

ROLE OF THE BOARD

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

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

A. Policy oversight

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

B. Educational planning

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

C. Provision of financial resources

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

D. Interpretation

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

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

The board shall exercise its powers through the legislation of bylaws and policies for the organization and operation of the school district.

ROLE OF THE BOARD (continued)

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

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

Date: November 13, 1986  
 Revised by Election: November 8, 1988  
 Second Revision: August 10, 1989  
 Third Revision: June 25, 2009  
 First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

<b><u>Legal References:</u></b>	<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**

<b><u>Cross References:</u></b>	*1000/1010	Concepts and roles in community relations; goals and objectives
	*2000/2010	Concepts and roles in administration; goals and objectives
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	4000	Concepts and roles in personnel
	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

ROLE OF THE BOARD (continued)

- 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

VISION, MISSION, CORE BELIEFS AND COMMITMENTS

Our Vision

The Elizabeth Public Schools will be one of the best school systems in America.

Our Mission

The Elizabeth Public Schools will provide excellent educational experiences and services to inspire every student to think, to learn, to achieve, and to care.

Our Core Beliefs and Commitments

A. Student

We believe ALL students can learn and achieve at high levels regardless of race, ethnicity, culture, neighborhood, household income, or home language.

ALL means ALL. We will narrow the achievement gaps of students by providing a high quality education to ensure that ALL of our students are college and career ready.

B. Teacher

We believe teachers make a positive difference in student achievement. Teachers will prepare ALL students for success in college, career, and our technological global society.

We believe that teachers are central in a child's life. Having an effective teacher is the single most important factor in student success.

C. Leader

We believe that effective leaders demonstrate unwavering commitment to high levels of achievement for ALL students.

Leaders will exemplify and support practices that promote high levels of achievement for ALL students.

D. Family

VISION, MISSION, CORE BELIEFS AND COMMITMENTS (continued)

We believe that parents and caregivers are both valued partners and active participants in their children's learning. A shared sense of mutual responsibility for learning is the foundation for family involvement to ensure student success.

We are committed to engaging parents and caregivers in their children's education. We will develop a coordinated strategy that enables parents and caregivers to play an active role in building and sustaining family support for their children's learning and academic success.

## E. Team

We believe that every member of the Elizabeth Public Schools team has a responsibility in producing and supporting high levels of achievement for ALL students.

Every member of the Elizabeth Public Schools team will make a measurable contribution to the success and achievement for ALL students by ensuring equitable distribution of resources throughout the organization.

Date:	January 15, 2009
First Reading:	December 22, 2008
Second Reading:	January 15, 2009
Revised:	June 30, 2011
First Reading:	June 9, 2011
Second Reading:	June 30, 2011
Revised:	September 18, 2014
First Reading:	August 28, 2014
Second Reading:	September 18, 2014
NJSBA Review/Update:	December 2018
<b>Readopted:</b>	June 13, 2019

<b><u>Legal References:</u></b>	<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

VISION, MISSION, CORE BELIEFS AND COMMITMENTS (continued)

N.J.A.C. 6A:32-1.1 et seq. School District Operations  
N.J.A.C. 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  
 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  
 \*9000 Role of the board  
 \*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

**Bylaw**

ROLE OF THE MEMBER

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

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

No board member, by virtue of his/her office, shall exercise any administrative responsibility with respect to the schools or as an individual command the services of any school employee.

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

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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

PUBLIC STATEMENTS

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

No other member of the board of education individually will speak for, or in the name of, the total board unless by explicit direction of the board. Board members should emphasize that they can only speak as individual board members unless empowered by the board to speak for it.

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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



**Policy**

NUMBER OF MEMBERS AND TERMS OF OFFICE

Number of Members

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

Terms of Office

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

Date: November 13, 1986  
Revised by Election: November 8, 1988  
Second Revision: August 10, 1989  
Third Revision: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Legal References:** N.J.S.A. 18A:10-1 Constitution of boards of education  
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 (Type II district)  
N.J.S.A. 19:27A-1 thru -18 Uniform Recall Election Law

**Possible**

**Cross Reference:** \*9111 Qualifications and background checks  
\*9112 Elections/Appointments  
\*9113 Filling Vacancies

QUALIFICATIONS AND REQUIREMENTS OF BOARD MEMBERS

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

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

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

Date: November 13, 1986  
Revised: May 14, 1987  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
Revised: September 15, 2011

QUALIFICATION AND REQUIREMENTS  
OF BOARD MEMBERS (continued)

File Code: 9111

First Reading: August 18, 2011  
Second Reading: September 15, 2011  
Revised: October 17, 2013  
First Reading: September 19, 2013  
Second Reading: October 17, 2013  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

