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Bylaw

ROLE OF THE BOARD

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

The 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, 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.

Requests for Information from Administrators

The board of education has the ultimate decision making power in the Woodbridge Township School District.

ROLE OF THE BOARD (continued)

To make effective decisions, the board of education must have information about current issues before them which can only come from administrative and school personnel. However, the board of education has also established an organizational structure to insure the orderly conduct of its business and assigned to the administrators of the district responsibilities in the day-to-day conduct of the school system which requires their time and energy.

Therefore, to be consistent with the board's organizational structure and the need for the orderly flow of information, it is the policy of the board of education that all requests from individual board members for information from administrators be forwarded in writing to the president of the board of education. The president, acting as the head of the board, shall forward it to the superintendent and/or board secretary in writing. The superintendent and/or board secretary will then decide which administrator shall be responsible for collecting and reporting the information. The information shall be returned through the superintendent and/or board secretary to the president of the board of education and from the president to the full board. All information should be provided to the president within ten (10) work days. If such requests cannot be met within the ten (10) day allotment, the board president will be notified of the time period required to comply.

Adopted: April 18, 1973; October 20, 1988
 Revised: December 21, 1978
 NJSBA Review/Update: December 2011
 Readopted: August 21, 2014

Key Words

Boards of Education, Role of the Board

Legal References:	<u>N.J.S.A.</u> 18A:10-1	Constitution of boards of education; conduct of schools; state-operated school district
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	<u>School Ethics Act</u>
	<u>N.J.S.A.</u> 18A:17-15	Appointment of superintendents; terms; apportionment of expense
	<u>N.J.S.A.</u> 18A:33-1	District to furnish suitable facilities; adoption of courses of study
	<u>N.J.S.A.</u> 18A:34-1	Textbooks; selection; furnished free with supplies; appropriations
	<u>N.J.S.A.</u> 18A:36-2	Time when schools are open; determination
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:4-1.1 <u>et seq.</u>	Appeals
	<u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u>	Standards and Assessment
	<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission
	<u>N.J.A.C.</u> 6A:23A-1 <u>et seq.</u>	Accountability regulations
	<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
	<u>N.J.A.C.</u> 6A:32-1.1 <u>et seq.</u>	School District Operations
	<u>N.J.A.C.</u> 6A:32-3.2	Requirements for the Code of Ethics for school board members and charter school board of trustees members

Possible

Cross References:	*1000/1010	Concepts and roles in community relations; goals and objectives
	*2000/2010	Concepts and roles in administration; goals and objectives
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives

ROLE OF THE BOARD (continued)

4000	Concepts and roles in personnel
5000	Concepts and roles in student personnel
6000	Concepts and roles in instruction
*6140	Curriculum adoption
*6161.1	Guidelines for evaluation and selection of instructional materials
7000	Concepts and roles in construction, remodeling and renovation
*9311	Formulation, adoption, amendment of policies
*9312	Formulation, adoption, amendment of bylaws
*9313	Formulation, adoption, amendment of administrative regulations
*9314	Suspension of policies, bylaws and regulations

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

WOODBIDGE TOWNSHIP BOARD OF EDUCATION
Woodbridge, New Jersey

FILE CODE: 9010

Monitored

Mandated

Other Reasons

Bylaw

ROLE OF THE MEMBER

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

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

No board member, by virtue of his/her office, shall exercise any administrative responsibility 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: April 18, 1973
Revised: December 21, 1978
NJSBA Review/Update: December 2011
Readopted: August 21, 2014

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

In order to foster the close cooperation and mutual trust between the Woodbridge Township Board of Education and the administration, so necessary to the smooth functioning of the district's schools, the superintendent shall formulate procedures to keep confidential all facts, opinions, and discussions which the law permits the board to hold confidential.

Board members and other persons attending executive sessions are honor bound not to disclose the topic or details of discussion at these sessions.

All public statements in the name of the board shall be issued by the board president or, if appropriate, by the superintendent at the direction of the board president.

Board members will abide by the School Board Member Code of Ethics which reminds them that they have no power to act as individuals, but only as members of the board.

As stipulated in board policy 9271 Code of Ethics, board members will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools.

Adopted: November 3, 1983
NJSBA Review/Update: December 2011
Readopted: August 21, 2014

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 Woodbridge Township Board of Education shall consist of nine (9) members.

The term of a board member shall be three (3) years, except that:

- A. The term of a member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election, except that;
- B. The term of a member appointed to fill a vacancy within sixty days immediately preceding an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his/her appointment.

Adopted: April 18, 1973
Revised: December 21, 1978
NJSBA Review/Update: December 2011
Readopted: August 21, 2014

Key Words

Elected Member, Term, Term of Office, Sending Board of Education

Legal References: N.J.S.A. 18A:12-1 Qualifications of Members
 N.J.S.A. 18A:12-11 Election and Number of Board Members, Terms
 N.J.S.A. 18A:12-15 Vacancies

Possible
Cross Reference: 9140 Board Representatives

Bylaw

QUALIFICATIONS AND REQUIREMENTS OF BOARD MEMBERS

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

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

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

Adopted: August 21, 2014
NJSBA Review/Update:
Readopted:

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

QUALIFICATION AND REQUIREMENTS
OF BOARD MEMBERS (continued)

File Code: 9111

Possible

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

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

Bylaw

FILLING VACANCIES

Vacancies Filled by the Board

In the event a Woodbridge Township Board of Education seat becomes vacant and is required to be filled by the remaining members of the board pursuant to N.J.S.A. 18A:12-15(f), the following procedures shall be utilized:

- A. The board of education will announce the vacancy at a public meeting;
- B. An advertisement advising the public of the vacancy and requesting candidates to submit their résumés in application of the vacancy will be placed in two different newspapers in the manner that public meeting notices are advertised and publicized on the district's local TV station and Webpage;
- C. The interested candidates must submit a letter of intent with résumé addressed to the board president (or in his or her absence, the vice president) at the board of education's administrative offices;
- D. Interviews will be scheduled by the board president (or, in his or her absence, the vice president) and the dates will be announced to the public;
- E. The entire board of education will participate in the interview process during a public session. The public may attend but will not be allowed to ask questions during the interview process;
- F. The qualifications for board members, pursuant to N.J.S.A. 18A:12-1 and policy 9111 Qualifications are as followed.

