

0.01 INTRODUCTION

Number: 0.01

Date: March 15, 1993

Revised: December 9, 2013

Title: Introduction

Definitions

The following terms used in these bylaws and policies shall have the meanings set forth below unless the context requires a different meaning or a different definition is supplied:

“Board” means the Board of Education of Delran.

“Bylaw” means a rule of the Board for its own operation.

“Chief School Administrator” means the Chief Executive Officer of this school district, whose title in this district is Superintendent..

“Collective Bargaining”, “Negotiated Agreement”, or “Collective Bargaining Agreement” means a contract collectively negotiated by the Board of Education and a recognized bargaining unit.

“Commissioner” means the New Jersey State Commissioner of Education.

“Core Curriculum Content Standards” means the New Jersey Core Curriculum Content Standards and the Common Core State Standards initiatives coordinated by the Council of Chief States School Officers (CCSSO) and the National Governor’s Association (NGA) in partnership with other national organizations.

“County Superintendent” means the Executive County Superintendent of Schools designated by the Department of Education for this school district. “Executive County Superintendent” means the “County Superintendent”.

“Day” means a calendar day.

“Full Board” means the authorized number of voting members of the Board of Education.

“Meeting” means a gathering that is attended by or open to all of the members of the Board of Education, held with the intent on the part of the Board members present to discuss or act as a unit on the specific public business of the Board of Education.

“Parent” means the natural parent(s), adoptive parent(s), legal guardian(s), foster parent(s), or parent surrogate(s) of a pupil. Where parents are separated or divorced, “parent” means the person or agency who has legal custody of the pupil, as well as the natural or adoptive parent(s) of the pupil provided such parental rights have not been terminated by a court of appropriate jurisdiction.

“Policy” means a Statement, formally adopted by the Board of Education, in which the Board recognizes the mandates and constraints of law, establishes practices and standards binding on staff members and pupils, and gives direction to the Superintendent.

“President” means the President of the Board of Education.

“Principal” means the administrator in charge of a school building or facility; except where prohibited by law, “Principal or designee” means the qualified person duly delegated by the Principal to discharge a particular duty in place of the Principal.

“Professional employee” means a teaching staff member.

“Pupil” means a student enrolled in a school in this district.

“Regulation” means a Statement developed and promulgated by the Superintendent that details the specific operations by which Board policy or a legal mandate is implemented.

“Secretary” means the Secretary of the Board of Education.

“Student” means a pupil enrolled in a school in this district.

“Superintendent” means the Chief School Administrator of this school district; except where prohibited by law, “Superintendent” means the qualified person duly delegated by the Superintendent to discharge a particular duty in place of the Superintendent.

“Support staff member” means an employee who holds a position for which no certificate issued by the New Jersey State Board of Examiners is required.

“Teaching staff member” means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

“Treasurer” means the Treasurer of School Moneys for this school district.

Construction

The following rules of construction apply to these bylaws and policies:

1. Wherever possible, language shall be given its clear and ordinary interpretation;
2. Language shall be construed to have a meaning that complies with law;
3. In the event bylaws and policies conflict with one another, the later adopted bylaw or policy shall take precedence over the earlier, and the more specific bylaw or policy shall take precedence over the more general;
4. Except as otherwise provided by the context, the auxiliary verbs “shall”, “will”, and “must” indicate a mandated action, and the auxiliary verb “may” indicates an action that is permitted but is not mandated.

Effectuation

Except as may otherwise be expressly provided, a bylaw or policy will become effective on the date it is adopted and a revised bylaw or policy will become effective on the date it is revised.

Citations

Bylaws and policies may contain citations to the following codifications of State and Federal laws and regulations:

1. United States Statutes
20 U.S.C.A. Education
2. United States Regulations
34 C.F.R. Education
3. New Jersey Statutes

N.J.S.A. 2C Code of Criminal Justice
N.J.S.A. 9 Children-Juvenile and Domestic Relations
N.J.S.A. 10 Civil Rights
N.J.S.A. 11 Civil Service
N.J.S.A. 17 Corporations and Institutions for Finance and Insurance
N.J.S.A. 18A Education
N.J.S.A. 19 Elections
N.J.S.A. 24 Food and Drug
N.J.S.A. 26 Health and Vital Statistics
N.J.S.A. 27 Highways
N.J.S.A. 30 Institutions and Agencies
N.J.S.A. 34 Labor and Worker's Compensation
N.J.S.A. 36 Legal Holidays
N.J.S.A. 39 Motor Vehicles and Traffic Regulation
N.J.S.A. 41 Oaths and Affidavits
N.J.S.A. 45 Professions and Affidavits
N.J.S.A. 47 Public Records
N.J.S.A. 52 State Government, Departments, and Officers
N.J.S.A. 53 State Police
N.J.S.A. 54 Taxation
N.J.S.A. 59 Tort Claims
4. New Jersey Administrative Code

N.J.A.C. 1 Administrative Law
N.J.A.C. 6 & 6A Education
N.J.A.C. 8 Health
N.J.A.C. 10 Human Services
N.J.A.C. 13 Law and Public Safety
N.J.A.C. 17 Treasury-General

Severability

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts shall remain in full effect unless and until they are amended or repealed by the Board of Education.

Enactment

The official record of the adoption, amendment, or repeal of the bylaws and policies of this district shall be the minutes of meetings of the Board of Education. Such alterations shall be duly entered in this manual; a master copy of the policy manual shall be maintained by the Superintendent and shall be the manual to which all others may be compared for accuracy.

Reference

References to previous bylaws and policies indicate the code designation of like matter in the previous codification of the bylaws and policies of this district.

Adopted: March 15, 1993

Revised: December 9, 2013

0.02 INTRODUCTION

Number: 0.02

Date: March 15, 1993

Revised: December 9, 2013

Title: Introduction

Definitions

The following terms used in these bylaws, policies, and regulations shall have the meanings set forth below unless the context requires a different meaning or a different definition is supplied:

"Board" means the Board of Education of Delran.

"Bylaw" means a rule of the Board for its own operation.

"Chief School Administrator" means the Chief Executive Officer of this school district, whose title in this district is Superintendent.

"Collective Bargaining", "Negotiated Agreement", or "Collective Bargaining Agreement" means a contract collectively negotiated by the Board of Education and a recognized bargaining unit.

"Commissioner" means the New Jersey State Commissioner of Education.

"Core Curriculum Content Standards" means the New Jersey Core Curriculum Content Standards and the Common Core State Standards initiatives coordinated by the Council of Chief State School Officers (CCSSO) and the National Governor's Association (NGA) in partnership with other national organizations.

"County Superintendent" means the Executive County Superintendent of Schools designated by the Department of Education for this school district. "Executive County Superintendent" means the "County Superintendent".

"Day" means a calendar day.

"Full Board" means the authorized number of voting members of the Board of Education.

"Meeting" means a gathering that is attended by or open to all of the members of the Board of Education, held with the intent on the part of the Board members present to discuss or act as a unit on the specific public business of the Board of Education.

"Parent" means the natural parent(s), adoptive parent(s) legal guardian(s), foster parent(s), or parent surrogate(s) of a pupil. Where parents are separated or divorced, "parent" means the person or agency who has legal custody of the pupil, as well as the natural or adoptive parent(s) of the pupil provided such parental rights have not been terminated by a court of appropriate jurisdiction.

"Policy" means a Statement, formally adopted by the Board of Education, in which the Board recognizes the mandates and constraints of law, establishes practices and standards binding on staff members and pupils, and gives direction to the Superintendent.

"President" means the President of the Board of Education.

"Principal" means the administrator in charge of a school building or facility; except where prohibited by law, "Principal or designee" means the qualified person duly delegated by the Principal to discharge a particular duty in place of the Principal.

"Professional employee" means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

"Pupil" means a student enrolled in a school in this district.

"Regulation" means a Statement developed and promulgated by the Superintendent that details the specific operations by which Board policy or a legal mandate is implemented.

"Secretary" means the Secretary of the Board of Education.

"Student" means a pupil enrolled in a school in this district.

"Superintendent" means the Chief School Administrator of this school district; except where prohibited by law, "Superintendent or designee" also means the qualified person duly delegated by the Superintendent to discharge a particular duty in place of the Superintendent.

"Support staff member" means an employee who holds a position for which no certificate issued by the New Jersey State Board of Examiners is required.

"Teaching staff member" means an employee who holds a position for which a certificate issued by the New Jersey State Board of Examiners is required.

"Treasurer" means the Treasurer of School Moneys for this school district.