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

**Possible**

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

**Bylaw**

FILLING VACANCIES

Vacancies Filled by the Board

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

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

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

Vacancies Filled by the Executive County Superintendent

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

Date: November 13, 1986  
Revised: October 12, 1989  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

<b>Legal References:</b>	<u>N.J.S.A.</u> 18A:6-56	Election of members of representative assembly; vacancies (educational services commission)
	<u>N.J.S.A.</u> 18A:12-1	Qualifications of board members
	<u>N.J.S.A.</u> 18A:12-3	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**

FILLING VACANCIES (continued)

<b><u>Cross References:</u></b>	*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

BOARD MEMBER RESIGNATION AND REMOVAL

Resignation

The Elizabeth Board of Education believes that any citizen who files for and seeks election to the board of education should do so with full knowledge of and appreciation for the investments in time, effort, and dedication expected of all board members, and with the intent to serve a full term of office. However, if for reasons of health, change of domicile, or any other compelling reason, a member does decide to terminate board services, he/she should notify the board president and/or the board secretary of intent to resign, in writing, as soon as possible so that the board may plan appropriately for this exigency.

Upon receipt of the resignation letter of a board member, the board shall convene in an executive session to review the matter. A formal acceptance of the resignation shall be scheduled for the next consecutive meeting of the board.

The board shall have 65 calendar days in which to fill the vacancy caused by such resignation as per policy 9113 Filling Vacancies.

Removal from Office

Whenever a member of the board of education shall cease to be a bona fide resident of the district, his/her membership of the board shall immediately cease.

Any member who fails to attend three consecutive regular meetings of the board, without good cause, may be removed by a majority vote of the board members present and voting. The vote to remove a member shall have been proposed at the preceding meeting of the board and notice of the action shall have been given to the absent member in advance of the meeting in which the action to remove is scheduled to be taken.

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

A president or vice-president of the board, who shall refuse to perform a duty imposed upon him or her by law, may be removed from the office of president or vice president by a majority vote of all of the members of the board.

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009

RESIGNATION AND REMOVAL  
FROM OFFICE (continued)

File Code: 9114

Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
Readopted: June 13, 2019

**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:12-3 Removal of member  
N.J.S.A. 18A:12-15 Removal of president or vice president  
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. 19:27A-1 et seq. Uniform Recall Election Law  
N.J.A.C. 6A:4-1.1 et seq. Appeals  
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission

**Possible**

**Cross References:** \*4112.8/4212.8 Nepotism  
\*9111 Qualifications & Requirements of Board Members  
\*9113 Filling Board Vacancies  
\*9200 Orientation and Training of Board Members  
\*9270 Conflict of Interest

REQUIRED OATH FOR SCHOOL BOARD MEMBERS

An Elizabeth Board of Education member, before taking office, shall publicly take and subscribe to:

- A. An oath that he/she possesses the qualifications of membership prescribed by law, including a specific declaration that he or she is not disqualified as a voter pursuant to N.J.S.A. 19: 4-1 and that he or she will faithfully discharge the duties of his/her office; and also
- B. The oath prescribed by N.J.S.A. 41:1-1 (re: support of State and Federal constitutions and allegiance to the United States government);
- C. The oath shall be filed with the board secretary.

OATH OF OFFICE

(Pursuant to N.J.S.A. 18A:12-2.1 and N.J.S.A. 41:1-1 and 1-3)

I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance to the same and to the Governments established in the United States and this State, under the authority of the people. So help me God.\*

I, \_\_\_\_\_, do solemnly swear (or affirm) that I possess the qualifications prescribed by law for the office of member of a board of education, and that I am not disqualified as a voter pursuant to R.S. 19:44-1 nor disqualified due to conviction of a crime or offense listed in N.J.S.A. 18A:12-2, and that I will faithfully, impartially and justly perform all the duties of that office according to the best of my ability So help me God.\*

Sworn and subscribed to

before me this .....day of.....20.....A.D.

\_\_\_\_\_ (Signature of Board Member)

(Authorized Signature)

School District of.....

County of.....

\*No individual shall be required to swear or affirm that part of the oaths which states "So help me God."



OATH OF OFFICE (continued)

Date: November 13, 1986  
 Revised: June 25, 2009  
 First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Legal Reference:**    N.J.S.A. 18A:12-2.1    Qualifying oaths of members  
                                  N.J.S.A. 41:1-1                    Oath of allegiance; form

**Cross References:**    \*1120                    Board of education meetings  
                                  \*9020                    Public statements  
                                  9111                      Qualifications  
                                  \*9130                    Committees  
                                  \*9322                    Public and executive sessions

OFFICERS AND AUXILIARY PERSONNEL

The Elizabeth Board of Education shall elect a president and vice president at its annual organization meeting. Nominations shall be made from the membership of the board present. Election shall be by a majority of those present and voting, which shall mean at least a majority of the quorum.