The seated board members will make a decision on the appointment within 65 days of the official date of the 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: September 22, 2005
NJSBA Review/Update: December 2011
Readopted: August 21, 2014

Key Words

Filling Vacancies, Board Vacancies

Legal References: N.J.S.A. 18A:6-56 Election of members of representative assembly;
vacancies (educational services commission)
N.J.S.A. 18A:12-1 Qualifications of board members

FILLING VACANCIES (continued)

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

Possible

<u>Cross References:</u>	*9010	Role of member
	9110	Number of members and terms of office
	9112	Elections/appointments
	9114	Resignation/removal from office
	*9270	Conflict of interest
	*9271	Code of ethics

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

Bylaw

RESIGNATION AND REMOVAL FROM OFFICE

The membership of the Woodbridge Township Board of Education shall cease immediately upon:

- A. The cessation of the member's bona fide residency in the school district; or
- B. The member's election or appointment to the office of mayor or a member of the governing body of Woodbridge Township; or
- C. The member's disqualification from voting pursuant to N.J.S.A. 19:4-1 Elections; or
- D. The member has been disqualified due to the conviction of a crime or offense listed in N.J.S.A. 18A:12-1; or
- E. The member's conviction for false swearing or having falsely affirmed or declared that he or she is qualified to vote; or
- F. The removal of the member by the commissioner of education; or
- G. Recall of a board member pursuant to N.J.S.A. 19:27A-1.

A member who fails to attend three (3) consecutive regular meetings of the board without good cause may be removed from office on the affirmative votes of a majority of the remaining board member provided that:

- A. The member's removal was proposed at the immediately previous board meeting; and
- B. Notice of the proposed removal was given to the affected member in advance of the meeting at which the vote will be taken.

Adopted: April 18, 1973
NJSBA Review/Update: December 2011
Readopted: August 21, 2014

Key Words

Resignation, Removal

Legal References: N.J.S.A. 18A:12-3 et seq. Removal of members
N.J.S.A. 18A:15-2 et seq. President and vice president; election or failure to elect
N.J.S.A. 19:4-1 Elections

Possible

Cross References: *9010 Role of member
9110 Number of members and terms of office
9112 Elections/appointments
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 Woodbridge Township Board of Education and shall perform other duties as directed by statute, state department of education regulations, and this board. In carrying out these responsibilities, the president shall:

- A. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the board;
- B. Consult with the superintendent 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; and
- G. Be responsible for the orderly conduct of all board meetings.

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

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

The president shall have the right, as other board members have, to offer resolutions, to discuss questions, and to vote.

In the absence of the president, the vice president shall perform all the latter's functions but shall not have the authority to alter any committee assignments made by the president. In the absence of both officers, a chairperson pro tempore shall be selected by the board under the guidance of the board secretary.

ELECTION AND DUTIES OF PRESIDENT (continued)

Adopted: April 18, 1973
Revised: December 21, 1978
NJSBA Review/Update: December 2011
Readopted: August 21, 2014

Key Words

President, Board President

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

Possible

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

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

Bylaw

BOARD SECRETARY

The secretary of the Woodbridge Township Board of Education is an important educational official, many of whose duties are legally described in detail in the state statutes. The secretary, unless having attained tenure after the award of the fourth consecutive annual contract, shall be appointed annually by a majority vote of the board. Until attaining tenure, the secretary may be removed from office by vote of the board, but after the attainment of tenure may be removed only in accordance with the legal stipulations concerning the removal of certified employees on tenure. The secretary may be a member of the board and shall be bonded in an amount to be determined by the board, but not less than \$2,000.00, the fee for which shall be paid by the board. The secretary shall be responsible solely to the board.

The board secretary shall be elected by a recorded roll call majority vote of the full board for a term to expire not later than the following June 30, except as subject to the tenure laws, but he/she shall continue to serve after the expiration of his/her term until his/her successor is qualified and appointed.

A. The legal functions of the secretary include the following:

1. Fulfilling all state requirements of this office. Since, with respect to such areas as elections, budgets, and other fiscal problems, they are too detailed to be usefully incorporated in these rules and regulations, the relevant statutes are deemed by reference thereto to have been incorporated herein.
2. Recording the proceedings of all regular and special board meetings, including annual and special school district meetings. Preparing and transmitting promptly to all board members copies thereof.
3. Notifying members of the board of all regular and special meetings of the board.
4. Certifying and submitting for payment all properly audited and signed bills, by orders of the custodian of school monies. No bill shall be paid unless first approved by the committee authorizing the expenditure and thereafter approved by the board.
5. Reporting to the board at each regular meeting:
 - a. The amount of the total appropriations and the cash receipts for each amount;
 - b. The amount for which warrants have been drawn, the name of payee, purpose for which drawn, and the amount of orders for all contractual obligations since the date of the previous report;
 - c. The accounts against which the warrants have been drawn and the accounts against which contractual obligations are chargeable;
 - d. The cash balance and free balance of the credit of each account.
6. Submitting all financial records to an annual audit after preparing a statement of the financial condition of the school district for auditing and transmission to the board members.
7. Preparing, in July, a detailed financial statement of the fiscal year ended June 30 and transmitting a copy thereof to the county superintendent.
8. Purchasing supplies as authorized by the board. In such cases, the secretary shall present properly itemized bills for all transactions except those involving salaries.
9. Preparing, at the stipulated times, all budgetary and election information that the law requires be published.
10. Performing all required legal duties associated with elections.

