor Attorney shall:

- A. Attend and provide legal advice at meetings of the Board as required.
- B. Prepare and render oral and/or written legal opinions upon request to the Superintendent, designated staff, designated Board members or the Board, in general.
- C. Draft legal documents and correspondence related to contractual and personnel matters.
- D. Advise the Board on legal or technical issues related to contractual and personnel matters.
- E. Serve as the Board's legal representative and advisor during contractual negotiations.
- F. Serve as advisor to the Superintendent, Director of Human and Board Personnel Committee.
- G. Represent the Board in judicial proceedings related to personnel matters.
- I. Advise the Board and Superintendent of relevant changes in public school law, statutory changes, Attorney General opinions and judicial rulings relevant to labor issues.
- K. Perform other duties consistent with competence in the field of law as the Board or Superintendent may require.

The Labor Attorney shall be appointed annually and shall serve at the pleasure of the Board. The compensation of the Labor Attorney shall be determined by the Board at the re-organization meeting.

Adopted: April 27, 2010

Legal Reference:

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.S.A. 18A:19-1 et seq.	Professional Services
N.J.A.C. 6A:23A-5.2	Payment requirements and restrictions

Koribancis v. Clifton Bd. Of Ed., 48 N.J. 1 (1966)

Perella v. Jersey City Bd. Of Ed., 51 N.J. 323 (1968)

Taylor v. Hoboken Bd. Of Ed., 187 N.J. Super 546 (app. Div. 1983)

Bylaw

APPOINTMENT OF AUDITOR

As required by law, the Board shall appoint an auditor qualified as a public school accountant in New Jersey to make an annual audit of the district's accounts and financial transactions. Such audit shall be completed for the preceding fiscal year prior to November 1.

The auditor's report, together with his/her recommendations, shall be reviewed by the Board at a public meeting within 30 days of receipt, and shall then, within five days, be filed by the auditor with the Commissioner of Education.

It shall be the policy of the Board to consider the auditor's report carefully and strive to bring the district's accounting procedures into line with the auditor's recommendations.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Audit, Auditor

<u>Legal References:</u>	<u>N.J.S.A. 18A:16-1</u>	Officers and Employees in General
	<u>N.J.S.A. 18A:23-1</u>	Audit When and How Made
	<u>N.J.S.A. 18A:23-2</u>	Scope of Audit
	<u>N.J.S.A. 18A:23-3</u>	Filing of Audits
	<u>N.J.S.A. 18A23-7</u>	Audit Made by Licensed Public School; Accountant; Fee

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 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 majority vote of the Board.

Special Committees

Special committees may be created for special assignments. The same rules shall apply to special 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:	June 24, 1985
Revised:	April 15, 1988
Revised:	September 10, 1991
Revised:	August 23, 1995
Readopted:	August 14, 2007
NJSBA Review/Update:	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
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.

Regulation

COMMITTEES

- A. All Board members will apply at the reorganization meeting or shortly thereafter for three or more standing committee assignment in the order of their preference.
- B. Soliciting or accepting community advisors to any standing or ad hoc committee will be at the discretion of the committee chairperson and shall be confirmed by the Board.
- C. Committee chairpersons are responsible for establishing and coordinating meetings dates and location. Committee chairpersons can identify and invite any appropriate school officials as deemed necessary to committee meetings. Such staff will attend only upon approval of the Superintendent.
- D. Committees are required to review all matters within the domain of their defined responsibility and report to the full Board on their findings, recommendations or alternatives. No committee is to take unilateral action unless the full Board is cognizant of the matter and has given authority to a committee to act within certain specified bounds. Normal committee procedure will consist of periodic meetings to complete assigned functions, plan upcoming work, coordinate inter-committee work, formulate and/or procedure, or carry on any other tasks as may be assigned by the Board President or deemed necessary and appropriate.
- E. No more than four school Board members will attend a committee meeting unless it is properly constituted as a meeting open to the public with notification as required by the Open Public Meetings Act.
- F. Minutes do not have to be kept of meetings of standing committees when they constitute less than a quorum of the Board or of ad hoc committees. However, some record keeping is encouraged as described below.
- G. Records to be kept:
 - 1. A log or binder of committee proceedings. A copy of these proceedings should be kept in the Superintendent's office for review by the public and Board members. The personnel committee log should be provided adequate protection by the Superintendent commensurate with the current statutes on the handling of private personnel records.
 - 2. The charge of the committee indicating current assignments, deadlines, responsibilities, and status, which should include committee plans.
 - 3. A chronological correspondence file which includes either a log of received material and/or copies of corresponding pertinent to a committee's assignment or domain of responsibility.

Adopted: June 24, 1985
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Bylaw

BOARD REPRESENTATIVES

Student Representation to the Board of Education

The Camden Board of Education invites a representative from each of the high schools' student body and an alternate to attend open work sessions of the Board and to contribute to discussions as nonvoting representatives. In extending this invitation, it is the desire of the Board to provide student representatives with a unique experience in a functioning democracy; foster a sense of a responsibility to the system; help students understand the process of decision-making in public bodies; and provide a direct liaison between the Board of Education and the student body.

The student representatives to the Board of Education must be elected in their junior year. The alternates must be elected in their sophomore year.

- A. Elections shall coincide with the annual elections of the school Board;
- B. Representatives must possess a "C" average or above;
- C. Representatives must be elected by the student body.

The student body will hold the election for the representatives and alternates on the day prior to the official Board election. The elected student representatives and alternates will be seated at the regular reorganization meeting each year and serve until the reorganization meeting of the next calendar year.