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

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

Date: November 13, 1986  
Revised: October 12, 1989  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Legal References:** N.J.S.A. 18A:13-12 Organization of boards, failure to organize  
N.J.S.A. 18A:13-13 Appointment of secretary  
N.J.S.A. 18A:13-14 Treasurer of school moneys; appointment; term; bond  
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:16-1 Officers and employees in general

**Cross References:** \*1120 Board of education meetings  
\*9020 Public statements  
\*9121 Election and duties of the president  
\*9130 Committees  
\*9322 Public and executive sessions

ELECTION AND DUTIES OF PRESIDENT

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

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

ELECTION AND DUTIES OF PRESIDENT (continued)

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

Date: November 13, 1986  
 Revised: June 25, 2009  
 First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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

DUTIES OF VICE PRESIDENT

The vice president shall perform all duties of the president in his/her absence and perform such other duties as may be designated to him/her-

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

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Legal References:** N.J.S.A. 18A:12-3 et seq. Removal of members  
N.J.S.A. 18A:36A-1 et seq. Charter School Program Act of 1995  
N.J.A.C. 6A:11-1 et seq. Charter School Administrative Code

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

BUSINESS ADMINISTRATOR/BOARD SECRETARY

The Elizabeth Public Schools operates under the unit control system, wherein the school business administrator/board secretary reports to the chief school administrator on all operational matters and to the board when required by law.

The school business administrator/board secretary shall be bonded for not less than the law requires. The board shall pay the expense of the bond.

Date: November 13, 1986  
Revised: August 10, 1989  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:4-14	Uniform system of bookkeeping for all school districts
	<u>N.J.S.A.</u> 18A:6-7.1 through -7-5	Criminal history record; employee in regular contact with students; grounds for disqualification from employment, exception
	<u>N.J.S.A.</u> 18A:7 <i>et seq.</i>	Executive county superintendents
	<u>N.J.S.A.</u> 18A:7F	Comprehensive Educational Improvement and Financing Act
	<u>N.J.S.A.</u> 18:A7G	Educational Facilities construction and financing Act
	<u>N.J.S.A.</u> 18A:12	School Ethics Act
	<u>N.J.S.A.</u> 18A:16-1	Officers and Employees in general
	<u>N.J.S.A.</u> 18A:16-2	Physical examinations: requirement
	<u>N.J.S.A.</u> 18A:17-1	Removal, etc. of secretaries, assistant secretaries, school business administrators and business managers during terms of office
	<u>N.J.S.A.</u> 18A:17-2	Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees
	<u>N.J.S.A.</u> 18A:17-5	Appointment of secretary; terms ; compensation; vacancy;
	<u>N.J.S.A.</u> 18A:17-6	Bond of Secretary
	<u>N.J.S.A.</u> 18A:17-7	Secretary to give notices, keep minutes, etc.
	<u>N.J.S.A.</u> 18A:17-8	Secretary; collection of tuition and auditing of accounts
	<u>N.J.S.A.</u> 18A:17-9	Secretary; report of appropriations, etc.
	<u>N.J.S.A.</u> 18A:17-10	Secretary; annual report
	<u>N.J.S.A.</u> 18A:17-11	Secretary; taking oaths
	<u>N.J.S.A.</u> 18A:17-12	Secretary; annual financial report to the commissioner
	<u>N.J.S.A.</u> 18A:17-12.1,	Secretary; retirement of pension amount

BUSINESS ADMINISTRATOR/BOARD SECRETARY (continued)