BOARD SECRETARY (continued)

B. Other functions of the secretary include the following:

1. Preserving safely all records, papers, etc., of the school district and, in addition, such securities as may be under the control of the secretary.
2. Preparing for each new board member such information and illustrative material as may be of assistance to the new member in becoming acquainted promptly with the responsibilities imposed by the state law and with current operating policies of the board.
3. Preparing an annual calendar of those repetitive functions of the office that a substitute or successor must fulfill.
4. Supervising the work of the personnel in the secretary's office.
5. Performing such other duties as may be required by the board.

Adopted: April 18, 1973; December 21, 1978
 NJSBA Review/Update: December 2011
 Readopted: August 21, 2014

Key Words

Board Secretary

Legal References:	<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
	<u>N.J.S.A.</u> 18A:17-5	Appointment of a secretary of board of education; terms; compensation; vacancy
	<u>N.J.S.A.</u> 18A:17-6	Bond of secretary
	<u>N.J.S.A.</u> 18A:17-7	Secretary to give notices and keep minutes, etc.
	<u>N.J.S.A.</u> 18A:17-8	Secretary; collection of tuition and auditing of accounts
	<u>N.J.S.A.</u> 18A:17-9	Secretary; report of appropriation, 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:17-12	Secretary; annual financial report to Commissioner
	<u>N.J.S.A.</u> 18A:17-12.1	Secretary; retirement on pension; amount
	<u>N.J.S.A.</u> 18A:17-12.2	Secretary; pension funds
	<u>N.J.S.A.</u> 18A:17-14	Those duties assigned as secretary
	<u>N.J.S.A.</u> 18A:19-1	Expenditure of funds (verification etc.)

Possible

Cross References:	*1120	Board of education meetings
	*2000/2010	Concepts and roles in administration; goals and objectives
	*2121	Line of responsibility
	*3570	District records and reports
	*4111	Recruitment, selection and hiring
	*4211	Recruitment, selection and hiring
	*9000	Role of the board
	*9326	Minutes
	*9400	Board self-evaluation

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

Bylaw

TREASURER OF SCHOOL MONIES

The treasurer of school monies shall be the person designated by law as the treasurer of monies belonging to the municipality of Woodbridge, unless the tax collector shall be designated as such treasurer by the board. The bonds given by the collector or other person for the faithful performance of his/her duty as such officer shall be held to cover and secure the faithful performance of his/her duty as treasurer of school monies.

His/her duties shall include the following:

- A. The treasurer of school monies shall receive and hold in trust all school monies belonging to the school district, except such monies as are derived from athletic events or other activities of pupil organizations of the district, whether received from the state appropriation, state school tax, district tax appropriation, or from other sources, and shall pay out the same only on warrants signed by the president and secretary of the board of education;
- B. Each warrant shall be made payable to the order of the person entitled to receive the amount named therein provided that, in the payment of teachers and other employees, a payroll, certified by the president and secretary of the board of education, stating the names of the teachers and other employees and the amount to be paid to each, may be delivered to the treasurer of school monies, accompanied by a warrant, drawn to his/her order, for the full amount of said payroll, which said payroll warrant shall be deposited in a separate bank account as a payroll account;
- C. He/she shall keep, in the books provided for that purpose a record of the sums received and paid out by him/her;
- D. He/she shall make a monthly report to the board of education giving a detailed account of all receipts and the amount of all warrants signed by him/her since the date of his/her last report, the accounts against which said warrants shall have been drawn, and the balance to the credit of each account;
- E. At the close of the school year he/she shall transmit to the board of education a report showing the amounts received and disbursed by him/her for school purposes during the year, and shall file a duplicate of such report with the executive county superintendent of schools; and
- F. He/she shall prepare and transmit to the designated authorities any other reports required by law.

Adopted: December 21, 1978
NJSBA Review/Update: December 2011
Readopted: August 21, 2014

Key Words

Treasurer of School Money, Treasurer of School Monies, Treasurer

Legal References:	<u>N.J.S.A.</u> 18A:16-1	Officers and employees in general
	<u>N.J.S.A.</u> 18A:17-31	Custodians of school monies; who to act
	<u>N.J.S.A.</u> 18A:17-32	Bond of custodian
	<u>N.J.S.A.</u> 18A:17-33	Compensation
	<u>N.J.S.A.</u> 18A:17-34	Receipt and disposition of monies

TREASURER OF SCHOOL MONEYS (continued)

<u>N.J.S.A.</u> 18A:17-35	Records and receipts and payments
<u>N.J.S.A.</u> 18A:17-36	Accounting; monthly and annual reports
<u>N.J.S.A.</u> 18A:19-1	Expenditure of funds on warrants only; requisites
<u>N.J.S.A.</u> 18A:10-9	Compensation of teachers, etc., payrolls
<u>N.J.S.A.</u> 18A:19-10	Payroll bank account; check for compensation
<u>N.J.S.A.</u> 18A:19-12	Interest payable on certain warrants not immediately

Possible

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

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

Bylaw

PUBLIC SCHOOL ACCOUNTANT

The public school accountant shall be a registered municipal accountant of New Jersey or a certified public accountant of New Jersey who shall hold an uncanceled registration license as a public school accountant of New Jersey.

A. Duties Specified by Law

1. Make an annual audit of the district's accounts and financial transactions, to be completed not later than three months after the end of the school fiscal year.
2. The above shall include an audit of books, accounts, monies, verification of all cash and bank balances of the board and any of its officers or employees, and monies derived from athletic events or activities of board authorized student organizations since the last annual audit.
3. File a copy of the annual audit and recommendations with the Woodbridge Township Board of Education and, within five days, file two copies, certified and signed, in the office of the Commissioner.
4. All reports of audit of accounts are to be signed by the person making the audit or the person in charge of same.
5. The public school accountant must subscribe to the following declaration:
 - a. That he/she is fully acquainted with the laws governing the fiscal affairs of school districts of New Jersey and is a competent and experienced auditor, and
 - b. That he/she will honestly and faithfully audit the books and accounts of any school district when engaged to do so, and report any error, omission, irregularity, violation of the law, discrepancy or other non-conformity to the law, together with his/her recommendations, to the board of education of such school district.