The student representatives and alternates will be notified in advance of each open work session, will receive the agenda and necessary back-up materials, and shall serve as a resource to the Board.

The student representatives and alternates will be provided an orientation regarding Board business and procedures along with the newly elected Board members in accordance with Board Policy.

Other students may also be appointed to committees of the Board as nonvoting members. The procedures for selection of the student committee members shall be the responsibility of the Superintendent who shall consult with the high school Principal and the student government as needed.

The Board of Education shall provide transportation for the student representatives to all Board of Education meetings.

Adopted: September 25, 1989
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Student representatives, Board Representatives

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

Regulation

BOARD REPRESENTATIVES

Student Representation to the Board of Education - Guidelines:

The representative and alternate of each high school will be subject to the following guidelines:

- A. May attend all open work sessions. The representative will take part in appropriate discussions prior to formal voting by the Board. Alternates will participate when the representative is absent.
- B. Will be excused for all executive session matters.
- C. May give an opinion or indicate consensus but not be part of the Board's formal voting.
- D. Will attend an orientation provided by Camden Board of Education and county and State orientation programs, if and when approved.
- E. The term of office shall be one year. (The reorganization of the Board to the next reorganization date.)
- F. Student representatives will not have access to records of other students or any other information that the general public is not entitled to.
- G. Board of Education shall provide transportation to and from home for student representative to all Board of Education Meetings. Students will be able to leave the meeting at 9:30 P.M.

Adopted: September 25, 1989
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Bylaw

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.

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

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Board Consultants

Possible

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

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

Bylaw

ORIENTATION AND TRAINING OF BOARD MEMBERS

Orientation of New Board Members

The Superintendent shall prepare materials to introduce new board members to the operating procedures of the district and the details of the curriculum.

Sufficient funds shall be allocated to reimburse new board members for attending NJSBA training in superintendent evaluation within the first six (6) 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 (5) key components of school district effectiveness on which the school district is monitored: operations; instruction and program; governance; fiscal management; and personnel.

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

The NJSBA advance training program shall be completed by board members or trustees within one (1) year of re-election or reappointment to the board of education or charter school board of trustees.

Inservice Development

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

Therefore, the board recommends that, in addition to sending the mandated delegate to the New Jersey School Boards Association's Delegate Assemblies, the Board send representatives to such educational conferences, workshops, conventions and seminars as it shall decide upon each year. A maximum of 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 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.

Date: June 24, 1985
August 23, 1995
August 14, 2007
NJSBA Review/Update: March 2009
Revised: January 25, 2011

Key Words

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

Legal References:

N.J.S.A. 18A:6-45 through -50 New Jersey School Boards Association established ...
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-24.1 Code of Ethics for School Board Members
N.J.S.A. 18A:12-33 Training program for new board members
N.J.S.A. 18A:17-20.3 Evaluation of superintendents; school board training program
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:28-1.2 Definitions
N.J.A.C. 6A:28-1.6 Board member training
N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for school board members and charter school board of trustee members
N.J.A.C. 6A:32-4.3 Evaluation of tenured and nontenured chief school administrators
Amended resolution of the School Ethics Commission (3/23/99)

Possible Cross References:

1500 Relations between area, county, state, regional and national associations and the district
*2131 Superintendent
*9250 Expenses
*9271 Code of Ethics

*Indicates policy is included in the Critical Policy Reference Manual

Bylaw

EXPENSES AND REIMBURSEMENTS

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

Travel and Related Expenses

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

the State and federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks or vouchers.

- 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-5.8 concerning out-of state and high-cost travel events, out-of-state travel shall be limited to the fewest number of Board members or employees needed to present the content at the conclusion of the event. Lodging may only be provided if the event occurs on two or more consecutive days and where home-to-event commute exceeds 50 miles. Prior written approval of the executive county Superintendent may be required when the travel event has a total cost that exceeds \$5000.

In addition to the requirements above, employee travel, to be reimbursable, must be directly related to the employee's professional development. No district employee shall be reimbursed for travel and related expenses without prior written approval of the Superintendent 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 is in compliance with N.J.S.A. 18A:12-24 and 24.1 of the School Ethics Act.

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

Regular Business Travel Authorization and Approval

Regular business travel, such as NJDOE meetings and association events, is authorized by the Board not to exceed \$1,500 per employee, pursuant to N.J.A.C. 6A:23A-7.3(b). Approval by the 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.

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.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 pre-budget year, established 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 pre-budget year and the amount spent to date.
- D. Provide that the maximum school district travel expenditure amount shall include all travel in accordance with this policy supported by local and State funds.

Additional Detailed Accounting Requirements which Demonstrate Compliance

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

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

- A. "Retreats" will be held at school district facilities, if available. A retreat is a meeting of school district employees and school Board members, held away from the normal work environment, at which organizational goals and objectives are discussed.
- B. A school district shall not bare costs for car rentals, limousine services, and chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendee's 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 rates. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
 - 3. Receipts are required for hotel expenses. Meal expenses under the federal per diem allowance limits do not require receipts;

4. In any case in which the total per diem reimbursement is greater than the federal per diem rate, except when the going rate for lodging at the site of the convention or meeting exceeds federal per diem rates, the costs will be considered to be excessive and shall not be paid by school district funds;
5. School districts shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school Board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.
7. Air and rail tickets shall be purchased via the internet, if possible, using online travel services.