12.2	
<u>N.J.S.A.</u> 18A:17-13	Assistant and acting secretaries, appointment, powers and duties
<u>N.J.S.A.</u> 18A:17-14	Clerks in the Secretaries office
<u>N.J.S.A.</u> 18A:17-14.1	Appointment of school business administrator
<u>N.J.S.A.</u> 18A:17-14.2	Qualifications
<u>N.J.S.A.</u> 18A:17-14.3	Secretary or business manager appointed school administrator; tenure
<u>N.J.S.A.</u> 18A:17-24.1 through -24.9	Superintendents and school business administrators shared by two or more school districts, approval
<u>N.J.S.A.</u> 18A:18A	Public School contract Law
<u>N.J.S.A.</u> 18A:19	Expenditures of funds; Audited payment of claims
<u>N.J.S.A.</u> 18A:21	Capital projects
<u>N.J.S.A.</u> 18A:22	Budget and Appropriations
<u>N.J.S.A.</u> 18A:23-4	Preparation and distribution of synopsis or summary
<u>N.J.S.A.</u> 18A:28-5	Tenure of teaching staff members
<u>N.J.S.A.</u> 18A:-30.5	Payment for accumulated sick leave
<u>N.J.S.A.</u> 18A:30-9	Payment for accumulated vacation leave
<u>N.J.S.A.</u> 18A:33	Facilities in general
<u>N.J.S.A.</u> 18A:39	Transportation to and from schools
<u>N.J.S.A.</u> 19:60	School election
<u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u>	NJ Worker and Community Right to Know Act
<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for equality and equity in education
<u>N.J.A.C.</u> 6A:9	Professional standards
<u>See particularly</u>	
<u>N.J.A.C.</u> 6A:9-3.4	Professional standards for teachers and school leaders
<u>N.J.A.C.</u> 6A:9B-11.3	Authorization
<u>N.J.A.C.</u> 6A:9B-11.7	School business administrator
<u>N.J.A.C.</u> 6A:9B-13	Acting administrators
<u>N.J.A.C.</u> 6A:9C-s.1 <u>et seq.</u>	Required professional development for school leaders
<u>N.J.A.C.</u> 6A:16-1.3 and 3.1 grounds	Prohibition of substance smoking and tobacco use on school grounds
<u>N.J.A.C.</u> 6A:23A	Fiscal Accountability, efficiency and budgeting procedures
<u>N.J.A.C.</u> 6A:23A-3.1	Review of contracts for superintendents, assistant superintendents and business administrators
<u>N.J.A.C.</u> 6A:24	Urban education reforms in Abbot districts
<u>N.J.A.C.</u> 6A:25	Qualified zone academy bonds
<u>N.J.A.C.</u> 6A:26	Educational facilities
<u>N.J.A.C.</u> 6A:27	Student Transportation
<u>N.J.A.C.</u> 6A:28	School operations
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the performance of school districts
<u>N.J.A.C.</u> 6A:32-4.4	Evaluation of tenured teaching staff
<u>N.J.A.C.</u> 6A:32-4.5	Evaluation of non-tenured teaching staff
<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School employees physical exams
<u>N.J.A.C.</u> 8:59-11.1 <u>et seq.</u>	NJ Worker and Community Right to Know Act
<u>N.J.A.C.</u> 12:100-4.2	Safety and health standards for public employees occupational exposure to bloodborne pathogens

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

Blood –borne Pathogens Standard 29 CFR 1910 1030

BUSINESS ADMINISTRATOR/BOARD SECRETARY (continued)

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



BOARD ATTORNEY

The board attorney shall be the legal adviser of the Board and its officers in questions related to their official duties. Only the board president, chief school administrator or school business administrator/board secretary shall authorize consultation.

The attorney shall:

- A. Represent the Board in legal proceedings;
- B. Give a written opinion on all legal questions referred by the Board President, the chief school administrator or the school business administrator/board secretary including matters of contract;
- C. Attend board meetings, conferences and other meetings as requested by the board president;
- D. Fulfill such other legal duties as the board may assign.

The attorney shall serve for a fixed period of time and shall receive such compensation as the board shall determine.

Should the board of education desire or require additional services of the attorney, it shall first determine if such services will be compensated for by the annual fee previously agreed upon or the amount of additional charges to be paid for the additional services.

Controlling Costs of Legal Services

The district shall minimize the cost of legal services by establishing in the budget a maximum annual amount for such services. The board shall be notified if it becomes necessary to exceed the maximum appropriated for legal services and, upon notification, may adopt an increase in the amount through formal board action.

The board attorney shall be appointed at the annual organization meeting by a majority of those present and voting.

The board president and the chief school administrator may contact the attorney on board and district issues. The business administrator/board secretary and/or the child study team supervisor may contact the attorney with the chief school administrator's permission and, when doing so, must adhere to all the requirements of this policy and regulation. The board retains the right to limit contacts at any time and/or to limit the discretion of the board president.

Procedures shall be established to:

BOARD ATTORNEY (continued)

- A. Ensure the prudent use of legal services (see board policy 3327 Relations with Vendors);
- B. Avoid the use of legal services for management decisions or for readily available information contained in district materials;
- C. Track the use of legal services.

Contracts for legal services shall conform to New Jersey statutes. Payment requirements and restrictions shall:

- A. Prohibit advance payments;
- B. Require that services provided be described in detail in the contract;
- C. Require that invoices for payment itemize the services provided for that billing period;
- D. Require that payment only be for services actually provided.