B. Duties Specified by Board

1. Conduct interim audits of the district's accounts and financial transactions on a semiannual basis.
2. Be available for consultation in matters pertaining to the budget, financial problems, and in all related areas where his/her advice is considered necessary.
3. Meet with the entire board, per arrangement, during the school year for presentation of the audit report.

Adopted: December 21, 1978
NJSBA Review/Update: January 2012
Readopted: August 21, 2014

Key Words

Audit, Auditor, Public School Accountant, Accountant

Legal References: N.J.S.A. 18A:16-1 Officers and Employees in General
N.J.S.A. 18A:23-1 Audit When and How Made
N.J.S.A. 18A:23-2 Scope of Audit
N.J.S.A. 18A:23-3 Filing of Audits

PUBLIC SCHOOL ACCOUNTANT (continued)

N.J.S.A. 18A23-7

Audit Made by Licensed Public School; Accountant; Fee

Possible

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

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

Bylaw

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 organization of the Woodbridge Township Board of Education shall include standing committees to be named annually, each to consist of at least three members, one of whom shall be the chairperson. Each committee shall gather all pertinent facts relating to any problem within its assigned jurisdiction and submit recommendations to the full board. The president shall appoint, as soon after the organization meeting as practicable, members of the board to standing committees where they shall serve a term of one year.

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.

Community Member Participation in Board Of Education Committee Meetings

The board of education, as the elected representatives of the community, examines issues in order to intelligently vote on matters that come before it. Much of this deliberation occurs in committee where time may be spent in exploring all the ramifications of an issue. Even though the committee members represent a wide range of background and talent, some specialized issues call for expert knowledge.

When a committee of the board identifies a need for expert opinion, and is aware of a community member with the expertise, the committee chairperson may request that the president of the board extend an invitation to the member of the community with the expertise to attend the committee meeting and present the needed information.

While at the committee meeting, the community member will not be permitted to participate in the discussion of the issue before the committee. He/she must limit his/her contribution to providing information and responding to direct questions dealing with his/her area of expertise.

The president of the board is the only person allowed to extend an invitation to attend a committee meeting, and no person other than a committee member or an appropriate board employee may attend a committee meeting without being invited by the president. The invitation can only be for one meeting at a time. If the committee feels that more information is still needed, the chairperson may ask the president to reissue the invitation.

COMMITTEES (continued)

Adopted: April 18, 1973; January 16, 1986
Revised: December 21, 1978
NJSBA Review/Update: January 2012
Readopted: August 21, 2014

Key Words

Committees, Board Committees

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

School Ethics Commission, Advisory Opinion, A01-93
School Ethics Commission, Advisory Opinion, A10-93
School Ethics Commission, Advisory Opinion, A33-95
School Ethics Commission, Advisory Opinion, A02-00
School Ethics Commission, Advisory Opinion, A14-00

Possible

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

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

Bylaw

STUDENT/SENIOR CITIZEN PARTICIPATION
IN MEETINGS

The Woodbridge Township School District shall maintain a system of effective communication among students, parents, staff, community and the Board of Education. As a method of accomplishing this, the Board supports a program where:

- A. A Student Council representative from one of our three high schools is invited to attend and participate in an agenda meeting, without a vote, but with the right to contribute to discussions; and
 - 1. A senior will be designated from each High School;
 - 2. The Board of Education student representative will alternate every third Board of Education meeting;
 - 3. The Board of Education student representative will be seated at the main Board of Education table;
 - 4. The Board of Education student representative is expected to stay the entire meeting;
 - 5. The Board of Education student representative will not participate in closed session;
 - 6. The Board of Education student representative will not vote on any agenda items;
 - 7. The Board of Education student representative will be allowed to question or comment on each agenda, and also during new business and old business;
 - 8. The Board of Education student representative will be a different student than the student representative who provides updates during Board of Education meetings.

- B. Where a representative of our senior citizens is invited to attend and participate in agenda meetings, without a vote, but with the right to contribute to discussions.

Adopted: July 26, 2000; September 24, 2020
NJSBA Review/Update: January 2012
Readopted: August 21, 2014; September 24, 2020

Key Words

Student Representatives, Senior Citizen Representation, Board Representatives

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

Possible

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

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

ORIENTATION AND TRAINING OF BOARD MEMBERS

The Woodbridge Township Board of Education believes that the preparation of each board member for the performance of his/her duties is essential to the effectiveness of the board's functioning. The board shall encourage each new board member to understand the function of the board, acquire knowledge of all matters related to the operation of the schools, learn board procedures, and become conversant with the history and the traditions of the district.

Accordingly, the board shall give to each new board member, no later than at his/her first regular meeting as a new board member, and for his/her use and possession during his/her term on the board, the following items:

- A. A copy of the board policy manual;
- B. The current budget statement and audit report, and related fiscal materials;
- C. Other related materials.

Each new board member shall be invited to meet with the superintendent to discuss board function, policy, and procedure.

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 months after taking office, and an NJSBA new board member orientation within the first year of taking office.

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

Code of Ethics Training

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

Mandated Training

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

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

fiscal management, operations and governance.