Construction

The following rules of construction apply to these bylaws, policies and regulations:

1. Wherever possible, language shall be given its clear and ordinary interpretation.
2. Language shall be construed to have a meaning that complies with law.
3. In the event bylaws, policies and regulations conflict with one another, the later adopted bylaw, policy or regulation shall take precedence over the earlier, and the more specific bylaw, policy or regulation shall take precedence over the more general;
4. Except as otherwise provided by the context, the auxiliary verbs "shall," "will," and "must" indicate a mandated action, and the auxiliary verb "may" indicates an action that is permitted but is not mandated.

Effectuation

Except as may otherwise be expressly provided, a bylaw, policy or regulation will become effective on the date it is adopted and a revised bylaw, policy or regulation will become effective on the date it is revised.

Citations

Bylaws, policies and regulations may contain citations to the following codifications of State and Federal laws and regulations:

1. United States Statutes
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3. New Jersey Statutes

N.J.S.A. 2C	Code of Criminal Justice
N.J.S.A. 9	Children-Juvenile and Domestic Relations
N.J.S.A. 10	Civil Rights
N.J.S.A. 11	Civil Service
N.J.S.A. 17	Corporations and Institutions for Finance and Insurance
N.J.S.A. 18A	Education
N.J.S.A. 19	Elections
N.J.S.A. 24	Food and Drug
N.J.S.A. 26	Health and Vital Statistics
N.J.S.A. 27	Highways
N.J.S.A. 30	Institutions and Agencies
N.J.S.A. 34	Labor and Worker's Compensation
N.J.S.A. 36	Legal Holidays
N.J.S.A. 39	Motor Vehicles and Traffic Regulation
N.J.S.A. 41	Oaths and Affidavits
N.J.S.A. 45	Professions and Affidavits
N.J.S.A. 47	Public Records
N.J.S.A. 52	State Government, Departments, and Officers
N.J.S.A. 53	State Police
N.J.S.A. 54	Taxation
N.J.S.A. 59	Tort Claims

4. New Jersey Administrative Code

N.J.A.C. 1	Administrative Law
N.J.A.C. 6 & 6A	Education
N.J.A.C. 8	Health
N.J.A.C. 10	Human Services
N.J.A.C. 13	Law and Public Safety
N.J.A.C. 17	Treasury-General

Severability

If any part of this manual is made invalid by judicial decision or legislative or administrative enactment, all other parts shall remain in full effect unless and until they are amended or repealed by the Board of Education or until regulations issued by the Superintendent are amended.

Enactment

The official record of the adoption, issuance, amendment, or repeal of the bylaws, policies and regulations of this district shall be the minutes of meetings of the Board of Education. Such alterations shall be duly entered in this manual; a master copy of the bylaw, policy and regulation manual shall be maintained by the Secretary and shall be the manual to which all others may be compared for accuracy.

Adopted: March 15, 1993

Revised: December 9, 2013

1 BYLAWS

Number: 1

Date: March 15, 1993

Title: BYLAWS

Number Title

0.01 INTRODUCTION	1
0.02 INTRODUCTION	5
1 BYLAWS 9	
110 IDENTIFICATION.....	10
120 AUTHORITY AND POWERS	11
131 BYLAWS AND POLICIES	12
132 EXECUTIVE AUTHORITY	14
133 ADJUDICATION OF DISPUTE	15
141 BOARD MEMBER NUMBER AND TERM	16
142 BOARD MEMBER QUALIFICATIONS, PROHIBITED ACTS AND CODE OF ETHICS 17	
142.1 NEPOTISM.....	21
143 BOARD MEMBER ELECTION AND APPOINTMENT	23
144 BOARD MEMBER ORIENTATION AND TRAINING	25
145 BOARD MEMBER RESIGNATION AND REMOVAL.....	27
146 BOARD MEMBER AUTHORITY	28
148 BOARD MEMBER INDEMNIFICATION	29
151 ORGANIZATION MEETING	30
152 BOARD OFFICERS	31
0153 ANNUAL APPOINTMENTS	32
154 ANNUAL MOTIONS AND DESIGNATIONS	33
155 BOARD COMMITTEES.....	34
161 CALL, ADJOURNMENT, AND CANCELLATION.....	35
162 NOTICE OF BOARD MEETINGS.....	36
163 QUORUM 37	
164 CONDUCT OF BOARD MEETING	38
165 VOTING 39	
166 PRIVATE MEETINGS	44
167 PUBLIC PARTICIPATION IN BOARD MEETINGS.....	46
168 RECORDING BOARD MEETINGS	48
171 DUTIES OF PRESIDENT AND VICE PRESIDENT	50
172 DUTIES OF TREASURER OF SCHOOL MONEYS	51
173 DUTIES OF PUBLIC SCHOOL ACCOUNTANT	52
174 LEGAL SERVICES.....	53
176 COLLECTIVE BARGAINING AND CONTRACT APPROVAL/RATIFICATION	55
177 PROFESSIONAL SERVICES	56

110 IDENTIFICATION

Number: 110

Date: March 15, 1993

Title: IDENTIFICATION

Name

The official name of the Board of Education shall be "The Board of Education of Delran in the County of Burlington."

Purpose

The Board of Education exists for the purpose of providing a thorough and efficient system of free public education in grades K through 12 in the Delran School District.

Composition

The Delran School District is comprised of all the area within the municipal boundaries of Delran Township in the County of Burlington.

Classification

The school district shall be classified as a Type II district.

Address

The address of the Board of Education shall be: 52 Hartford Road, Delran, NJ 08075

N.J.S.A. 18A:8-1; 18A:9-2; 18A:9-3; 18A:10-2

120 AUTHORITY AND POWERS

Number: 120

Date: March 15, 1993

Title: AUTHORITY AND POWERS

Authority

The Board of Education is constituted, authorized, and governed by the statutes of the State of New Jersey, Title 18A, Education.

Powers

The Board shall make, amend, and repeal rules not inconsistent with statutes or with the rules of the State Board of Education for its own government and the transaction of its business and for the government and management of the public schools and the public property of the school district and for the employment, regulation of, conduct, and discharge of its employees. The Board shall perform all acts and do all things, consistent with law and the rules of the State Board, necessary for the proper conduct, equipment and maintenance of the public schools of the district.

N.J.S.A. 18A:10-1; 18A:11-1; 18A:16-1; 18A:20-1; 18A:27-4

N.J.S.A. 18A:54-20 [vocational districts]

N.J.S.A. 18A:13-15 [regional districts]

131 BYLAWS AND POLICIES

Number: 131

Date: March 15, 1993

Title: BYLAWS AND POLICIES

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

Adoption, amendment, and repeal

Bylaws and policies may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal has been proposed and approved at a previous meeting of the Board.

The Board may at its organization meeting and by a majority vote of those present and voting readopt existing bylaws and policies without prior notice.

The Board may, under emergency circumstances, suspend the operation of a bylaw or policy and adopt, amend, or repeal a bylaw or policy without prior notice. The emergency adoption, amendment, or repeal of a bylaw or policy shall terminate at the next meeting of the Board or at such earlier date as may be specified by the Board unless further acted upon by the Board.

The adoption, amendment, repeal, or suspension of a bylaw or policy shall be recorded in the minutes of the Board. Any policy or part of a policy that is superseded by a term in a negotiated agreement or by a subsequently adopted policy shall no longer be in force and effect as a policy.

Promulgation and distribution

A manual of bylaws and policies shall be maintained on-line and shall be available to each Board member, the Superintendent, the Board Secretary, the Board Attorney, each building Principal and members of the public who may access the information via electronic media. Copies of any policy may be requested in writing via the Office of the Board Secretary.

Development of bylaws and policies

Bylaws and policies will be developed and considered by the Board in accordance with the following procedure:

1. A new or revised bylaw or policy may be suggested to the Board by any Board member, the Superintendent, any staff member, or a member of the public;
2. A suggestion for a new or revised bylaw or policy may be referred, at the discretion of the President and as appropriate to the subject, to the Superintendent, a Board committee, or a public advisory committee for study and formulation of a recommendation to the Board. Any study of a policy suggestion should consider whether the matter is adequately addressed in existing Board policy and whether the matter is more appropriately addressed by administrative regulation;

3. If a recommendation for a new or revised bylaw or policy results from referral for study, a proposed draft will be submitted to the Board for discussion and approval on first reading. Copies of the proposed draft will be made available to staff members and the public, and comment will be invited. Changes in the draft may be made, by a simple majority vote, when the draft is presented for approval on first reading;
4. The proposed draft, approved on first reading, will be submitted for adoption at the next regular meeting of the Board. Changes in the draft may be made by a simple majority vote. A change that alters the substantive meaning of the draft will constitute a new first reading, and the draft must be presented for adoption at the next succeeding Board meeting. A change that is merely editorial may be followed by a vote to adopt the new or revised bylaw or policy on second reading.