The board shall have the business administrator/board secretary make every effort to negotiate board insurance contracts that allow the district board attorney to represent the board in legal disputes covered by district insurance.

Nothing herein shall preclude the board of education from employing other attorneys.

Date: November 13, 1986  
 Revised: June 25, 2009  
 First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

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

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

AUDITOR

The Elizabeth Board of Education, at its annual organizational meeting, shall appoint an auditor qualified as a public school accountant in New Jersey. His/her appointment shall be on an annual basis for the ensuing year. Compensation for services rendered to the board must be approved a majority vote of the board.

The auditor shall be appointed to make an annual audit of the district's accounts and financial transactions. Such audit shall be completed for the preceding fiscal year to the date established by law.

The auditor's report, together with his/her recommendations, shall be reviewed by the board at a public meeting within 30 days of receipt, and shall, by the date established by law, be filed by the auditor with the commissioner of education.

The auditor's main duties shall be to make an annual audit and act as a consultant to the board on financial matters. As additional duties, the auditor may also:

- A. 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 the New Jersey Department of Education rules of audit (N.J.S.A. 18A: 23-2);
- B. File a report of the annual audit and recommendations with the board, and file two copies with the New Jersey Commissioner of Education (N.J.S.A. 18A: 23-3);
- C. Make a public report to the board concerning the audit;
- D. Recommend in writing such measures as the public school accountant deems advisable to improve the financial operations of the board and the business office;
- E. Be accessible for consultation with the superintendent and school business administrator/board secretary concerning fiscal matters.

Each annual audit shall include an audit of the books, accounts and moneys, and a verification of all cash and bank balances of the board of education and of any officer or employee, as well as moneys derived from athletic events and student activities, for the previous fiscal year ended June 30.

APPOINTMENT OF AUDITOR (continued)

The audit report shall be filed by the public school accountant, with his/her recommendations, with the board of education, and thereafter filed within five (5) days two (2) certified duplicate copies with the commissioner of education.

The school business administrator/board secretary shall prepare or have prepared a summary/synopsis of the annual audit and any recommendations prior to the meeting with the board of education. Copies of said summary/synopsis shall be made available for distribution to any interested parties.

Date: November 13, 1986  
 Revised: June 25, 2009  
 First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A: 4-14	Uniform system of bookkeeping for all school districts
	<u>N.J.S.A.</u> 18A:23-1	Audit, when and how made
	<u>N.J.S.A.</u> 18A:23-2	Scope of audit
	<u>N.J.S.A.</u> 18A:23-3	Filing of recommendations; publication
	<u>N.J.S.A.</u> 18A:23-7	Report signed by auditor
	<u>N.J.S.A.</u> 18A:23-8	Audit made by licensed public school accountant
	<u>N.J.S.A.</u> 18A:23-9	Declaration of accountant
	<u>N.J.A.C.</u> 6A:23A-16.1 through -16.3	Double entry bookkeeping and GAAP accounting in local school districts
	<u>N.J.A.C.</u> 6A:23-4.4	Bookkeeping and accounting

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

COMMITTEES

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

Standing Committees

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

- A. The committee shall be established through action of the board;
- B. The committee chairperson and members shall be appointed by the board president;
- C. The committee shall be provided with a list of its functions and duties;
- D. The committee may make recommendations for board action, but it may not act for the board;
- E. The board president and chief school administrator shall be ex officio members of all standing committees;
- F. All standing committees shall be dissolved at the end of the board's year – at the annual organizational meeting. They may be dissolved at any time by a motion of the board.
- G. The committee schedule dates shall be established by the chairperson in consultation with the chief school administrator.
- H. When a board member cannot attend a scheduled meeting, a replacement may be appointed for that meeting by the board president.

The following standing committees shall be established:

- A. Committee on Finance and Accounting;
- B. Committee on Educational Management;
- C. Committee on School Properties;
- D. Committee on Legal Matters.

COMMITTEES (continued)Special Committees

The board may from time to time establish special committees for the purpose of bringing policy or other recommendations to the board. The board president shall appoint the chair and members. The board secretary shall be the secretary for all special committees. For all special committees, the board must approve a list of its functions, start and end dates. The board may also request staff support from the chief school administrator. 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.

Date: November 13, 1986  
 Revised: January 15, 2009  
 First Reading: December 22, 2008  
 Second Reading: January 15, 2009  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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

**Regulation**

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COMMITTEES

Committee on Finance and Accounting

This committee shall provide management oversight for matters pertaining to:

- A. Fiscal oversight of all major components of the district's financial system;
- B. Budget preparation, submission and monitoring;
- C. External Audit of the district's financial statement;
- D. Financial examinations performed by Federal and State departments.