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

Types of Expenditures Not Eligible for Reimbursement

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

Penalties:

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

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

Adopted:	June 24, 1985
Revised:	September 10, 1991
Revised:	August 23, 1995
Revised:	September 19, 1998
Revised:	August 14, 2007

NJSBA Review/Update: March 2009
Readopted: June 23, 2009

Key Words

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

Legal References: N.J.S.A. 18A:2-1 Power to effectuate action
N.J.S.A. 18A:4-23 Supervision of schools; enforcement of rules
and 24 Determining efficiency of schools; report to state
Board
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-4 Compensation of members
N.J.S.A. 18A:12-24 School Ethics Act
and 24.1 Code of Ethics
N.J.S.A. 18A:54-20 Powers of Board (county vocational schools)
N.J.A.C. 6A:23A-5.9 Out of state and high cost travel
N.J.A.C. 6A:23B-1.1 et. seq.
Travel and Related Expense Reimbursement (Non-
Abbott Districts)

P.L. 2005, c.132 Appropriations Act

P.L. 2007, c. 52 A5 provides for various school district accountability
measures

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

Possible

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

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

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.

Definitions

For the purpose of this policy, "relative" shall be defined as an individual's spouse, civil union partner, domestic partner, or the parent, child, brother, sister, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, of the individual or of the individual's spouse, civil union partner or domestic partner, whether the relative is related to the individual or the individual's spouse, civil union partner or domestic partner, by blood, marriage or adoption.

"Immediate family" shall be defined as Board member or school administrator, their spouse, civil union partner, domestic partner, child, parent or sibling residing in the same household, whether related by blood, marriage or adoption.

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 participate in any way in the employment, appointment, terms and conditions of employment, performance evaluation of or promotion of his/her relative.
- C. No Board member shall discuss or vote on a proposed collective bargaining agreement with a bargaining unit; participate in any way as a member of the negotiating team; be present in closed session when the Board is discussing negotiation strategies nor participate in negotiations in any way when his/her relative belongs to that bargaining unit.
- D. No Board member who is a member of the same statewide union or whose immediate family member is a member of that same statewide union shall participate in any way in negotiations, prior to the Board's attaining a tentative memorandum of agreement with the bargaining unit. Once the tentative memorandum of agreement is established, the Board member with an out of district same statewide union affiliation may fully participate in the process, absent other conflicts. Prior to that time, the Board member shall not be a member of the negotiating team and shall not be present with the Board in closed session when negotiation strategies are being discussed. The Board member may vote on the collective bargaining agreement.
- E. No Board member shall use, attempt to use, or allow to be used any property owned or leased by the school district for the purpose of securing financial gain for the Board member, a family member, a political organization, or a business in which the Board member or a family member has an interest or which employs or provides compensation to the Board member or family member.

- F. No Board member shall use, attempt to use, or allow to be used his/her position for the purpose of securing financial gain for the Board member, a family member, a political organization, or a business in which the Board member or a family member has an interest or which employs or provides compensation to the Board member or family member.
- G. No Board member shall use, attempt to use, or allow to be used any information which is not generally available to the public, and which the Board member acquired by reason of his/her position, for the purpose of securing financial gain for the Board member, family member, a political organization, or a business in which the Board member or a family member has an interest or which employs or provides compensation to the Board member or family member.
- H. No Board member shall solicit, accept, or agree to accept, either directly or indirectly, any gift, loan, political contribution, service, promise of future employment, or other thing of value if the Board member knows or reasonably should know that the gift, loan, political contribution, service, promise of future employment, or other thing of value was given or offered for the purpose of influencing the Board member, directly or indirectly, in the discharge of his/her duties.
- I. No Board member shall direct or request that any person or business which is a party to a contract with the school district perform, whether for compensation or not, any services for, or contribute anything of value to, a political organization.
- J. No Board member shall use his/her position to direct or request that any other school official or any person employed by the school district perform any services, whether for compensation or not, for, or contribute anything of value to, a political organization.
- K. No Board member shall participate in any way in school district action which he/she knows or reasonably should know would result in the payment of school district funds, from whatever source derived, to the Board member, family member, a political organization, or a business in which the Board member or family member has an interest or which employs or provides compensation to the Board member or family member.
- L. Nothing in this bylaw shall be construed to prohibit a Board member from taking action in an official capacity if by reason of that action no benefit or detriment could reasonably be expected to accrue to the Board member or a family member as a member of a group to any greater extent than any such benefit or detriment could reasonably be expected to accrue to any other member of such group.
- M. No Board member shall serve as mayor or as a member of the City of Camden.

Adopted: June 24, 1985
 Revised: September 10, 1991
 Revised: August 23, 1995
 Revised: August 14, 2007
 NJSBA Review/Update: March 2009

Key Words

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

<u>Legal References:</u>	<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>	School Ethics Act

Legal References Cont.:

N.J.S.A. 52:13D-12 et seq. Legislative findings ... (regarding conflict of interest)
N.J.A.C. 6A:4-1.1 et seq. Appeals
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission
N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for school Board members and charter school Board of trustee members

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

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

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

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

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 Camden City 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.
- K. I will support and protect school personnel in proper performance of their duties.
- L. I will refer all complaints to the Superintendent 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.

Adopted: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: 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

Manual for the Evaluation of Local School Districts

Possible

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

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

Bylaw

DEVELOPMENT, DISTRIBUTION AND MAINTENANCE OF GOVERNANCE MANUAL

The Board of Education desires to make this manual of bylaws and policies a useful guide to all members of the Board, the Administration of this district, all personnel employed by the Board and the students and residents of the district.