N.J.S.A. 18A:11-1

132 EXECUTIVE AUTHORITY

Number: 132

Date: March 15, 1993

Revised: March 11, 2013

Title: EXECUTIVE AUTHORITY

The Board of Education shall exercise its executive power in part by the appointment of a Superintendent as Chief School Administrator, who shall enforce the statutes of the State of New Jersey, rules of the State Board of Education, and policies of this Board.

The Superintendent shall prepare regulations for the administration of the school district that are consistent with statutes or rules of the State Board of Education and are dictated by the policies of this Board. Administrative regulations shall require Board approval prior to promulgation.

The Superintendent shall be delegated the authority to take necessary action in circumstances not governed by Board policy and shall report any such action to the Board at the first regular Board meeting following the action.

The Superintendent shall have a seat on the Board and shall have the right to speak on all matters at meetings of the Board, but shall have no vote.

N.J.S.A. 18A:17-20

Adopted: March 15, 1993

Revised: March 11, 2013

133 ADJUDICATION OF DISPUTE

Number: 133

Date: March 15, 1993

Title: ADJUDICATION OF DISPUTE

The Board of Education may assume jurisdiction over any dispute or controversy arising within this school district and concerning any matter over which authority has been vested in the Board by statute, rule of the State Board of Education, or a contract or policy of this Board.

The Board may hold hearings that will offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

Beyond the basic requirements of due process a hearing will vary in form and content as dictated by the severity of the consequences that may flow from the Board's determination, the degree of difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district.

Regulations for the conduct of adjudicatory hearings of the Board shall be prepared as guidelines for those who may be heard by the Board.

A decision of the Board may be appealed to the Commissioner of Education.

N.J.S.A. 18A:11-1

Adopted: March 15, 1993

141 BOARD MEMBER NUMBER AND TERM

Number: 141

Date: March 15, 1993

Title: BOARD MEMBER NUMBER AND TERM

The Board of Education shall consist of nine members.

The term of a Board member shall be three years, except that:

1. 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 and
2. The term of a member appointed to fill a vacancy within sixty days of an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his or her appointment.

N.J.S.A. 18A:12-6; 18A:12-9;
18A:12-11; 18A:12-15

N.J.S.A. 6:56-1.1

Adopted: March 15, 1993

142 BOARD MEMBER QUALIFICATIONS, PROHIBITED ACTS AND CODE OF ETHICS

Number: 142

Date: March 15, 1993

Revised: August 29, 1994; February 11, 2002; July 14, 2008; November 14, 2011

Title: BOARD MEMBER QUALIFICATIONS, PROHIBITED ACTS AND CODE OF ETHICS

Each member of the Board of Education shall possess the qualifications required by law and shall be bound by the provisions of the School Ethics Act.

Qualification of Office

A Board member must be a citizen of the United States.

A Board member must be a resident of the district the member represents and must have been such for at least one year immediately preceding the member's election or appointment.

A Board member must be able to read and write.

A Board member must be registered to vote in the district and not disqualified from voting pursuant to N.J.S.A. 19:4-1.

A Board member may not have been convicted of a crime or offense as listed in N.J.S.A. 18A:12-1.

A Board member cannot concurrently hold office as mayor or a member of the governing body of Delran Township.

Each member of the Board of Education, within thirty days of election or appointment to the Board shall undergo a criminal history background investigation for the purpose of ensuring the member is not disqualified from membership due to a criminal conviction of a crime or offense listed in N.J.S.A. 18A:12-1 et seq. The Board of Education will reimburse the Board member for the costs of the criminal history record check. The Commissioner of Education shall notify the Board of Education if a member has been disqualified from membership on the Board as the result of the criminal history record check. The Commissioner of Education will also notify the Board if a Board member has charges enumerated in N.J.S.A. 18A:12-1 pending against him/her and the Board shall take appropriate action. If the pending charges result in conviction, the member shall be disqualified from continued membership on the Board.

Prohibited Acts

“Business” means any corporation, partnership, firm, enterprise, franchise, association, trust, sole proprietorship, union, political organization, or other legal entity but does not include a school district or other public entity.

“Interest” means the ownership of or control of more than ten percent of the profits, assets, or stocks of a business but does not include the control of assets in a labor union.

“Immediate family” means the person to whom the Board member is legally married and any dependent child of the Board member residing in the same household.

No Board member or member of his/her immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity that is in substantial conflict with the proper discharge of his/her duties in the public interest.

No Board member shall use or attempt to use his/her official position to secure unwarranted privileges, advantages, or employment for him/herself, members of his/her immediate family, or others.

No Board member shall act in his/her official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial or personal involvement that might reasonably be expected to impair his/her independence of judgment in the exercise of official duties. No Board member shall act in his/her official capacity in any matter where he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the Board member or a member of his/her immediate family.

No Board member shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his/her independence of judgment in the exercise of official duties.

No Board member or member of his/her immediate family or business organization in which he/she 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/her, directly or indirectly, in the discharge of his/her official duties, except that the member may have solicited or accepted contributions to his/her campaign for election to public office if he/she had no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence him/her in the discharge of official duties. Board members may not accept offers of meals, entertainment or hospitality which are limited to clients/customers of the individual providing such hospitality. Board members may attend hospitality suites or receptions at conferences only when they are open to all persons attending the conference.

No Board member shall use, or allow to be used, his public office or any information not generally available to the members of the public which he/she receives or acquires in the course of and by reason of his/her office, for the purpose of securing financial gain for him/herself, any member of his/her immediate family, or any business organization with which he/she is associated.

No Board member or business organization in which he/she has an interest shall represent any person or party other than the Board of Education or this school district in connection with any cause, proceeding, application, or other matter pending before this school district or in any proceeding involving this school district, except that this provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities.

It is not a conflict of interest if, merely by reason of his/her participation in any matter voted upon by the Board, a Board member accrues material or monetary gain that is no greater than the gain that could reasonably be expected to accrue to any other member of the member's business, profession, occupation, or group.

No elected 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 or given to or accepted by the member or a member of his/her immediate family, whether directly or indirectly, in return for the information so requested.

Nothing shall prohibit a Board member or members of his/her immediate family from representing him/herself or themselves in negotiations or proceedings concerning his/her or their own interests, except that Board members shall disqualify themselves from participating in negotiations and voting on collective bargaining agreements where their spouse or dependent children are members of the bargaining unit.

Each Board member shall annually, in accordance with N.J.S.A. 18A:12-25 and 18A:12-26, file a disclosure statement regarding potential conflicts of interest.

Ineligibility for District Employment

A Board member cannot be appointed to a paid office or position required to be filled by the Board, except where law permits or requires that the office or position be filled by a Board member, and is ineligible for appointment to a paid office or position in the district for at least six months after the member's retirement, resignation, or removal from Board membership.

Code of Ethics

In accordance with N.J.S.A 18A:12-24.1 every Board member will abide by the following Code of Ethics. The Board member will:

1. Uphold and enforce all laws, rules and regulations of the State Board of Education and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
2. Make decisions in terms of the educational welfare of children and seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.
3. Confine his/her Board action to policy making, planning and appraisal, and help to frame policies and plans only after the Board has consulted those who will be affected by them.
4. Carry out his/her responsibility not to administer the schools, but together with fellow Board members, insure they are well run.
5. Recognize that authority rests with the Board of Education and make no personal promises nor take any private action that may compromise the Board.
6. Refuse to surrender his/her independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.

7. Hold confidential all matters pertaining to the schools, which, if disclosed, would needlessly injure individuals, or the schools. In all other matters, he/she will provide accurate information and, in concert with fellow Board members, interpret to the staff the aspirations of the community for its school.
8. Vote to appoint the best-qualified personnel available after consideration of the recommendation of the chief administrative officer.
9. Support and protect school personnel in proper performance of their duties.
10. Refer all complaints to the chief administrative officer and act on the complaints at public meetings only after failure of an administrative solution.

Each Board member is required to sign an acknowledgment that he/she received a copy, read and will become familiar with the Code of Ethics for School Board Members contained within N.J.S.A. 18A:12-21 et seq. The Board Secretary will provide each Board member with a copy of the Code of Ethics and the required acknowledgement on an annual basis and will maintain the original signed acknowledgment(s) in the Board Secretary's office.