The function of the committee shall be fact finding, deliberative and advisory but not administrative. The committee assists the board in fulfilling its oversight responsibility. The committee may only make recommendations to the board and has no authority to act on behalf of the board as a whole.  
Committee on

Educational Management

This committee shall provide management oversight for matters pertaining to:

- A. Community relations;
- B. Educational administration;
- C. Business and non-instructional operations;
- D. Instruction and school support personnel;
- E. Students;
- F. Instruction.

The function of the committee shall be fact finding, deliberative and advisory but not administrative. The committee assists the board in fulfilling its oversight responsibility. The committee may only make recommendations to the board and has no authority to act on behalf of the board as a whole.

Committee on School Properties

COMMITTEES (regulation continued)

This committee shall provide management oversight for all matters pertaining to Land, buildings and plant equipment.

The function of the committee shall be fact finding, deliberative and advisory but not administrative. The committee assists the board in fulfilling its oversight responsibility. The committee may only make recommendations to the board and has no authority to act on behalf of the board as a whole.

Committee on Legal Matters

This committee shall provide management oversight for all issues pertaining to:

- A. Legal matters in connection with litigation and related matters;
- B. Recommend selection, appointment and assignment of special counsel.

The function of the committee shall be fact finding, deliberative and advisory but not administrative. The committee assists the board in fulfilling its oversight responsibility. The committee may only make recommendations to the board and has no authority to act on behalf of the board as a whole

Date:	November 13, 1986
Revised:	January 15, 2009
First Reading:	December 22, 2008
Second Reading:	January 15, 2009
NJSBA Review/Update:	December 2018
<b>Readopted:</b>	June 13, 2019



CONTRACTS WITH INDEPENDENT CONSULTANTS

The Elizabeth Board of Education may engage the services of one or more independent contractors to advise and assist the board in analyzing school district operations and preparing board reports when those tasks cannot be performed as economically by district staff members.

Wherever possible, the board will seek proposals from at least three sources before a contract with an independent consultant is entered. The board will not contract with a board member or the spouse, child, parents/guardians, or sibling, in fact or in law, of a board member as an independent consultant.

The board will engage the services of an independent consultant only by written contract, which must specify the work to be accomplished by the consultant, the time within which the work is to be completed, and the fee that will be paid the consultant. An independent consultant engaged by the board is neither agent nor employee of the board and may represent the board only as expressly authorized to do so in writing.

An independent consultant may have access to such school facilities and school district employees as may be reasonably required in the performance of the consultant's contract with the board. Except as expressly permitted by the contract, any communication between the consultant and a district employee or community member regarding the work of the contract must be conducted through the board or a designated school official.

Materials and reports generated and created by the independent consultant in the performance of his/her contract with the board are and will remain the property of the board and are subject to board policy 3570 District Records and Reports.

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Possible**

<b><u>Cross References:</u></b> *1250	Visitors
1313	Gifts to district employees
*1330	Use of school facilities
*2224	Nondiscrimination/affirmative action
*3320	Purchasing procedures
*3327	Relations with vendors

\*4112.8/4212.8  
\*4119.21/4219.21  
\*9270

Nepotism  
Conflict of interest  
Conflict of interest

ORIENTATION AND TRAINING OF BOARD MEMBERS

Orientation of New Board Members

The chief school administrator 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; 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.

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)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.

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

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

Date:	December 18, 2002
Revised:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
Revised:	June 30, 2011
First Reading:	June 9, 2011
Second Reading:	June 30, 2011
NJSBA Review/Update:	December 29, 2018
<b>Readopted:</b>	June 13, 2019

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:6-45 through -50	New Jersey School Boards Association established ...
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:12-21 <i>et. seq.</i>	<u>School Ethics Act</u>
	<u>N.J.S.A.</u> 18A:12-24.1	Code of Ethics for School Board Members
	<u>N.J.S.A.</u> 18A:12-33	Training program for new board members
	<u>N.J.S.A.</u> 18A:17-20.3	Evaluation of superintendents; school board training program
	<u>N.J.S.A.</u> 18A:37-13	Anti-Bullying Bill of Rights Act
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.A.C.</u> 6A:10-8.1 <i>et seq.</i>	Evaluation of the chief school administrator
	<u>N.J.A.C.</u> 6A:28-1.2	Definitions
	<u>N.J.A.C.</u> 6A:28-1.6	Order to show cause
	<u>N.J.A.C.</u> 6A:28-4.1	Board member training
	<u>N.J.A.C.</u> 6A:32-3.2	Requirements for the Code of Ethics for school board

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

members and charter school board of trustee members

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

### 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

EXPENSES (continued)

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;
- 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,

EXPENSES (continued)

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.