Therefore, copies of this manual shall be given to the following: Board members, Superintendent, Business Administrator/Board Secretary, each Principal, Board solicitor and assistant Superintendents.

Copies of this manual shall be numbered and a record maintained by the Business Administrator/Board Secretary or designee as to 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.

Each holder of a policy manual shall return it to the Business Administrator/Board Secretary upon the termination of his/her service with district. all policy manuals shall be reviewed annually for currency at the time of the organization of the new Board.

Adopted:	June 24, 1985
Revised:	April 15, 1988
Revised:	September 10, 1991
Revised:	August 23, 1995
Revised:	August 14, 2007
NJSBA Review/Update:	March 2009

Possible

<u>Cross References:</u>	*2210	Administrative leeway in absence of Board policy
	*9000	Role of the Board
	*9311	Formulation, development and adoption of policy
	*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 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 Business Administrator/Board Secretary as policy coordinator. In cooperation with the Board, he/she shall establish procedures in consultation with the Superintendent 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 first reading by a majority vote of the members of the Board present and voting or may be further revised until consensus is reached.

In the interest of efficient administration, the 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. They 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:	June 24, 1985
Revised:	April 15, 1988
Revised:	September 10, 1991
Revised:	August 23, 1995
Revised:	August 14, 2007
NJSBA Review/Update:	March 2009

Key Words

Policy, Board Policy

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

<u>N.J.S.A.</u> 18A:10-6	Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:17-20	Tenured and nontenured 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

Cross References:

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

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

Bylaw

FORMULATION, ADOPTION, AMENDMENT OF BYLAWS

The 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 full membership of the Board present at a regular or specially scheduled meeting of the Board. The proposed additions, amendments or revisions shall have been described in writing in the calls for these meetings.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: 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 the function of specifying required actions and designing the detailed procedures under which the district's schools will be operated. Such rules and detailed procedures shall constitute the administrative regulations governing the district's 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 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 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: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: 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:32-2.1 Definitions (Superintendent and administrative Principal)
N.J.A.C. 6A:32-4.3 Evaluation of tenured and nontenured Superintendent

Possible

Cross References: *2131 Superintendent
*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 Camden City 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 shall have the power to waive policy or regulation in the single instance. In such cases, the Superintendent shall report the instance to the Board president immediately, and request reconsideration of the policy at the next regular meeting.

Adopted: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: 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:32-2.1 Definitions (Superintendent and administrative Principal)
N.J.A.C. 6A:32-4.3 Evaluation of tenured and nontenured Superintendent

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
*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 clerk of the City of Camden.

The Camden City 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 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:	June 24, 1985
Revised:	April 15, 1988
Revised:	September 10, 1991
Revised:	August 23, 1995
Revised:	August 14, 2007
NJSBA Review/Update:	March 2009
Approved:	June 23, 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
N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
N.J.A.C. 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 Camden City Board of Education shall officially transact all business at a legal meeting of the Board in accordance with New Jersey law.

All meetings of the Board of Education shall be open to the public with the exception of meetings to discuss:

- A. Any matter which by express provision of state or federal law or rule of court shall be rendered confidential;
- B. Any matter in which the release of information would impair a right to receive federal funds;
- C. Any material the disclosure of which constitutes an unwarranted invasion of individual privacy, unless the individual (or all the individuals) concerned shall request in writing that the same be disclosed publicly. This includes information contained in pupil records, and any reports or recommendations concerning a specific individual (see 1120 for "needless public labeling");
- 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.

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).

Adopted: June 24, 1985
Revised: April 15, 1988

Revised: September 10, 1991
 Revised: February 24, 1992
 Revised: August 23, 1995
 Revised: August 14, 2007
 Revised/adopted: September 23, 2008
 Adopted: October 21, 2008
 NJSBA Review/Update: March 2009
 Approved: June 23, 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
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:32-12.1 Reporting requirements

Rice v. Union City Board of Education, 143 N.J. Super 64 (1978)
 5 U.S.C. Section 552 as 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.

Regulation

PUBLIC AND EXECUTIVE SESSIONS

Public Participation at Board Meetings

The Board recognizes the value to school governance of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

In order to permit the fair and orderly expression such comment, any member of the public desiring to speak and receive a reply on any issue at public meeting, must make prior arrangements through the office of the Business Administrator/Board Secretary. Written notice, two (2) days in advance of the meeting will ensure placement on the official agenda, five (5) minutes within which to address the Board and an appropriate response. Upon calling, or visiting, such persons shall be required to provide the Business Administrator/Board Secretary with their name, address, problem and/or nature of the inquiry, any organization or group represented, and whether they are desirous of an oral or written reply.

The Board shall provide constituents who have not sought advance inclusion on the agenda in accordance with the prescribed procedures set forth in this and other Board policy, the appropriate amount of time, three (3) minutes, in which to make presentations and/or inquiries. Such persons shall, in fairness to those who have advance inquiries, be heard after all advance inquiries have been duly disposed of.

The presiding officer of each Board meeting at which public participation is permitted, shall administer the rules of the Board for its conduct.