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

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

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

Inservice Development

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

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

Adopted: April 18, 1973
 Revised: December 21, 1978
 NJSBA Review/Update: January 2012
 Readopted: August 21, 2014

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:12-21 et. seq. School Ethics Act
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:37-13 Anti-Bullying Bill of Rights Act
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:28-1.2 Definitions

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

- N.J.A.C. 6A:28-1.6 Order to show cause
- N.J.A.C. 6A:28-4.1 Board member training
- N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for school board members and charter school board of trustee members
- N.J.A.C. 6A:32-4.3 Evaluation of tenured and nontenured chief school administrators

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

Possible

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

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

Bylaw

EXPENSES AND REIMBURSEMENTS

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

Travel and Related Expenses

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

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

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

Travel Payments

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

- A. Reimbursement may not exceed State travel reimbursement guidelines as established by the Department of Treasury in NJOMB circular, 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 16-11-OMB (found at <http://www.state.nj.us/infobank/circular/circindx.htm>). No reimbursement will be issued without submission of written documentation such as receipts, checks and vouchers detailing the amount the expenditures. Such documentation must be submitted within a timeframe to be established by the board;
- C. Travel expenditures must be in compliance with state travel payment guidelines as established by the Department of the Treasury and with guidelines established by the federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. All applicable restrictions and requirements set forth in the State and federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks or vouchers, shall be observed;

EXPENSES (continued)

- D. Board members and employees shall provide within one week, a brief report that includes, as appropriate, but may not be limited to, a description of the primary purpose for the travel, and a summary of the goals and key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district. This report will be submitted to the board secretary or other appropriate party designated by the board;
- E. Pursuant to N.J.A.C. 6A:23A-5.9 concerning out-of-state and high-cost travel events, out-of-state travel shall be limited to the fewest number of board members or employees needed to present the content at the conclusion of the event. Lodging may only be provided if the event occurs on two or more consecutive days and where home-to-event commute exceeds 50 miles. Prior written approval of the Executive County Superintendent may be required when the travel event has a total cost that exceeds \$5000.

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

Prior Approval Is Required

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

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

Regular Business Travel Authorization and Approval

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

Travel Advances Are Banned

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

EXPENSES (continued)Annual Maximum Travel Expenditure Amount

The board shall:

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

Additional Detailed Accounting Requirements which Demonstrate Compliance

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

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

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

EXPENSES (continued)

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

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

Types of Expenditures Not Eligible for Reimbursement

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

Penalties

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

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

The chief school administrator may develop regulations to implement this policy.

Adopted:	December 15, 2007
NJSBA Review/Update:	January 2012
Readopted:	September 20, 2007, August 21, 2014, June 16, 2016

EXPENSES (continued)Key Words

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

Legal References: <u>N.J.S.A.</u> 18A:2-1	Power to effectuate action
<u>N.J.S.A.</u> 18A:4-23 and 24	Supervision of schools; enforcement of rules Determining efficiency of schools; report to state board
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:12-4	Compensation of members
<u>N.J.S.A.</u> 18A:12-24 and 24.1	<u>School Ethics Act</u> Code of Ethics
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.A.C.</u> 6A:23A-5.9	Out of state and high cost travel
<u>N.J.A.C.</u> 6A:23A-7.1 <u>et seq.</u>	School district travel policies and procedures
<u>P.L.</u> 2005, c.132	<u>Appropriations Act</u>
<u>P.L.</u> 2007, c. 52	A5 provides for various school district accountability measures

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

Possible

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

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

Bylaw

CONFLICT OF INTEREST

The Woodbridge Township 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 that includes a salary guide and total compensation package 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 of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;

CONFLICT OF INTEREST (continued)

- F. No board member shall use or attempt to use his official position to secure unwarranted privileges, advantages or employment for himself, members of his immediate family or others;
- G. No board member shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair his objectivity or independence of judgment. No school official shall act in his official capacity in any matter where 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;
- H. No board member shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;
- I. No board member, or member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the school official has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the school official in the discharge of his official duties;
- J. No board member shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;
- K. No board member or business organization in which he has an interest shall represent any person or party other than the school board or school district in connection with any cause, proceeding, application or other matter pending before the school district in which he serves or in any proceeding involving the school district in which he serves or, for officers or employees of the New Jersey School Boards Association, any school district. This provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities;
- L. No board member shall be deemed in conflict with these provisions if, by reason of his participation in any matter required to be voted upon, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of that business, profession, occupation or group;
- M. No board member shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the member or a member of his immediate family, whether directly or indirectly, in return therefor;
- N. Nothing shall prohibit any board member, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests; and
- O. No board member shall serve as mayor or as a member of the municipal or county level governing body of the district.

CONFLICT OF INTEREST (continued)

NJSBA Review/Update: January 2012
 Adopted: August 21, 2014

Key Words

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

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

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

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

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

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

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

CONFLICT OF INTEREST (continued)

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 Woodbridge Township 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 students 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.

CODE OF ETHICS (continued)

Adopted: April 18, 1973
Revised: December 21, 1978
NJSBA Review/Update: January 2012
Readopted: August 21, 2014

Key Words

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

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

Possible

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

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

Bylaw

DEVELOPMENT, DISTRIBUTION AND MAINTENANCE OF POLICY MANUAL

The Woodbridge Township Board of Education shall exercise its rule-making power by adopting bylaws and policies for the organization and operation of the school district.

Distribution

The Woodbridge Township 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 of the district. Therefore, copies of this manual shall be given to the following: board members, superintendent, board secretary, assistant superintendent, directors, office of the supervisors, building principals, vice principals, board attorney and each recognized bargaining unit, and the president of the presidents' council.

A record shall be maintained by the office of the superintendent as to the placement of each copy of this manual. Copies of revised pages shall 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 office and in each school building during regular office hours.

The office of the superintendent shall maintain an orderly plan for the promulgation of policies to staff members who are affected by them and shall provide easy accessibility to an up-to-date collection of bylaws and policies for all employees of the school system. Each holder of a policy manual shall return the same upon the termination of his/her service with the district.

Adopted: April 18, 1973
Revised: December 21, 1978; September 21, 1989; November 16, 2006
NJSBA Review/Update: January 2012
Readopted: August 21, 2014

Key Words

Individual Board Member, Board Members' Role

Possible

Cross References: *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 Woodbridge Township School District through policies directed toward providing a thorough and efficient education for its students is one of the most important functions of the board of education. Therefore, the board shall establish a careful process to ensure:

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

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

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

The policy coordinator shall ascertain any conflicts between proposed and existing policies and bring them to the attention of the board at the first reading of the draft. Policies may be adopted on second reading by a majority vote of the members of the board present and voting or may be further revised until consensus is reached.