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



EXPENSES (continued)

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;
  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

EXPENSES (continued)

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, or Hotwire.

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.

Date: November 13, 1986  
Revised: June 25, 2009

EXPENSES (continued)

First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 Revised: July 21, 2016  
 First Reading: June 16, 2016  
 Second Reading: July 21, 2016  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:2-1 <u>N.J.S.A.</u> 18A:4-23 and 24 <u>N.J.S.A.</u> 18A:11-1 <u>N.J.S.A.</u> 18A: 11-12  <u>N.J.S.A.</u> 18A:12-4 <u>N.J.S.A.</u> 18A:12-24 and 24.1 <u>N.J.S.A.</u> 18A:54-20 <u>N.J.S.A.</u> 18A:55-3 <u>N.J.S.A.</u> 6A:23A-5.9 <u>N.J.S.A.</u> 6A:23A-7.1 <u>et seq.</u>	Power to effectuate action Supervision of schools; enforcement of rules Determining efficiency of schools; report to state board General mandatory powers and duties Travel and expenditures; definitions; policies and procedures; application to charter schools Compensation of members <u>School Ethics Act</u> (conflict of interest) Code of Ethics Powers of board (county vocational schools) School districts, conditions for receipt of State aid. Out of state and high cost travel Travel policies and procedures
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See also: In the Matter of Anthony Esgro, Luis Perez, Clifford Meeks and Frank Speziali,  
 Glassboro Board of Education, CO7-97, March 30, 1998

**Possible**

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

CONFLICT OF INTEREST

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

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.

For the purpose of this policy “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 have an interest directly or indirectly in any contract with or claim against the board;
- C. No board member shall serve as mayor or as a member of the municipal or county level governing body of the district;
- D. Board members shall be in compliance with policy 4112.8/4212.8 Nepotism.

Prohibited Actions

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

- A. Have an interest nor shall his/her immediate family have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;
- B. Use or attempt to use his/her official position to secure unwarranted privileges, advantages or employment for himself/herself, members of his/her immediate family or others;

CONFLICT OF INTEREST (continued)

- C. Act in his official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair his/her objectivity or independence of judgment. No school official shall act in his/her official capacity in any matter where he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family;
- D. Undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his/her independence of judgment in the exercise of his/her official duties;
- E. Solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him/her, directly or indirectly, in the discharge of his/her official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the school official has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the school official in the discharge of his/her official duties, nor shall a member of his/her immediate family, or business organization in which he/she has an interest;
- F. Use, or allow to be used, his/her public office or employment, or any information, not generally available to the members of the public, which he/she receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his/her immediate family, or any business organization with which he is associated;
- G. Represent any person or party other than the school board or school district in connection with any cause, proceeding, application or other matter pending before the school district in which he/she serves or in any proceeding involving the school district in which he/she serves or, for officers or employees of the New Jersey School Boards Association, any school district. This provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities, nor shall a business organization in which he/she has an interest;
- H. Be deemed in conflict with these provisions if, by reason of his/her participation in any matter required to be voted upon, no material or monetary gain accrues to him/her as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of that business, profession, occupation or group;
- I. Be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the member or a member of his immediate family, whether directly or indirectly, in return therefor; and
- J. Nothing shall prohibit any board member, or members of his/her immediate family, from representing himself/herself, or themselves, in negotiations or proceedings concerning his, or their, own interests.

Date: November 13, 1986

CONFLICT OF INTEREST (continued)

Revised: June 25, 2009  
 First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 Revised: March 15, 2012  
 First Reading: February 16, 2012  
 Second Reading: March 15, 2012  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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

CONFLICT OF INTEREST (continued)

School Ethics Commission, Advisory Opinion, A14-00

**Possible**

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

CODE OF ETHICS

The members of the board of education recognize that they hold authority not as individuals but as members of the board. In order to make a clear public statement of its philosophy of service to the 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 chief school administrator;
- K. I will support and protect school personnel in proper performance of their duties;



CODE OF ETHICS (continued)

L. I will refer all complaints to the chief school administrator and will act on such complaints at public meetings only after failure of an administrative solution.

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

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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:** \*4112.8/4212.8 Nepotism  
\*9270 Conflict of interest

FORMULATION, ADOPTION, AMENDMENT OF POLICIES

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

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

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

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

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

Continuing Review of Board Policies

The passage of time and changing circumstances may alter the community's point of view. Changes in the law may alter what is allowable or what is required.