- A. Public participation shall be permitted only as indicated in the order of business on the agenda.
- B. Participants must be recognized by the presiding officer and must preface their comments by an announcement of their name and address.
- C. When in the judgment of the presiding officer it becomes necessary to limit discussion, each statement made by a participant shall be limited to the time specified above. The presiding officer may also limit the total time of discussion.
- D. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- E. All statements shall be directed to the presiding officer; no participant may address or question Board members individually.
- F. The presiding officer may:
 - 1. Interrupt, warn or terminate a participant's statement when the statement is too lengthy, personally directed, abrasive obscene or irrelevant;
 - 2. Request any individual to leave the meeting when that person does not observe reasonable decorum;

3. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting; and
4. Call for a recess or any adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.

Adopted: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: February 24, 1992
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Bylaw

ORGANIZATION MEETING

The Camden City Board of Education shall meet for its annual organization meeting on the day specified by state law. The meeting shall be called to order by the Business Administrator/Board Secretary, who shall preside until such time as a President is elected. Election results shall be read and new Board members sworn in and if possible President and Vice President elected.

Following election of officers, the Board shall:

- A. Adopt the policies, and approve the regulations, contained in the Board Policy Manual of the Camden City Board of Education, together with any amendments or additional policies enacted by previous Boards, and current administrative regulations. This shall be with the stipulation that the Board may further amend and supplement Board policies, including those policies establishing its own bylaws and operational procedures.
- B. Name depositories and signatories for school funds;
- C. Appoint the treasurer of school moneys;
- D. Appoint the Board auditor; solicitor; insurance broker;
- E. Set, or reaffirm, regular meeting dates for the year and the newspapers through which notice shall be given;
- F. Reaffirm any contractual commitments as appropriate at the wish of the Board.

The Board may then adjourn or proceed into a duly called meeting.

Adopted: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

<u>Legal References:</u>	N.J.S.A. 18A:10-3	First regular meeting of Board
	N.J.S.A. 18A:10-6	Boards meetings; frequency, etc.
	N.J.S.A. 18A:11-1	General mandatory powers and duties
	N.J.S.A. 18A:17-5	Appointment of a secretary, etc.
	N.J.S.A. 18A:17-31	Treasurer of school moneys
	N.J.S.A. 18A:17-34	Receipt of disposition of moneys
	N.J.S.A. 18A:22-11	Notice of public hearing

<u>Cross References:</u>	9112	Elections/appointment
	9123/9124	Appointment of Board Secretary/business official
	9311	Formulation, adoption and amendment of policies
	9340	Membership in associations

Bylaw

AGENDA PREPARATION / ADVANCE DELIVERY OF MEETING MATERIAL

The Superintendent, Board president and vice 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. 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.

With respect to all agenda items in which the Board is expected to approve or consider a Board resolution or regulation, the Superintendent, in collaboration with the Board Secretary, or their designees, shall ensure that the supporting materials submitted to the Board contain the appropriate, substantial, and reasonable level of detail that is sufficient to justify the proposed Board action on the resolution or the regulation. To assist the District's Administration in ensuring that the supporting materials contain the appropriate, substantial, and reasonable level of detail that is sufficient to justify the proposed Board action on the resolution or regulation, a Resolution Checklist shall be made available to the appropriate District Administrators.

The agenda shall also be made available to the press, representatives of community and staff groups, and others, upon request.

I. Special Requests For Information and Data

- A. Board members have the right to request additional information/data related to a matter/topic before the Board or matters that fall within the purview of the Board.
- B. Following the request, the President shall inquire if there is any objection to said request.
 - 1. If there is no objection, the request shall be clarified and recorded by the Board Secretary.
 - 2. If there is an objection, the President shall re-phrase the request in the form of a motion, ask for a second and, if a second is provided, call for a vote after a 5-minute discussion period. The matter(s) shall be given to the Superintendent for disposition if a majority of the members present vote in favor.
 - 3. The Board Secretary shall maintain a record of all approved requests for information/data. A summary report of the requested information/data shall be forward to all members and the Superintendent within 48-hours.

- C. The Superintendent, or designee, shall:
1. Forward the requested information/data to the Board member(s) within a reasonable time, or, by a date stipulated in the request. When appropriate, the information and data, may be reported as a Special Meeting agenda item, and,
 2. Inform the Board of difficulties that delay or prevent the compiling of the requested information or data as soon as possible.
- D. The list of requested information/data shall be made part of the Old Business section of the next Regular Board meeting, so as to record whether or not the request has been satisfactorily complied with.

Adopted: June 24, 1985
 Revised: April 15, 1988
 Revised: September 10, 1991
 Revised: August 23, 1995
 Revised: August 14, 2007
 NJSBA Review/Update: March 2009
 Revised: September 2009
 Revised: September 2010
 Revised: January 24, 2012

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.

Regulation

AGENDA PREPARATION / ADVANCE DELIVERY OF MEETING MATERIAL

A separate Resolution Checklist shall accompany all supporting materials for each agenda item in which the Board is requested to approve or consider a Board resolution or regulation.

All items of the Resolution Checklist shall be fully or substantially complied with to the extent practicable and reasonable.

Adopted: January 24, 2012

Bylaw

MEETING PROCEDURES

Quorum:

Five members shall constitute a quorum for the transaction of business. The only action a lesser number may take is to adjourn the meeting to a designated time within the following seven days or on the same day no later than 9 p.m. in the expectation of a quorum.

After the call of the roll, no member shall retire from any session of the Board without permission from the chair.