The Board will receive a copy of and discuss the School Ethics Act and the Code of Ethics for School Board Members, pursuant to N.J.S.A. 12-21 et seq., at a regular scheduled public meeting each year. The discussion may include presentations by school administrative staff, the Board attorney, Board members and/or other professionals familiar with the School Ethics Act and the Code of Ethics. In addition, the Board Secretary will keep the Board informed of decisions by the School Ethics Commission, Commissioner of Education, State Board of Education and courts.

Oath of Office

Each Board member shall, before entering upon the duties of the office, swear or affirm under oath that he/she qualifies for membership and will faithfully discharge the duties of the office of Board member.

N.J.S.A. 18A:12-1; 18A:12-1.1; 18A:12-2;
18A:12-2.1; 18A:12-21 through 18A:12-34
N.J.S.A. 41:1-3

School Ethics Commission Policy Guideline 1.

Revised: August 29, 1994
February 11, 2002
July 14, 2008
November 14, 2011

142.1 NEPOTISM

Number: 142.1

Date: July 14, 2008

Revised: April 6, 2009; November 8, 2010; December 9, 2013

Title: NEPOTISM

The Board of Education adopts this Nepotism Policy as a condition of receiving State aid pursuant to N.J.A.C. 6A:23A-6.2.

For the purposes of this Policy, "relative" means an individual's spouse, by marriage or civil union pursuant to N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3, or the individual's or spouse's parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, stepchild, stepbrother, stepsister, half-brother or half-sister, whether the relative is related to the individual or the individual's spouse by blood, marriage, or adoption.

For the purposes of this Policy, "immediate family member" means the person's spouse, partner in a civil union as defined in N.J.S.A. 37:1-33, domestic partner as defined in N.J.S.A. 26:8A-3, or dependent child residing in the same household.

For the purposes of this Policy, "administrator" is defined as set forth in N.J.S.A. 18A:12-23.

No relative of a Board member or the Superintendent of Schools shall be employed in an office or position in this school district except that a person employed by the school district on the effective date of the Policy or the date a relative becomes a Board member or Superintendent shall not be prohibited from continuing to be employed or promoted in the district.

The Superintendent of Schools shall not, pursuant to N.J.S.A. 18A:27-4.1, recommend to the Board of Education the employment of an individual who is a relative of a Board member or the Superintendent. Once a Board member or the Superintendent of Schools ceases to serve as a Board member or the Superintendent of Schools for six (6) consecutive months, then his/her relative can, if he/she is otherwise qualified, be recommended to the Board of Education for employment.

Notwithstanding the above, in accordance with N.J.A.C. 6A:23A-6.2(a)2, the district may employ a relative of a Board member or Superintendent of Schools provided the district obtains the approval from the Executive County Superintendent of Schools. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position.

In accordance with N.J.A.C. 6A:23A-6.2(a)6.(b), per diem substitutes and student

employees who are relatives of a Board member or the Superintendent of Schools shall be excluded from the provisions of this Policy and N.J.A.C. 6A:23A-6.2.

A school district administrator shall be prohibited from exercising direct or indirect authority, supervision, or control over a relative of the administrator. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternative supervision and reporting mechanisms must be put in place.

A school district administrator or Board member who has a relative who is a member of the bargaining unit shall be prohibited from discussing or voting on the proposed collective bargaining agreement with that unit or from participating in any way in negotiations, including, but not limited to, being a member of the negotiating team; nor should that school district administrator be present with the Board in closed session when negotiation strategies are being discussed; provided however, that the administrator may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide such information.

A school district administrator or Board member who has an immediate family member who is a member of the same Statewide union in another school district shall be prohibited from participating in any way in negotiations, including but not limited to, being a member of the negotiating team or being present with the Board of Education in closed sessions when negotiation strategies are being discussed, prior to the Board of Education attaining a Tentative Memorandum of Agreement with the bargaining unit that includes a salary guide and total compensation package. Once the Tentative Memorandum of Agreement is established, a school district administrator with an immediate family member who is a member of the same State-wide union in another school district may fully participate in the process, absent other conflicts. Notwithstanding these provisions, a district administrator who has an immediate family member who is a member of the same Statewide union in another district may serve as a technical resource to the negotiating team and may provide technical information necessary to the collective bargaining process when no one else in the district can provide the information.

N.J.A.C. 6A:23A-6.2

Adopted: July 14, 2008

Revised: April 6, 2009

November 8, 2010

December 9, 2013

143 BOARD MEMBER ELECTION AND APPOINTMENT

Number: 143

Date: March 15, 1993

Revised: March 22, 2010

Title: BOARD MEMBER ELECTION AND APPOINTMENT

The election and appointment of Board of Education members will be conducted in strict compliance with law.

A vacancy on the Board of Education will be filled by:

1. The County Superintendent, if a vacancy is caused by;
 - a. The absence of candidates for election to the school Board, or
 - b. The removal of a member because of lack of qualifications, or
 - c. The failure of the Board to appoint a person to a vacancy within sixty-five days following its occurrence, or
 - d. A tie for election between two or more candidates in a special runoff election.
2. Special election within sixty days of the annual election, if;
 - a. Two or more qualified candidates tie for election, or
 - b. The annual election is disqualified due to improper election procedures.
3. The County Superintendent, to a number sufficient to make up a quorum of the Board if, by reason of vacancies, a quorum is lacking;
4. The Commissioner of Education if there is a failure to elect a member at the annual school election due to improper election practices; or
5. A majority vote of the remaining members of the Board of Education after the vacancy occurs in all other cases.

The Board Secretary shall promptly notify the President of a vacancy to be filled by the Board; the President shall inform all other Board members. The Board will give public notice of the vacancy and invite any qualified person to submit a written request for consideration of his/her candidacy for the vacancy. The Board may also require candidates submit a resume with their written request.

In considering candidates who have expressed an interest in a vacancy, the Board of Education may interview interested candidates in public or executive session. The Board will vote to appoint a candidate to a vacancy in public session. In the event interviews are conducted in executive session, Board members, in the public session nomination and voting process, shall express their opinion in support of their vote for a candidate.

A roll call vote will be conducted on candidates in the order the candidates were nominated with a second. If there are two or more vacancies, each vacancy will be filled by a separate election process. The first candidate who receives the votes of a majority of the remaining Board members will be elected to the vacancy. In the event no candidate receives a majority vote of the remaining Board members, a second election shall be conducted between the two candidates receiving the highest number of votes.

N.J.S.A. 18A:12-11; 18A:12-15

Adopted: March 15, 1993

Revised: March 22, 2010

144 BOARD MEMBER ORIENTATION AND TRAINING

Number: 144

Date: March 15, 1993

Revised: August 29, 2011

Title: BOARD MEMBER ORIENTATION AND TRAINING

The preparation of each member for the performance of Board of Education duties is essential to the proper functioning of the Board. The Board encourages each new Board member in the acquisition of information about school district governance, the separate functions of the Board and the Superintendent, the operations of the district, and Board procedures.

The Board directs that each new member receive access to and/or a copy of the Board of Education Bylaw and Policy Manual, each negotiated agreement, the current budget statement and audit report, and such other materials as deemed appropriate by the Superintendent.

Each new Board member will be invited and is encouraged to meet and discuss the responsibilities and authority of a Board member, Board functions, and Board policies and procedures with the Board President (if available), the Superintendent, and the School Business Administrator/Board Secretary.

Each newly elected or appointed Board member shall complete during the first year of the member's first term a training program to be prepared and offered by the New Jersey School Boards Association, in consultation with the New Jersey Association of School Administrators, the New Jersey Principals and Supervisors Association, and the Department of Education, regarding the skills and knowledge necessary to serve as a Board member.

The training program shall include information regarding the school district monitoring system established pursuant to P.L. 2005, c. 235, the New Jersey Quality Single Accountability Continuum, and the five key components of school district effectiveness on which school districts are evaluated under the monitoring system: instruction and program; personnel; fiscal management; operations; and governance.

The Board member shall complete a training program on school district governance in each of the subsequent two years of the Board member's first term.

Within one year after each re-election or re-appointment to the Board of Education, the Board member shall complete an advanced training program to be prepared and offered by the New Jersey School Boards Association. This advanced training program shall include information on relevant changes to New Jersey school law and other information deemed appropriate to enable the Board member to serve more effectively.

The New Jersey School Boards Association shall examine options for providing training programs to Board members through alternative methods such as on-line or other distance learning media or through regional-based training.

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 a school district's responsibilities under P.L. 2002, c.83 (C.18A:37-13 et seq.). A Board member shall be required to complete the program only once. Training on harassment, intimidation, and bullying in schools shall be provided by the New Jersey School Boards Association, in consultation with recognized experts in school bullying from a cross section of academia, child advocacy organizations, nonprofit organizations, professional associations, and government agencies.