Exceptions

- A. Except for minor editorial revisions, changes in the proposed policy at the second reading shall cause that reading to constitute a first reading;
- B. Minor editorial revisions to existing policies may be accomplished in one reading, provided that a majority of the full membership of the board agrees to such revision; and
- C. Policies may be adopted or amended at a single meeting of the board in an emergency. An emergency shall be defined, for purposes of this rule, as any situation or set of circumstances which the board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the district. Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the board following the abatement of the emergency unless the board moves to adopt said resolution in final form.

FORMULATION, ADOPTION, AMENDMENT OF POLICIES (continued)

In the interest of efficient administration, the superintendent shall have the power to decide all matters of detail that may arise for which no specific provision is made in the policies adopted by the board, but no emergency action shall constitute official board policy. The superintendent 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: April 18, 1973
 Revised: December 21, 1978; November 16, 2006
 NJSBA Review/Update: January 2012
 Readopted: August 21, 2014

Key Words

Policy, Board Policy

Legal References: N.J.S.A. 10:4-6 et seq. Open Public Meetings Act
N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:17-20 Tenured and nontenured superintendents; general powers and duties
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)

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

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

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

Bylaws may be adopted or amended at a single meeting of the board in an emergency. An emergency shall be defined, for purposes of this rule, as any situation or set of circumstances which the board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the district. Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the board following the abatement of the emergency unless the board moves to adopt said resolution in final form.

Adopted: April 18, 1973
Revised: December 21, 1978; November 16, 2006
NJSBA Review/Update: January 2012
Readopted: August 21, 2014

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

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

In the development of rules, regulations, and procedures for the operation of the school system, the superintendent 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.

NJSBA Review/Update: January 2012
Adopted: August 21, 2014

Key Words

Administrative Regulations, Procedures

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

Possible

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

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

Bylaw

SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS

The Woodbridge Township 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: April 18, 1973
Revised: December 21, 1978; November 16, 2006
NJSBA Review/Update: January 2012
Readopted: August 21, 2014

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 chief school administrator

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

Possible

SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS (continued)

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.

TIME, PLACE, NOTIFICATION OF MEETINGS

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

Adequate Notice

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

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

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

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

Announcement of Adequate Notice/Statement of Compliance

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

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

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

TIME, PLACE, NOTIFICATION OF MEETINGS (continued)

- 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;
- 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: April 18, 1973
 Revised: December 21, 1978; October 19, 1989; April 9, 1992
 NJSBA Review/Update: January 2012
 Readopted: August 21, 2014

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

TIME, PLACE, NOTIFICATION OF MEETINGS (continued)

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

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

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

PUBLIC AND EXECUTIVE SESSIONS (continued)

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.

Electronic Participation in Meetings

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

- A. There is a good reason why the board member cannot attend the meeting in person;
- B. A request for remote participation is made in advance to, and approved by the board president; and
- C. An electronic connection is available and is sufficient to be heard by the public. Board members approved to participate in a board meeting from a remote location through an electronic device may be counted in the quorum. The electronic connection must be audible to the public and in the same location as the meeting.
- D. If participation by the board member is during executive session, the board member must represent to the board that he or she is in a private location and cannot be overheard by any third party. Such representation shall be recorded by the Board Secretary. If it appears that such representation is incorrect or that circumstances have changed, the electronic participation shall be terminated.

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.

Members of the public may comment on current board of education issues, but their comments will be limited to five minutes. The Board Secretary or his/her designee will monitor the time for each member of the public to comment. After five minutes, the member of the public will end their comment.

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

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

Electronic 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

PUBLIC AND EXECUTIVE SESSIONS (continued)

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);
- E. Board members shall not reveal their passwords to others in the network or to anyone outside of it, except to the system administrator. If any board member has reason to believe a password has been lost or stolen, or that email is being accessed by someone without authorization, he/she shall notify the superintendent immediately.

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

Adopted: April 18, 1973
 Revised: December 21, 1978; October 19, 1989; April 9, 1992; January 18, 2018, July 18, 2018
 NJSBA Review/Update: January 2012
 Readopted: August 21, 2014; January 18, 2018; July 18, 2018

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 552as amended by Public Law No. 104-231, 110 Stat. 3048 Freedom of Information Act

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

PUBLIC AND EXECUTIVE SESSIONS (continued)

Possible

Cross References:

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

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

Bylaw

ORGANIZATION MEETING

The Woodbridge Township Board of Education shall organize annually at a regular meeting held not later than 8:00 p.m. on any day of the first week commencing on the first Monday following the annual school election. If the organization meeting cannot take place on that day by reason of a lack of quorum or for any other reason, said meeting shall be held within three days thereafter.

Officers

The organization meeting shall be called to order by the board secretary and in his/her absence, the assistant board secretary who shall act as chairperson pro tempore. The board attorney or board secretary shall administer the oath of office to new members. The board shall then proceed to the election of a president (who shall then take the chair) and a vice president. Election of officers shall be by plurality vote of the board.

- A. Officers shall serve for one year and until their respective successors are elected and shall qualify;
- B. Officers may be removed by a majority vote of the full board should either officer refuse to perform the duties of his/her office imposed upon him/her by law;
- C. In case the office of president or vice president becomes vacant, the board shall, within 30 days thereafter, fill the vacancy for the unexpired term.