Rules of Order:

Meetings of the Camden City Board of Education shall be conducted in accordance with Robert's Rules of Order, Revised, except as otherwise provided by law, regulations of the State Department of Education or by the Camden City Board of Education.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Quorum, Rules of Order

Legal References: N.J.S.A. 18A:10-6 Board Meetings
 N.J.S.A. 18A:11-1 General mandatory powers and duties

Cross References: 9321 Time, place and notification of Board meetings

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: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Voting Method, Abstentions

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

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

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

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

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

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

Exhibit

VOTING METHOD

BOARD VOTING REQUIREMENTS

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

1. Directing the Board Secretary to make deductions for United States government bonds from salaries of participating employees (N.J.S.A. 18A:16-8).
2. Appointing and fixing the salary and term of a Board Secretary (N.J.S.A. 18A:17-5).
3. Appointing and fixing the salary and term of an Assistant or Acting Board Secretary (N.J.S.A. 18A:17-13).
4. Appointing and fixing the term of a Superintendent of Schools (N.J.S.A. 18A:17-15).
5. Appointing or removing an Assistant Superintendent of Schools (N.J.S.A. 18A:17-16).
6. Appointing and fixing the term of an Administrative Principal (N.J.S.A. 18A:17-20.5).
7. Appointing and fixing the term of a shared Superintendent or a shared School Business Administrator (N.J.S.A. 18A:17-24.3). (Please note that this particular statute only requires a "majority of the membership.")
8. Appointing or removing and fixing the salary of a Business Manager in a Type I school district (N.J.S.A. 18A:17-25).
9. Appointing an executive Superintendent in districts in cities of the first class with a population over 325,000 (N.J.S.A. 18A:17A-1).
10. Disposing of lands owned by the Board, or rights or interests therein (N.J.S.A. 18A:20-5).
11. Exchanging lands owned by the Board (N.J.S.A. 18A:20-8).
12. Adopting a budget in Type II districts having a Board of School Estimate (N.J.S.A. 18A:22-26).
13. Fixing and determining the amount of money to be voted upon by the voters of the district at or after the public hearing on the school budget for Type II districts without a Board of School Estimate (N.J.S.A. 18A:22-32).
14. Adopting the question(s) to be submitted to the voters concerning any capital project(s) to be paid for from the proceeds of an issue of bonds in Type II districts without a Board of School Estimate (N.J.S.A. 18A:22-39).
15. Adopting a proposal for the issuance of school bonds by Type II districts having a Board of School Estimate (N.J.S.A. 18A:24-10b).
16. Transferring a teaching staff member (N.J.S.A. 18A:25-1).

17. Restoring or removing an Assistant Superintendent, Principal or teacher, following suspension by the Superintendent of Schools (N.J.S.A. 18A:25-6). (Please note that this particular statute only requires a "majority of the membership.")
18. Appointing a teaching staff member (N.J.S.A. 18A:27-1).
19. Appointing, transferring, removing or renewing the employment contract of a certificated or non-certificated officer or employee (N.J.S.A. 18A:27-4.1).
20. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment increment (N.J.S.A. 18A:29-14).
21. Adopting or altering a course of study (N.J.S.A. 18A:33-1).
22. Selecting textbooks (N.J.S.A. 18A:34-1).
23. Applying for membership in an already established county educational audiovisual aids center (N.J.S.A. 18A:51-11).
24. Applying to the county Superintendent to investigate the advisability of withdrawing from a regional district (N.J.A.C. 6A:32-11.1). (Note that in this case, the roll call majority vote is required by administrative code provision. This is not a statutory requirement.)
25. Submitting, for county Superintendent review, the content of separate questions to be submitted to the voters that propose programs in addition to the core curriculum context standards that may be in excess of its adjusted spending growth limitation (N.J.A.C. 6A:23-8.5(b)). (Note that in this case, the roll call majority vote is required by administrative code provision. This is not a statutory requirement.)

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

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

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

1. Determining the sufficiency of charges to dismiss or reduce the salary of a tenured employee (N.J.S.A. 18A:6-11).
2. Filling of vacancies on elected Boards of education ("majority vote of the remaining members") (N.J.S.A. 18A:12-15).
3. Removing from office a president or vice president of a Board for failure to perform a duty imposed upon him by law (N.J.S.A. 18A:15-2). ("majority vote of all of the members")
4. Appointing, fixing the salary and defining the duties of a School Business Administrator or appointing a shared business administrator between two or more districts. (N.J.S.A. 18A:17-14.1). ("majority vote of all of the members")
5. Disqualifying a bidder who would otherwise be determined to be the lowest responsible bidder due to prior negative experience (N.J.S.A. 18A:18A-4). ("majority of the Board of Education")
6. Authorizing of purchase of securities (N.J.S.A. 18A:20-37). ("majority vote of all of its members")

7. Authorizing of sale of securities (N.J.S.A. 18A:20-39). (“majority vote of all of its members”)
8. Adopting a proposal for the issuance of school bonds in Type II districts without a Board of School Estimate (including regional districts) (N.J.S.A. 18A:24-10c).
9. Admitting pupils, who have never attended public or private school, after October 1 following the opening of school for the full term (N.J.S.A. 18A:38-6). (“majority vote of all of the members”)
10. Deciding to establish, with other school districts of the county, a county educational audio-visual aids center (N.J.S.A. 18A: 51-1).
11. Employee travel, with prior CSA approval (“majority of full voting membership”) (N.J.S.A. 18A:11-12(f))
12. Board Member travel (“majority of full voting membership”) (N.J.S.A. 18A:11-12(g))
13. In a school district with a Board of school estimate, approval of additional tax levy (N.J.S.A. 18A:7F-39)(“majority of those Board members who are present”)