N.J.S.A. 18A:12-33; 18A:37-13 et seq.

Adopted: March 15, 1993

Revised: August 29, 2011

145 BOARD MEMBER RESIGNATION AND REMOVAL

Number: 145

Date: March 15, 1993

Revised: May 13, 2013

Title: BOARD MEMBER RESIGNATION AND REMOVAL

The membership of a Board of Education member shall terminate immediately upon

1. The cessation of the member's bona fide residency in the school district the member represents or
2. The member's election or appointment to the office of mayor or member of the governing body of the Township of Delran, Burlington County, New Jersey or
3. The member's disqualification from voting pursuant to N.J.S.A. 19:4-1 or
4. The member's conviction for false swearing for having falsely affirmed or declared that he or she is qualified to vote.

A member who fails to attend three consecutive meetings of the Board without good cause may be removed from office on the affirmative votes of a majority of the remaining Board members, provided that

1. The member's removal was proposed at the immediately previous Board meeting and
2. Notice of the proposed removal was given to the affected member at least 5 working days in advance of the meeting at which the vote will be taken.

N.J.S.A. 18A:12-2, 12-3, 12-29

Adopted: March 15, 1993

Revised: May 13, 2013

146 BOARD MEMBER AUTHORITY

Number: 146

Date: March 15, 1993

Revised: November 8, 2010

Title: BOARD MEMBER AUTHORITY

A Board member does not possess individually the authority and powers that reside in the Board of Education. No Board member by virtue of his/her office shall exercise any administrative responsibility with respect to the operation of the school district or as an individual command the services of any school district employee.

Release of Information

Board member access to public, personnel, and pupil records shall be governed by law and by the provisions of Policy Nos. 8310, 8320, and 8330.

Confidential information to which a Board member becomes privy as a result of his/her office shall be used only for the purpose of helping the member discharge his/her responsibilities as Board member. No Board member shall reveal information contained in a confidential record or received during a duly convened private session of the Board except when that information has been released to the public by the Board.

Public Expressions

Board members are entitled to express themselves publicly on any matter, including issues involving the Board and the school district. Individual Board members cannot, however, express the position of the Board except as expressly authorized, in accordance with Board Policy No. 9120. A Board member shall not represent his/her personal opinion as the position of the Board.

Board members visiting a school shall comply with district policy and procedures for school visitors.

Members of the Board shall adhere to the Code of Ethics for Board members in Bylaw 0142.

N.J.S.A. 18A:11-1

Adopted: March 15, 1993

Revised: November 8, 2010

148 BOARD MEMBER INDEMNIFICATION

Number: 148

Date: March 15, 1993

Title: BOARD MEMBER INDEMNIFICATION

The Board of Education will indemnify Board members in accordance with law and will purchase and maintain appropriate insurance to cover the costs of indemnification.

Whenever a civil or criminal action is brought against a Board member for any act or omission arising out of and in the course of the performance of his or her duties as Board member, and in the case of a criminal action results in a final disposition in favor of the Board member, the Board will defray all costs of defending the action, including reasonable counsel fees and expenses, together with costs of appeal, and will save harmless and protect the Board member from any financial loss resulting from the action.

N.J.S.A. 18A:12-20; 18A:16-6, 18A:16-6.1; 18A:46 & 47

Adopted: March 15, 1993

151 ORGANIZATION MEETING

Number: 151

Date: March 15, 1993

Revised: November 12, 2012

Title: Organization Meeting

The Board of Education shall organize annually at a regular meeting held in all Type II school districts with an April school election, on any day during the first or second week following the April school election or with a November school election, on any day of the first week in January.

If the organization meeting cannot take place on the date(s) above by reason of lack of quorum or for any other reason, said meeting shall be held within three days thereafter.

The meeting shall be called to order by the Board Secretary, who shall serve as presiding officer pro tempore until the election of a President and Vice President.

The Board Secretary shall administer the oath of office to new Board members.

N.J.S.A. 18A:10-3; 18A:10-5

N.J.S.A. 41:1-1; 41:1-3

N.J.S.A. 18A:13-12 et seq. [regional districts]

N.J.S.A. 18A:54-18 et seq. [vocational districts]

N.J.S.A. 18A:46-37 [county special services school districts]

Adopted: March 15, 1993

Revised: November 12, 2012

152 BOARD OFFICERS

Number: 152

Date: March 15, 1993

Title: BOARD OFFICERS

The Board of Education may appoint at the organizational meeting, but shall appoint before July 1 of the year in which the Board organizes:

1. A medical inspector, N.J.S.A. 18A:40-1;
2. A psychological examiner, N.J.S.A. 18A:46-11;
3. A member to serve as delegate to the New Jersey School Boards Association, N.J.S.A. 18A:6-46;
4. An attendance officer, N.J.S.A. 18A:38-32;
5. An attorney;
6. An insurance advisor.

Adopted: March 15, 1993

0153 ANNUAL APPOINTMENTS

Number: 0153

Date: November 12, 2012

Title: Annual Appointments

The Board of Education may annually appoint the following positions:

1. A Board Secretary,
N.J.S.A. 18A:17-2, 17-5;
N.J.S.A. 8A:54-20 [vocational district]
N.J.S.A. 18A:13-13 [regional district]
2. A public school accountant,
N.J.S.A. 18A:23-1;
3. A medical inspector,
N.J.S.A. 18A:40-1;
4. A psychological examiner,
N.J.S.A. 18A:46-11;
5. A member to serve as delegate to the New Jersey School Boards
Association,
N.J.S.A. 18A:6-46;
6. An attendance officer(s),
N.J.S.A. 18A:38-32;
7. A Treasurer of School Moneys,
N.J.S.A. 18A:17-31;
N.J.S.A. 18A:13-14 [regional district]
N.J.S.A. 18A:54-20e [vocational district]
8. An assistant Board Secretary,
N.J.S.A. 18A:17-13;
9. A member to serve as delegate to the Burlington County School Boards
Association;
10. An attorney;
11. An insurance broker(s)/agent(s).

N.J.S.A. 18A:9-2; 18A:22-1 [Type I district]

N.J.S.A. 18A:54-27 [vocational district]

Adopted: November 12, 2012

154 ANNUAL MOTIONS AND DESIGNATIONS

Number: 154

Date: March 15, 1993

Title: ANNUAL MOTIONS AND DESIGNATIONS

The Board of Education shall at the organizational meeting

1. Designate one or more depositories for school funds, N.J.S.A. 17:9-9; 18A:17-34;
2. Designate those persons authorized to sign school warrants, N.J.S.A. 18A:19-1;
3. Designate the official newspaper, N.J.S.A. 18A:14-19; 18A:22-11; 18A:39-3;
4. Designate a second newspaper for the publication of Board meetings,
N.J.S.A. 10:4-8;
5. Designate the day, place, and time for regular meetings of the Board;
6. Approve the curriculum for all grades,
7. Determine the fee to be charged to individuals who request notice of Board meetings,
N.J.S.A. 10:4-19;
8. Designate days for regular committee meetings of the Board;
9. Readopt existing bylaws and policies for the Board's operation and the operation of
the school system;
10. Readopt any existing contracts and agreements to which the Board is a party and
where continuation is not authorized by law;
11. Adopt a calendar for the Board's guidance in taking action and making and receiving
reports.

Adopted: March 15, 1993

155 BOARD COMMITTEES

Number: 155

Date: March 15, 1993

Revised: May 13, 2013

Title: BOARD COMMITTEES

The Board of Education authorizes the creation of committees of Board members charged to conduct studies, make recommendations to the Board, and act in an advisory capacity. Committees are not authorized to take action on behalf of the Board.

The President shall appoint Board members to serve a one-year term on the following Board standing committees:

Buildings & Grounds Committee
Finance Committee
Personnel Committee
Policy Committee
Curriculum Committee
Public Relations Committee
Athletic Committee
Student Achievement

An ad hoc committee may be created and charged at any time by the President or a majority of the Board members present and voting. The President shall appoint members to any committee so created and charged; members shall serve until the committee is discharged.

Committees shall consist of no more than three Board members, with the President of the Board as an ex officio member on all Board committees. A member may request or refuse appointment to a committee; a member's refusal to serve on any one committee shall not prejudice his or her appointment to another committee.

A chairperson shall be appointed by the President.

Committee meetings are called by the committee chairperson.

Adopted: March 15, 1993

Revised: May 13, 2013

161 CALL, ADJOURNMENT, AND CANCELLATION

Number: 161

Date: March 15, 1993

Title: CALL, ADJOURNMENT, AND CANCELLATION

The Board of Education shall meet in public session at least once every two months during the period in which the schools are in session.