Appointees

The board may appoint at the organization meeting, but shall appoint before July 1 of the year in which it organizes:

- A. A secretary, who shall be elected by a recorded roll call majority vote of the full board for a term to expire not later than the following June 30, except as subject to the tenure laws, but he/she shall continue to serve after the expiration of his/her term until his/her successor is qualified and appointed;
- B. A custodian of school monies who shall be the custodian of municipal funds or the tax collector, provided, however, that if both the custodian of monies of the municipality and the tax collector of the municipality submit written notifications to the board that they do not wish to serve as custodian of school monies, the board shall appoint another suitable person, except a member or employee of the board, with a term of office fixed by the board as such custodian;
- C. A public school accountant who shall make the annual audit of the district's accounts and financial transactions and whose term of office shall be July 1 - June 30;
- D. A medical inspector;
- E. An attendance officer, unless exempt from such appointment by the Executive County Superintendent;
- F. A psychological examiner;
- G. A member to serve as delegate to the New Jersey School Boards Association and another to serve as alternate delegate;

ORGANIZATION MEETING (continued)

- H. An assistant secretary who shall be elected by a recorded roll call majority vote of the full board for a term to expire not later than the following June 30, except as subject to the tenure laws;
- I. A member to serve as delegate to the Middlesex County School Boards Association;
- J. An attorney to the board;
- K. A school dentist.

Motions

The board shall, at the organization meeting:

- A. Designate a depository(s) for school funds and those persons authorized to sign school warrants;
- B. Designate a newspaper(s) published in the district as the official newspaper(s), and if there is no such newspaper, one which is published in the county or state and circulates in the district;
- C. Designate a second newspaper for the purpose of publication of board meetings;
- D. Adopt at its organizational meeting, or within seven days thereafter, a schedule of meetings for the next ensuing year for the purpose of conducting the regular business of the board and enabling full discussion of issues before the board. The schedule shall list the time and date of each meeting and its location to the extent it is known and shall be posted, transmitted to the board's official newspaper and one other newspaper as selected pursuant to B. above, and filed with the Municipal Clerk of the Township of Woodbridge. If the schedule so adopted and published is subsequently revised during said year, the board will publish the revised schedule in the same manner within seven days of its adoption;
- E. Establish the fee to be charged to individuals and organizations requesting notification of board meetings, other than those required to be notified by the law, except that no fee shall be charged to requesting media serving the district. The fee shall be an estimate of the actual cost to the district of notification for the ensuing year;
- F. Adopt existing bylaws, policies, and job descriptions for its own operation and the operation of the school system;
- G. Readopt continuing contracts and agreements of the board where continuation is not authorized by law.

Adopted: April 18, 1973
 Revised: December 21, 1978
 NJSBA Review/Update: January 2012
 Readopted: August 21, 2014

Legal References: N.J.S.A. 10:4-8 Open public meetings act
N.J.S.A. 17:9-9 Depositories of public money
N.J.S.A. 18A:10-3 First regular meeting of board (Type I and Type II)
N.J.S.A. 18A:10-4 Secretary to give notice of meeting

ORGANIZATION MEETING (continued)

- N.J.S.A. 18A:10-5 Organization meeting as business meeting
- N.J.S.A. 18A:15-1 President and vice president; election of failure to elect
- N.J.S.A. 18A:17-34 Receipt and disposition of money
- N.J.S.A. 18A:19-1 Expenditures of funds on warrant only
- N.J.S.A. 18A:22-11 Notice of public hearing
- N.J.S.A. 18A:39-3 Pupil transportation contracts

- Cross References:**
- *9121 Election and duties president
 - 9122 Election and duties vice president
 - 9123 Appointment of board secretary/business administrator
 - 9126 Appointment of attorney
 - *9130 Committees

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

WOODBIDGE TOWNSHIP BOARD OF EDUCATION
Woodbridge, New Jersey

FILE CODE: 9323/9324

Monitored

Mandated

Other Reasons

Bylaw

AGENDA PREPARATION/ADVANCE DELIVERY OF MEETING MATERIAL

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

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

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

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

Adopted: April 18, 1973
Revised: December 21, 1978; October 19, 1989; April 9, 1992
NJSBA Review/Update: January 2012
Readopted: August 21, 2014

Key Words

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

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

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

Possible

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

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

Bylaw

MEETING PROCEDURES

Parliamentary Authority

Roberts' Rules of Order, Newly Revised, shall govern the Woodbridge Township Board of Education in its deliberations and acts in all cases in which it is not inconsistent with statutes of the State of New Jersey, rules of the State Board of Education, or these bylaws.

Quorum

A quorum shall consist of five (5) board members, and no official business shall be conducted in the absence of a quorum, except when the Doctrine of Necessity is invoked.

In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time not later than 9 o'clock p.m. of the same day. If a quorum is not then present, the members present may adjourn the meeting to a later date within seven days.

In the rare event that the number of board members who have a conflict of interest make a quorum impossible, the Doctrine of Necessity may be invoked. The Doctrine of Necessity may be invoked under the following circumstances:

- A. The board must be unable to act without the members in conflict taking part; and
- B. There must be a pressing need for action, i.e. the matter cannot be laid aside until another date; and
- C. There can be no alternative forum that can grant the same relief. (Allen v. Toms River Regional Board of Education, 233 N.J. Super 651 (Law Division 1989).

Doctrine of Necessity must be announced and the announcement shall include the reason the board must invoke the Doctrine of Necessity including stating the nature of each board members conflict. The announcement shall be documented in writing and recorded in the minutes.

Presiding Officer

The president shall preside at all meetings of the board. In the absence, disability, or disqualification of the president, the vice president shall act in his/her place; if neither person is present, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

Announcement of Adequate Notice

The person presiding shall commence each meeting with an announcement of the notice given for the meeting or a statement regarding the lack of adequate notice, in accordance with law.

Order of Business

- A. Call to order;
- B. Roll call;
- C. Statement regarding notice of meeting or lack thereof;

MEETING PROCEDURES (continued)

- D. Approval of the minutes of previous meeting;
- E. Communications and reports;
- F. Committee reports;
- G. Statement that the members of the board of education certify that to the best of their knowledge no major account or fund has been over-expended in violation of administrative code, and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year;
- H. Superintendent's reports;
- I. Attorney's recommendation;
- J. Unfinished business;
- K. New business;
- L. Public discussion;
- M. Adjournment.