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

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

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

1. Transferring amounts among line items and program categories (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A 8.2 (e), N.J.A.C. 6A:23-2.11(f)).
2. Petitioning the Commissioner for authority to make a transfer of surplus, unbudgeted or under budgeted revenue amounts to line items and program categories prior to April 1 due to an emergent circumstance (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A-8.2 (b), N.J.A.C. 6A:23-2.11(c)).
3. Petitioning the Commissioner for authority to make a transfer of surplus, unbudgeted or under budgeted revenue amounts to line items and program categories between April 1 and June 30 in order to achieve

the thoroughness standards for the current year (N.J.S.A. 18A:22-8.1, N.J.A.C. 6A:10A-8.2 (a), N.J.A.C. 6A:23-2.11(b)). Note that the Abbott code speaks to achieving the efficiency and effectiveness standards, not the thoroughness standards.

4. Authorization to negotiate and award a contract or agreement after twice advertising for bids pursuant to N.J.S.A. 18A:18A-4, with subsequent failure to receive any bids (N.J.S.A. 18A:18A-5(c)).
5. Authorization to negotiate and award a contract or agreement after twice advertising for bids and having rejected those bids for appropriate reasons (N.J.S.A. 18A:18A-5(c)).
6. Authorization to negotiate and award a contract or agreement after twice advertising for bids and having once failed to receive bids and having once rejected bids received for appropriate reasons (N.J.S.A. 18A:18A-5 (c)).

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

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

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

Adopted:	June 24, 1985
Revised:	August 23, 1995
Revised:	August 14, 2007
NJSBA Review/Update:	March 2009

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 , 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 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. The Board may charge a fee for copies of the minutes as provided by law.

Taping of Public Meetings

The Board Secretary shall tape record all public meetings of the Board in order to assure proper documentation of occurrences and the transcription of minutes. All tapes 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.

Tapes shall not be removed from the Board office and must be played in the presence of the Board Secretary/designee.

All tapes shall be stored in a locked cabinet located in the Board office and shall be destroyed in accordance with law.

Any member of the public wishing to audio or video record a Board of Education meeting shall give notice to the Board Secretary prior to the meeting to be recorded.

Adopted:	June 24, 1985
Revised:	April 15, 1988
Revised:	September 19, 1991
Revised:	August 23, 1995
Revised:	August 14, 2007
NJSBA Review/Update:	March 2009
Approved:	June 23, 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
N.J.A.C. 6A:32-12.1 Reporting requirements

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

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

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

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

Atlantic City Convention Center Authority v. South Jersey Publishing Co., Inc., 135 N.J. 53 (1994)

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 Camden County School Boards Association and such other associations as shall be determined by the Board of Education annually.

The Board shall participate as fully as possible in the activities of all associations to which it belongs.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Membership, Association, New Jersey School Boards Association, NJSBA

Legal References: N.J.S.A. 18A:6-45 New Jersey School Boards Association Established
 N.J.S.A. 18A:6-46 Delegates to State Association
 N.J.S.A. 18A:6-50 Expenses to Delegates, Dues

Possible

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

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

Bylaw

LEGISLATIVE PROGRAM

To ensure that the Board has the opportunity to make its views known to the elected representatives of the district at the local, state and national level, the Superintendent and Business Administrator/Board Secretary are directed to notify the legislative chairperson and the Board of any pending legislation which might affect the district.

Adopted: June 24, 1985
Revised: April 15, 1988
Revised: September 10, 1991
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Key Words

Legislative Program, Chairperson

Possible

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

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

Bylaw

BOARD 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.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: 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 Superintendent
*9000 Role of the Board

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

Bylaw

RECOGNITION OF INDIVIDUALS
CITIZENS, PUPILS, STAFF MEMBERS OR MEMBERS OF BOARD

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 provide the Board with information needed for making 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 certification of the district.

The annual accomplishment report shall be presented in clear and concise language and be illustrated by meaningful graphics, where advisable.

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.

Recognition of Accomplishments:

The Board will make public acknowledgment at a regular meeting of any extraordinary accomplishments of staff, students or citizens in behalf of the schools. The Board will also acknowledge publicly the deaths of long term or serving Board members and employees and other public servants.

Further, the Board will acknowledge contributions of community groups to the success of our schools.

Adopted: June 24, 1985
Revised: August 23, 1995
Revised: August 14, 2007
NJSBA Review/Update: March 2009

Legal References:

N.J. Const. Art. VIII, Sec. III, pars. 2,3. (Court interpretation; the Constitution holds that public funds may not be expended where no services have been rendered.)

Cross References: 1100 Communication with public
1112.2 News releases
1120 Communication with the public
2232.1 School district annual report

EVALUATING DISTRICT OPERATIONS UNDER QSAC MONITORING

The Board of Education recognizes that it has important functions of Education recognizes that it has important functions under the monitoring system known as QSAC (Quality Single Accountability Continuum). QSAC is intended to improve District performance in the following areas:

- (1) Instructional Program
- (2) Personnel
- (3) Fiscal Management
- (4) Operations
- (5) Governance

The Board of Education delegates to the Superintendent the functions of overseeing the administrative tasks and filing of documents required by QSAC and also of designing the detailed procedures under which the district will comply with QSAC.

These administrative rules and regulations must be consistent with Board contracts and policies, the statute establishing QSAC, rulings of the Commissioner, and rules of the State Board of Education. Timely completion of the QSAC requirements will be reviewed by the Board in its annual evaluation of the Superintendent.