All meetings shall be called to commence not later than 8:00 p.m. of the day designated.

A meeting not regularly scheduled may be called by the Board Secretary/Business Administrator at the request of the President or upon the presentation to the Board Secretary/Business Administrator of a petition requesting a meeting and signed by a majority of the full Board.

The Board may at any time recess or adjourn to an adjourned meeting at a time, date, and place announced before the adjournment takes place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was passed.

When circumstances are such as to prevent the attendance of a majority or all of Board members or to frustrate the purpose of the meeting, a meeting may be canceled by the Board Secretary/Business Administrator at the request of the President. Notice of the cancellation shall be given, by expedient means, to all Board members, to the Superintendent, and, whenever possible, to the newspapers in which notice of Board meetings is regularly given. If possible, written notice of the cancellation shall also be posted at the place where the canceled meeting was scheduled to occur. Notice of the cancellation shall include the date, time, and place of the next scheduled meeting. Notice of the cancellation shall be read at the next following Board meeting and shall be duly recorded in the official minute book.

N.J.S.A. 18A:10-6

N.J.A.C. 6:3-1.9

Adopted: March 15, 1993

162 NOTICE OF BOARD MEETINGS

Number: 162

Date: March 15, 1993

Title: NOTICE OF BOARD MEETINGS

The Board of Education will give notice of all meetings in accordance with law.

Public notice

The Board Secretary/Business Administrator shall notify, in writing and no later than forty-eight hours in advance of the meeting, each Board member of the time, date, location, and, to the extent it is known, the agenda of any regular, special, or rescheduled meeting. Forty-eight hour notice shall also be posted in the Municipal Building and in all schools, delivered to the official newspaper designated by the Board, and filed with the clerk of the Township of Delran, except that forty-eight hour notice is not required where the time, date, and location of the meeting has been published in the annual list of meetings approved by the Board in accordance with law.

Upon the affirmative vote of three-quarters of the members present, the Board may meet in the absence of adequate notice, provided that discussion and action is limited to specific and unforeseen or unforeseeable matters of such urgency and importance that delay for the provision of notice would be likely to result in substantial harm to the public interest and that notice is given as soon as possible after the call of the meeting in accordance with the provisions of law and this bylaw.

N.J.S.A. 10:4-6 et seq.; 10:4-8d, 10:4-9b

N.J.S.A. 18A:6-11; 18A:10-6

N.J.A.C. 6:3-1.9

Adopted: March 15, 1993

163 QUORUM

Number: 163

Date: March 15, 1993

Title: QUORUM

A quorum shall consist of five Board members, and no business shall be conducted in the absence of a quorum.

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.

N.J.S.A. 18A:10-6

Adopted: March 15, 1993

164 CONDUCT OF BOARD MEETING

Number: 164

Date: March 15, 1993

Title: CONDUCT OF BOARD MEETING

Parliamentary authority

Roberts' Rules of Order, Newly Revised, shall govern the 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.

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 or 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.

Agenda

The Superintendent and Board President shall prepare an agenda of items of business to come before the Board at each meeting. The agenda shall be delivered to each Board member no later than three days before the meeting and shall include such reports and supplementary materials as are appropriate and available.

N.J.S.A. 10:4-10

N.J.S.A. 18A:16-1.1

Adopted: March 15, 1993

165 VOTING

Number: 165

Date: March 15, 1993

Revised: December 10, 2012

Title: VOTING

All Board of Education actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded in the minutes of the meeting. Proxy voting shall not be permitted.

Abstentions shall not be counted as votes, but shall be recorded; a member who abstains from voting is deemed to acquiesce in the outcome of the vote.

All motions shall require for adoption the majority vote of Board members present and voting, except as provided by statutes of the State of New Jersey, this bylaw, or parliamentary authority and provided that the number of affirmative votes is at least a majority of the Board's quorum.

1. The affirmative votes of three-quarters of the members present are required for the conduct of a Board meeting when adequate notice has not been provided in accordance with law. N.J.S.A. 10:4-9;
2. A two-thirds vote of the full Board is required for:
 - a. Bids that have been advertised pursuant to N.J.S.A. 18A:18A-4 on two occasions and;
 - (1) No bids have been received on both occasions in response to the advertisement; or
 - (2) The Board of Education has rejected such bids on two occasions because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the Board of Education prior to the advertising therefore; or have not been independently arrived at in open competition; or
 - (3) On one occasion no bids were received pursuant to #(1) and on one occasion all bids were rejected pursuant to #(2), in whatever sequence; any such contract may then be negotiated.
 - b. Purchase of goods also available under state contract when the Board has received at least three quotations and the lowest responsible quotation is at least ten percent less than the price under the state contract for the identical goods and quantities, N.J.S.A. 18A:18A-5.e;
 - c. Determine that it is necessary, in a Type II school district having a Board of School Estimate, to sell bonds to raise money for any capital project, N.J.S.A. 18A:22-27; and
3. A majority vote of the full Board is required for:

- a. Admission after October 1 of a pupil who has never attended school, N.J.S.A. 18A:38-6;
- b. Adoption or alteration of a course of study, N.J.S.A. 18A:33-1;
- c. Application for membership in an established county audiovisual aid center, N.J.S.A. 18A:51-11;
- d. Appointment of a Superintendent, N.J.S.A. 18A:17-15; School Business Administrator, N.J.S.A. 18A:17-14.1; Board Secretary, N.J.S.A. 18A:17-5; Assistant Board Secretary, N.J.S.A. 18A:17-13; Administrative Principals, N.J.S.A. 18A:17-20.5; and Shared Superintendent or School Business Administrator, N.J.S.A. 18A:17-24.3. Appointment and removal of Assistant Superintendent(s), N.J.S.A. 18A:17-16 and appointment, salary, and removal of Business Manager in Type I school district, N.J.S.A. 18A:17-25.
- e. Appointment, transfer, removal and/or renewal of teaching/certificated and/or non-certificated staff members, N.J.S.A. 18A:25-1, 27-1;
- f. Fix and determine, in a Type II district having no Board of School Estimate, the amount of money to be raised for budgets and capital construction, N.J.S.A. 18A:22-32, 22-39;
- g. Approval of employee salary deductions for hospital and insurance plans and government bonds, N.J.S.A. 18A:16-8;
- h. Authorization, in Type II school districts, of school bonds, N.J.S.A. 18A:24-10;
- i. Decision to establish with other school districts a county audiovisual educational aid center, N.J.S.A. 18A:51-1;
- j. Determination of sufficiency of charges warranting dismissal or reduction in salary of a tenured employee, N.J.S.A. 18A:6-11;
- k. Disposition or exchange of lands owned by the Board, N.J.S.A. 18A:20-5, 20-8;
- l. Purchase of bonds or other obligations as investments, N.J.S.A. 18A:20-37;
- m. Removal of the President or Vice President of the Board, N.J.S.A. 18A:15-2;
- n. Restoration or removal following suspension of an Assistant Superintendent, Principal, or teacher, N.J.S.A. 18A:25-6;
- o. Selection of textbooks, N.J.S.A. 18A:34-1;
- p. Withholding a salary increment, N.J.S.A. 18A:29-14;
- q. Direct the Secretary of the Board to deduct salaries of employees to participate in any plan for the purchase of bonds of the United States government, N.J.S.A. 18A:16-8;

- r. Appointment and salary of Executive Superintendent in district in city of the first class with a population over 325,000 have a unit control organizational structure.
4. A roll call vote of the Board is required for the following actions with the necessary vote indicated:

Issue	Required Vote
a. Salary deductions for government bonds N.J.S.A. 18A:16-8	Majority of full Board
b. Appointment of a secretary of Board of Education; terms; compensation; vacancy N.J.S.A. 18A:17-5	Majority of full Board
c. Assistant and acting secretaries; appointment, powers and duties N.J.S.A. 18A:17-13	Majority of full Board
d. Appointment of Superintendents; Terms; apportionment of expense N.J.S.A. 18A:17-15	Majority of full Board
e. Appointment and removal of Assistant Superintendents N.J.S.A. 18A:17-16	Majority of full Board
f. Appointment of Administrative Principals N.J.S.A. 18A:17-20.5	Majority of full Board
g. Appointment of shared Superintendent, School Business Administrator; terms N.J.S.A. 18A:17-24.3	Majority of the membership of each Board
h. Appointment; salary; removal of Business Managers N.J.S.A. 18A:17-25	Majority of full Board
i. Unit control organizational structure; Executive Superintendent N.J.S.A. 18A:17A-1	Majority of full Board
j. Disposition of property N.J.S.A. 18A:20-5	Majority of full Board
k. Exchange of lands N.J.S.A. 18A:20-8	Majority of full Board
l. Type II districts with Board of School Estimate; determination; certification and raising of appropriations; notice of appeal N.J.S.A. 18A:22-26	Majority of full Board

m. Type II districts with Boards of School Estimate; estimate by Board of Education; certification of estimate N.J.S.A. 18A:22-27	Two thirds of full membership of Board
n. Determination of amounts by Board of School Estimate N.J.S.A. 18A:22-31	Board of School Estimate majority of full Board
o. Type II districts without Board of School Estimate; determination and Certification of appropriation N.J.S.A. 18A:22-32	Majority of full Board
p. Type II districts without Board of School Estimate; submission of capital projects N.J.S.A. 18A:22-39	Majority of full Board
q. School bonds, when deemed to be Authorized Type II. N.J.S.A. 18A:24-10	Majority of full Board
r. Private sale if no bids at public sale N.J.S.A. 18A:24-45	Two thirds of full membership of Board
s. Transfer of teaching staff member N.J.S.A. 18A:25-1	Majority of full Board
t. Suspension of Assistant Superintendents, Principals and teaching staff members N.J.S.A. 18A:25-6	Majority of Membership
u. Appointment of teaching staff Members; vote required N.J.S.A. 18A:27-1	Majority of full Board
v. Board of Education, procedure for certain personnel actions; recommendation of Chief School Administrator N.J.S.A. 18A:27-4.1	Majority of full Board
w. Renewal of personnel N.J.S.A. 18A:27-4.1	Majority of full Board
x. Withholding increments; causes notice of appeals N.J.S.A. 18A:29-14	Majority of full Board
y. District to furnish suitable facilities; adoption of courses of study N.J.S.A. 18A:33-1	Majority of full Board
z. Textbooks; selection; furnished free	Majority of full Board

with supplies; appropriations N.J.S.A.
18A:34-1

aa. Single county educational audiovisual
aids center in county N.J.S.A.
18A:51-11

Majority of full
membership

N.J.S.A. 10:4-14
Adopted: March 15, 1993
Revised: December 10, 2012

166 PRIVATE MEETINGS

Number: 166

Date: March 15, 1993

Title: PRIVATE MEETINGS

The Board of Education may meet in a private session only to discuss and act on issues exempted by law from the requirement that all Board meetings be public and only after the adoption at a public meeting of a resolution stating the general nature of the subject or subjects to be discussed and, as precisely as possible, the time when and circumstances under which the discussion conducted in private session can be disclosed to the public.

The Board may exclude the public only from that portion of a meeting at which the Board discusses:

1. Any matter that has been rendered confidential by express provision of federal or state law or rule of court;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material the disclosure of which constitutes an unwarranted invasion of a pupil's privacy, including but not limited to records, data, reports, or recommendations relative to the pupil's personal and family circumstances, treatment, progress or condition, unless the adult pupil or the pupil's parent requests in writing that the same be disclosed publicly;
4. Any collective bargaining agreement, or the terms and conditions that are proposed for inclusion in any collective bargaining agreement, including the negotiation of the agreement with school district employees or representatives of employees;
5. Any matter involving the purchase, lease, or acquisition of real property with public funds or the investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
6. Any tactics and techniques utilized in protecting the safety and property of the public when their disclosure could impair such protection and any investigations of violations or possible violations of the law;
7. Any pending or anticipated litigation or contract negotiation other than in 4 in which the Board is or may become a party and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer;
8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the Board, unless the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, except that, regardless of

the employee's request, the consideration and actions of the Board as to any tenure charge shall be conducted in private session;

9. Any deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of the responding party's certification as a result of an act or omission for which the responding party bears responsibility.

N.J.S.A. 10:4-12, 4-13

N.J.S.A. 18A:6-11

Adopted: March 15, 1993

167 PUBLIC PARTICIPATION IN BOARD MEETINGS

Number: 167

Date: March 15, 1993

Revised: November 12, 2012

Title: PUBLIC PARTICIPATION IN BOARD MEETINGS

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

In order to permit the fair and orderly expression of such comment, the Board shall set aside a portion of every Board meeting, the length of the portion to be determined by the Board, for public comment on any school or school district issue that a member of the public feels may be of concern to the residents of the school district.

Public participation shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, place of residence, and group affiliation, if appropriate;
2. Each statement made by a participant shall be limited to five minutes' duration;
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements shall be directed to the presiding officer; no participant may address or question Board members individually;
5. The presiding officer may:
 - a. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, abusive, obscene, or irrelevant;
 - b. Request any individual to leave the meeting when that person does not observe reasonable decorum;
 - c. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
 - d. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
 - e. Waive these rules when necessary for the protection of privacy or the efficient administration of the Board's business.

Adopted: March 15, 1993
Revised: November 12, 2012

168 RECORDING BOARD MEETINGS

Number: 168

Date: March 15, 1993

Revision Date: February 13, 2012; July 16, 2012

Title: RECORDING BOARD MEETINGS

The Board of Education directs the creation and maintenance of an official record of the formal proceedings of the Board and will permit the unofficial recording of Board meetings in accordance with this bylaw.

Minutes

The Board shall keep reasonably comprehensible minutes of all its meetings showing the time and place, the members present, the subject considered, the actions taken, the vote of each member, information sufficient to explain the actions taken, and any other information required to be shown in the minutes by law.

Minutes of public meetings shall be public records signed by the Board Secretary and filed in the Board Secretary's office in a minute book as the permanent record of the acts of this Board.

Minutes of executive meetings shall be filed in the Board Secretary's office in a place separate from the minute book until the time, if any, when the proceedings may be made public. At that time, the minutes shall be public records and shall be filed in the regular minute book.

The Board Secretary shall provide each Board member with a copy of the minutes prior to Board approval.

Recording by the public

A member of the public may record the proceedings of a public meeting of the Board provided the audio or video recording process complies with reasonable guidelines as outlined in this Bylaw. These guidelines are adopted to ensure the recording of the public meeting does not interrupt the proceedings, inhibit the conduct of the meeting, or distract Board members or other observers present at the meeting.

The Board will permit the use of video recording devices only when notice of such intended use has been given to the Board Secretary in advance of the meeting. The Board Secretary or designee shall review the video recording guidelines with the person requesting to video record. Prior notice is not required to audio record a meeting. All audio and video recording devices shall be silent in operation, inoffensive, and unobtrusive. Any video recording device must be located and operated from inconspicuous locations in the meeting room as determined by the presiding officer of the meeting. Prior to the meeting, the presiding officer will determine the location of each recording device so the video recording device can video record the meeting with an unobstructed view. The presiding officer may permit a person wanting to video record the meeting using a small hand-held video recording device to sit with their video recording device in the public seating area of

the meeting room provided the person recording and/or the recording device is not distracting or obtrusive to the meeting. A person that wants to audio record a public meeting shall sit with their audio recording device in the public seating area of the meeting room and shall not be distracting or obtrusive to the meeting. Additional lighting shall not be used unless approved by the presiding officer prior to the meeting. All recording devices must be battery operated, as the district cannot guarantee convenient availability or location of electric outlets in the meeting room.

The presiding officer shall determine when the number of video recording devices or if an audio or video recording device interferes with the conduct of a Board meeting and may order that an interfering device be removed or relocated. The presiding officer may also limit the number of video recording devices if he/she determines the number and positioning of the video recording devices will be an unnecessary intrusion to the meeting. In this event, preference will be given based on the order in which prior notice requesting to record the meeting was provided to the Board Secretary.

Any person who video records a public meeting in accordance with the provisions of this Policy shall provide the Board the opportunity to obtain a copy of the recording at the Board's expense, but the Board shall have no power to edit or abridge the original recording.