Adopted: April 18, 1973
 Revised: December 21, 1978; October 19, 1989, April 9, 1992
 NJSBA Review/Update: January 2012
 Readopted: August 21, 2014

Key Words

Parliamentary Authority, Presiding Officer, Agenda, Regular Meetings, Special Meetings, Order of Business, Quorum

Cross References: *1220 Ad hoc advisory committees
 *9121 Election and duties of president
 *9325.4 Voting Method
 *9326 Minutes

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

WOODBIDGE TOWNSHIP BOARD OF EDUCATION
Woodbridge, New Jersey

FILE CODE: 9325.4

Monitored

Mandated

Other Reasons

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: April 18, 1973
Revised: December 21, 1978; October 19, 1989; April 9, 1992
NJSBA Review/Update: January 2012
Readopted: August 21, 2014

Key Words

Voting Method, Abstentions

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

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

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

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

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

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

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

Possible

Cross References: *1120 Board of education meetings
*3570 District records and reports
*9271 Code of ethics
*9322 Public and executive sessions
*9323/9324 Agenda preparation/advance delivery of meeting material

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

Exhibit

VOTING METHOD

Board Voting Requirements

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

- A. Directing the board secretary to make deductions for United States government bonds from salaries of participating employees (N.J.S.A. 18A:16-8);
- B. Appointing and fixing the salary and term of a board secretary (N.J.S.A. 18A:17-5);
- C. Appointing and fixing the salary and term of an assistant or acting board secretary (N.J.S.A. 18A:17-13);
- D. Appointing and fixing the term of a superintendent (N.J.S.A. 18A:17-15);
- E. Appointing or removing an assistant superintendent (N.J.S.A. 18A:17-16);
- F. Appointing and fixing the term of an administrative principal (N.J.S.A. 18A:17-20.5);
- G. Appointing and fixing the term of a shared 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.");
- H. Appointing or removing and fixing the salary of a business manager in a type I school district (N.J.S.A. 18A:17-25);
- I. Appointing an executive superintendent in districts in cities of the first class with a population over 325,000 (N.J.S.A. 18A:17A-1);
- J. Disposing of lands owned by the board, or rights or interests therein (N.J.S.A. 18A:20-5);
- K. Exchanging lands owned by the board (N.J.S.A. 18A:20-8);
- L. Adopting a budget in type II districts having a board of school estimate (N.J.S.A. 18A:22-26);
- M. Fixing and determining the amount of money to be voted upon by the voters of the district at or after the public hearing on the school budget for type II districts without a board of school estimate (N.J.S.A. 18A:22-32);
- N. Adopting the question(s) to be submitted to the voters concerning any capital project(s) to be paid for from the proceeds of an issue of bonds in type II districts without a board of school estimate (N.J.S.A. 18A:22-39);
- O. Adopting a proposal for the issuance of school bonds by type II districts having a board of school estimate (N.J.S.A. 18A:24-10b);
- P. Transferring a teaching staff member (N.J.S.A. 18A:25-1);

VOTING METHOD (continued)

- Q. Restoring or removing an assistant superintendent, principal or teacher, following suspension by the superintendent (N.J.S.A. 18A:25-6). (Please note that this particular statute only requires a “majority of the membership.”);
- R. Appointing a teaching staff member (N.J.S.A. 18A:27-1);
- S. Appointing, transferring, removing or renewing the employment contract of a certificated or non-certificated officer or employee (N.J.S.A. 18A:27-4.1);
- T. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment increment (N.J.S.A. 18A:29-14);
- U. Adopting or altering a course of study (N.J.S.A. 18A:33-1);
- V. Selecting textbooks (N.J.S.A. 18A:34-1);
- W. Applying for membership in an already established county educational audiovisual aids center (N.J.S.A. 18A:51-11);
- X. Applying to the county 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.);
- Y. 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.

- A. Determining the necessity to sell bonds to raise money for a capital project by a type II district with a board of school estimate (N.J.S.A. 18A:22-27);
- B. Permitting the private sale of certain bonds if no legally acceptable bid is received by a type II district (N.J.S.A. 18A:24-45(c)).

The following actions require an affirmative vote of the majority of the full membership of the board. They do not require a roll call vote. Some of the statutory votes require “all of the members of the board” or a “majority of the board of education.” Check with your board attorney for details.

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

VOTING METHOD (continued)

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

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

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

VOTING METHOD (continued)

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.

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

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

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

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

Adopted: August 21, 2014

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 chief school administrator, school business administrator, board secretary, administrators and the public;
- E. Announcement of notification listing the newspapers by name;
- F. A record of any corrections to the minutes of the previous meetings and the action approving them; and
- G. 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 chief school administrator as a permanent record.

Minutes of Closed Meetings

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

Public Access to Minutes

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

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

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

MINUTES (continued)Official Tapes of Public Meetings

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

Video and Audio Recordings by Members of the Public

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

Adopted: August 21, 2014; June 13, 2019
 NJSBA Review/Update:
 Readopted: June 13, 2019

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:30-2.1 NJQSAC
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

MINUTES (continued)

(App. Div. 1984)

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

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

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

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

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

BOARD SELF-EVALUATION

The members of the Woodbridge Township Board of Education shall conduct an annual self-evaluation to determine the degree to which they are meeting their responsibilities as board members and the needs of their educational community. This self-evaluation shall be positive, frank and honest, and shall be the board's professional development improvement plan that establishes priorities for action and specific goals and objectives to strengthen the operation of the board.

The board shall use a multifaceted self-evaluation instrument.

NJSBA Review/Update: January 2012
Adopted: August 21, 2014

Key Words

Board Self-evaluation, Evaluation

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

Possible

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

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