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

The functions which are specifically reserved to the Board itself under QSAC are the following:

- (a) Appoint the committee that will assemble the data necessary to fill out the QSAC forms.
- (b) Review Board policies in the following areas of required policy:

Adopted curriculum is taught, and teachers receive meaningful feedback used to strengthen curriculum;

Textbook and materials adoption;

Bilingual program;

Process to identify G&T students;

Personnel recommendations;

Evaluation of tenured and non-tenured staff;

Supervision of instruction for all non-tenured teaching staff;

Assignment, transfer, promotion, or retention of staff as it relates to the district Equity; Plan

Physical examination of employees;

Reporting situations of potentially missing, abused or neglected children;

Due process for grievances;

Removal of students for firearms offenses;

Harassment, intimidation and bullying;

Transportation incidents to avoid safety violations and ensure student; Safety

Cooperation between school staff and law enforcement;

Medical examinations conducted by the District;

Prevention, assessment, intervention, referral for evaluation, referral for treatment, discipline for students using alcohol or drugs and continuity of care;

Budget and financial planning *See Fiscal Management and Governance DPR's for the many details required;*

Travel and expense reimbursement;

Nepotism;

Health and safety of students; CSA

annual evaluation;

Handling public comments during board meetings;

Board member confidentiality;

Obtaining citizen input in policy development and implementation;

Assure communication among parents, schools, teachers, and community; and Members

Implementation of the Open Public Records Act.

(c) The Board will need to identify evidence of having completed the following activities in the regular course of business during the previous year, which the Superintendent will present to the Board for approval:

Organizational chart

All Curriculum

All personnel appointments

All job descriptions (updated at least every five years)

Professional Development Plan

Long Range Facility Plan

Comprehensive Maintenance Plan

Technology Plan

Safety and Security Plan

School Health Nursing Services Plan.

Comprehensive Equity Plan

All personnel recommendations (action taken within 60-days of recommendation)

Memorandum of Agreement

Code of Student Conduct (annual review)

Budget calendar

All policies, procedures, and by-laws

Monthly budget transfer report

Monthly secretary and treasurer's report within 60-days of months end

Board minutes of budget hearing

Advertisements and notices for budget hearing

Minutes certifying that major funds have not been over-expended

Review and adoption of annual audit report

Approve and submit corrective action plan to any audit finding and recommendation

Salaries funded by federal grants

OPRA officer

Report form for reporting incidents of violence, vandalism and substance abuse (V&V)

Procedures regarding a school employee that knowingly falsifies the annual report on violence, vandalism and substance abuse

Comprehensive guidance and academic counseling program for all students

A written description of guidance and counseling services

A career education and counseling program for those students with disabilities beginning at age 14 or younger as determined by the IEP team

Guidelines on the roles and responsibilities of Intervention and Referral Services team members, and the roles, responsibilities, and parameters for the participation of community members

Approved job descriptions describing I&RS team responsibilities

A comprehensive alcohol, tobacco and other drug abuse program

(d) The Board directs the Superintendent and Board Secretary to prepare and organize Board minutes in order to document compliance of quality performance indicators.

Mission Statement

School physician contract

Information that support decisions regarding long-term suspensions

New Board Member Orientation certificate of completion from NJSBA

Properly completed financial disclosure statements

Board meeting minutes are available within two (2) weeks or by the next Board meeting or of final Board action

No Board member misses more than three consecutive meetings each year without good cause

No Board member or administrator has been found in violation of the School Ethics Act

Minutes reflect appropriate Board member recusal

Doctrine of Necessity resolution (if invoked)

Reorganization meeting minutes

Election of Board officers resolution

Newspaper copies of public meeting notices

Reading of OPMA reflected in minutes

Reasons of executive session detailed in the minutes

Board meets at least once every two (2) months and all meetings are open to the public

Adopted District goals that highest priority to student achievement

Superintendent contract includes annual evaluation and evaluation criteria and procedures

Through Board meetings and District newsletters, etc, provides accurate information to the staff, and interprets to the staff the aspirations of the community for its school.

(e) The Board will review and adopt the completed QSAC report at an official meeting of the Board

Key Words

Administrative Regulations, Procedures

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:7A-10	Evaluation of performance of each school
	<u>N.J.S.A.</u> 18A:7A-14	Review of evaluation of district performance
	<u>N.J.S.A.</u> 18A:7F-1 <u>et al.</u>	Comprehensive Educational Improvement and Financing Act
	<u>N.J.S.A.</u> 18A:26-2	Certificates required; exception
	<u>N.J.A.C.</u> 6A:5-1.1 <u>et seq.</u>	Regulatory Equivalency and Waiver
	<u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u>	Standards and Assessments
	<u>N.J.A.C.</u> 6A:23A-9.5	Commissioner to ensure achievement of the Core Curriculum Content Standards
	<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

See Particularly

<u>N.J.A.C.</u> 6A:30-2.1, 3.2, 5.2	
<u>N.J.A.C.</u> 6A:32-2.1	Definitions
<u>N.J.A.C.</u> 6A:32-12.1	Reporting requirements
<u>N.J.A.C.</u> 6A:32-12.2	School-level planning
<u>N.J.A.C.</u> 6A:32-14.1	Review of mandated programs and services

Possible

<u>Cross References:</u>	*1120	Board of education meetings
	*1220	<u>Ad hoc</u> advisory committees
	*2240	Research, evaluation and planning
	2255	Action Planning for State Monitoring NJQSAC

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

Date: August 24, 2010