N.J.S.A. 10:4-14

Adopted: March 15, 1993
Revised: February 13, 2012
July 16, 2012

171 DUTIES OF PRESIDENT AND VICE PRESIDENT

Number: 171

Date: March 15, 1993

Title: DUTIES OF PRESIDENT AND VICE PRESIDENT

The President of the Board of Education shall:

1. Preside at all meetings of the Board;
2. Call special meetings of the Board, N.J.A.C. 6:3-1.9;
3. Sign all school district warrants, N.J.S.A. 18A:19-1;
4. Certify to all payrolls, N.J.S.A. 18A:19-9;
5. Subscribe bonds, notes, contracts and other legal instruments for which the signature of the President is called. N.J.S.A. 18A:24-32
6. Issue subpoenas to compel attendance of witnesses and production of documents. (18A:6-20)
7. Appoint all committees of the Board and serve as committee member ex officio in accordance with Board Bylaw No. 0155;
8. The Vice President shall assume and discharge the duties of the President in the President's absence, disability or disqualification. N.J.S.A. 18A:16-1.1

Adopted: March 15, 1993

172 DUTIES OF TREASURER OF SCHOOL MONEYS

Number: 172

Date: March 15, 1993

Title: DUTIES OF TREASURER OF SCHOOL MONEYS

The Treasurer of School Moneys shall:

1. Receive and hold in trust all school moneys, except moneys from athletic events and pupil organization activities, and deposit them in the bank or banks designated by the Board, N.J.S.A. 18A:17-34;
2. Pay out school moneys only on warrants made payable to the person entitled to receive payment and specifying the object for which it is issued and signed by the President, Secretary and Treasurer, N.J.S.A. 18A:19-1;
3. Receive school employee payrolls and a warrant for the full amount of each payroll certified by the President and Secretary, deposit the warrants in a separate payroll account, and issue individual checks drawn on such account to each employee, N.J.S.A. 18A:19-9, 19-10;
4. Give public notice when funds are on hand for payment of interest bearing warrants issued for which no funds were available, N.J.S.A. 18A:19-12;
5. Keep a record of moneys received and paid out in books provided for that purpose and in accordance with a bookkeeping system prescribed by the State Board, N.J.S.A. 18A:17-35;
6. Pay over the balance of school funds on hand to his or her successor, N.J.S.A. 18A:17-35;
7. Render a monthly report to the Board giving a detailed account of all receipts, the amounts of all warrants issued, the accounts from which they were drawn and the balance in each account, N.J.S.A. 18A:17-36; and
8. Render an annual report showing the amounts received and disbursed by him during the school year and file a copy with the County Superintendent, N.J.S.A. 18A:17-36.

Adopted: March 15, 1993

173 DUTIES OF PUBLIC SCHOOL ACCOUNTANT

Number: 173

Date: March 15, 1993

Title: DUTIES OF PUBLIC SCHOOL ACCOUNTANT

The Board of Education public school accountant shall:

1. Conduct the investigation, accounting, and checking of accounts, bills, revenues, and other financial records and documents essential to the completion of a public statement of the financial status of the Board for the school year as required by State Department rules of audit, N.J.S.A. 18A:23-2;
2. File a report of the annual audit and recommendations with the Board and two copies with the Commissioner, N.J.S.A. 18A:23-3
3. Recommend in writing such measures as the public school accountant deems advisable to improve the financial operations of the Board and the business office;

N.J.S.A. 18A:23-8 et seq.

Adopted: March 15, 1993

174 LEGAL SERVICES

Number: 174

Date: March 15, 1993

Revised: November 11, 2008; November 8, 2010

Title: LEGAL SERVICES

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to ensure the use of legal services by employees and the Board of Education members and the tracking of the use of legal services.

The Board of Education authorizes the Superintendent of Schools, the Superintendent of Schools' designee, the School Business Administrator/Board Secretary, the Board President, and the Director of Pupil Personnel Services as designated contact person to request services or advice from contracted legal counsel.

The School Business Administrator shall be responsible to review all legal bills and confer with designated contact persons in reviewing such legal bills.

In accordance with the provisions of N.J.A.C. 6A:23A-5.2(a)2, the Board designates the administrative staff member to review all legal bills and designates contact persons to ensure the prudent use of legal services.

School districts with legal costs that exceed one hundred thirty percent of the Statewide average per pupil amount should establish the procedures outlined in 1., 2., 3., and 4. below and, if not established, provide evidence such procedures would not result in a reduction of costs.

1. The designated contact person(s) shall ensure that contracted legal counsel is not contacted unnecessarily for management decisions or readily available information contained in district materials such as Board policies, administrative regulations, or guidance available through professional source materials.
2. All requests for legal advice shall be made to the designated contact person(s) in writing and shall be maintained on file in the district offices. The designated contact person shall determine whether the request warrants legal advice or if legal advice is necessary.
3. The designated contact person(s) shall maintain a log of all legal counsel contact including the name of the legal counsel contacted, date of the contact, issue discussed, and length of contact.
4. All written requests for legal advice and logs of legal counsel contacts shall be forwarded to the School Business Administrator, who shall be responsible to review all legal bills and compare all legal bills to the contact logs and to investigate and resolve any variances.

Any professional services contract(s) for legal services shall prohibit advance payments. Services to be provided shall be described in detail in the contract and invoices for payment

shall itemize the services provided for the billing period. Payments to legal counsel(s) shall only be for services actually provided.

School districts and vocational school districts are prohibited from contracting with legal counsel or using in-house legal counsel to pursue any affirmative claim or cause of action on behalf of district administrators and/or any individual Board members or pursuing any claim or cause of action for which the damages to be awarded would benefit an individual rather than the school district as a whole.

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

Contracts for legal services will be issued by the Board in a deliberative and efficient manner that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. This may include, but is not limited to, issuance of such contracts through a Request for Proposals (RFP) based on cost and other specified factors or other comparable processes. Contracts for legal services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

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

Adopted: March 15, 1993

Revised: November 11, 2008

November 8, 2010

176 COLLECTIVE BARGAINING AND CONTRACT APPROVAL/RATIFICATION

Number: 176

Date: November 2001

Title: COLLECTIVE BARGAINING AND CONTRACT APPROVAL/RATIFICATION

The Board recognizes a Board member and/or a member of his/her immediate family may be a member of, or salary is determined by, a labor bargaining unit, professional association and/or union that has an affiliation with a bargaining unit, professional organization and/or union within the school district. The Board member does not automatically violate N.J.S.A. 18A:24 by voting to approve and/or ratify this contract solely on the basis of his/her status or that of an immediate family member with respect to membership or representation by a different local affiliate of the same statewide association with whom the agreement is made provided the Board member's involvement with such local affiliate has not or appears to have not compromised the member's objectivity or independence of judgment.

In accordance with N.J.S.A. 18A:12-24, the Board member shall not participate in the collective bargaining process and/or serve on the negotiations committee representing the Board with this unit, association, and/or union. The Board member may be apprised of the terms of a tentative memorandum of agreement with this unit, association, and/or union in closed and/or open session only after a tentative memorandum of agreement has been reached. The Board member may vote during the public meeting to approve and/or ratify a contract with this bargaining unit, professional association and/or union.

The Board member shall not participate in any aspect of negotiations and/or vote to approve/ratify a tentative memorandum of agreement/contract ratification if the Board member has an immediate family who is a member of the bargaining unit, professional association and/or union within the school district. Under this circumstance, the Board member may only vote in the event the school board attorney advises the Board the Doctrine of Necessity must be invoked in accordance with Policy No. 0163.

In addition, the School Ethics Commission Decision A16-00 states a Board member may not participate in any aspect of negotiations and/or vote to approve/ratify a tentative memorandum of agreement/contract ratification if the Board member has a "relative" who is a member of the bargaining unit, professional association and/or union within the school district. Under this circumstance, the Board member may only vote in the event the school board attorney advises the Board the Doctrine of Necessity must be invoked in accordance with Policy No. 0163.

N.J.S.A. 18A:12-21 et. seq.

New Jersey School Ethics Commission Advisory Opinion A02-00 and A16-00

Commissioner of Education Decision - In the Matter of Bruce White, Ewing Township Board of Education, Mercer County - June 1, 2000

New Jersey State Board of Education Decision - In the Matter of Frank

Pannucci, Board of Education of Brick Township, Ocean County - March 3, 2000

177 PROFESSIONAL SERVICES

Number: 177

Date: November 11, 2008

Revised: November 8, 2010

Title: PROFESSIONAL SERVICES

In accordance with N.J.A.C. 6A:23A-5.2, the Board of Education adopts this Policy and its strategies to minimize the cost of professional services.

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

Contracts for professional services will be issued by the Board in a deliberative and efficient manner that ensures the district receives the highest quality services at a fair and competitive price or through a shared service arrangement. This may include, but is not limited to, issuance of such contracts through a Request for Proposals (RFP) based on cost and other specified factors or other comparable processes. Contracts for professional services shall be limited to non-recurring or specialized work for which the district does not possess adequate in-house resources or in-house expertise to conduct.

Nothing in this Policy or N.J.A.C. 6A:23A-5.2 shall preclude the Board from complying with the requirements of any statute, administrative code, or regulation for the award of professional services contracts.

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

Adopted: November 11, 2008

Revised: November 8, 2010