FORMULATION, ADOPTION, AMENDMENT OF POLICIES (continued)

Therefore:

- A. The board directs the policy coordinator to develop procedures for continuous orderly review of the policies in the board governance manual during the time provided for "policy" on the agenda of the regular board meeting. Any necessary revisions shall be made in conformity with this bylaw.
- B. When changes in law occur, an immediate review of existing policy will be made. If required policy is lacking, its development shall become the most immediate policy consideration. If the terms of existing policy are not affected by changes in the law, and the policy still reflects the intent of the board in the matter, then notation shall be made of the review.
- C. The board directs the chief school administrator to review the rules and regulations implementing any amended or altered policy to ensure that they conform to the intent of the policy as amended or changed.

Date: November 13, 1986  
 Revised: June 25, 2009  
 First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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)  
N.J.S.A. 15:3-2.1 Records retention

New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS), School District Records Retention and Disposition Schedule

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

FORMULATION, ADOPTION, AMENDMENT OF POLICIES (continued)

- \*9314 Suspension of policies, bylaws and regulations
- \*9322 Public and executive sessions
- \*9323/9324 Agenda preparation/advance delivery of meeting material

**Regulation**

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ANNUAL ADOPTION OF BOARD GOALS  
AND DEVELOPMENT OF DISTRICT/BOARD WORKPLAN AND CALENDAR

On an annual basis the Board will determine and adopt by resolution Board goals for the subsequent school year inclusive of implementation of priority policies to be monitored. In order to ensure that the goals are progressing in a manner that meets the intention of the Board, the Chief School Administrator is directed to develop a District/Board Work Plan and Calendar in collaboration with the Board that allows for the evaluation of the Board's progress towards achievement of its annually adopted goals.

In cooperation with the Board, the District/Board Work Plan and Calendar shall include a timeline calendar for the monitoring of the adopted Board goals as well as quantitative or qualitative metrics for judging progress towards the goals. The monitoring may occur on a quarterly, semi-annual, or annual basis. The intent of the monitoring is to surface the success, challenges and future steps of all adopted Board goals.

Date:	<b>February 20, 2020</b>
First Reading:	January 16, 2020
Second Reading:	February 20, 2020

**Bylaw**

FORMULATION, ADOPTION, AMENDMENT OF BYLAWS

The Elizabeth 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.

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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

FORMULATION, ADOPTION, AMENDMENT OF ADMINISTRATIVE REGULATIONS

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

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

In the development of rules, regulations, and procedures for the operation of the school system, the chief school administrator 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 chief school administrator recommends board adoption. The board reserves the right to review and cause revisions of administrative regulations should they, in the board's judgment, be inconsistent with the policies adopted by the board.

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Legal References:** N.J.S.A. 18A: 11-1 General mandatory powers and duties  
N.J.S.A. 18A:17-20 Superintendent; general powers and duties  
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)  
N.J.A.C. 6A:10-1.2 Definitions (chief school administrator and administrative principal)  
N.J.A.C. 6A:10-8.1 et seq. Evaluation of the chief school administrator

**Possible**

**Cross References:** \*2131 Chief school administrator  
\*2210 Administrative leeway in absence of board policy  
\*9130 Committees  
\*9311 Formulation, adoption, amendment of policies  
\*9312 Formulation, adoption, amendment of bylaws

- \*9314 Suspension of policies, bylaws and regulations
- \*9323/9324 Agenda preparation/advance delivery of meeting material



**Bylaw**

SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS

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

Therefore:

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

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

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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)

SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS (continued)

N.J.A.C. 6A:10-8.1 et seq. Evaluation of the chief school administrator  
N.J.A.C. 6A:32-2.1 Definitions (chief school administrator and administrative principal)

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

**Possible**

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

TIME, PLACE, NOTIFICATION OF MEETINGS

Regular meetings of the Elizabeth 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
- 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

TIME, PLACE, NOTIFICATION OF MEETINGS (continued)

meeting was provided and must specify the time, place and manner in which the notice was provided.

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

- A. The nature of the matter of urgency or importance for which the meeting without adequate notice was called; and
- B. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting; and
- C. That the meeting will be limited to discussion of and action on such matters of urgency and importance;
- 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

TIME, PLACE, NOTIFICATION OF MEETINGS (continued)

adjourn was acted upon.

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Legal References:** N.J.S.A. 10:4-6 et seq. Open Public Meetings Act  
N.J.S.A. 10:4-9.1 Electronic notice of meeting of public body; terms defined  
N.J.S.A. 18A:10-3 First regular meeting of board  
N.J.S.A. 18A:10-4 Secretary to give notice of meeting  
N.J.S.A. 18A:10-5 Organization meeting as business meeting  
N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement;  
adjournment, etc., for lack of quorum  
N.J.A.C. 6A:32-3.1 Special meetings of district boards of education

**Possible**

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

PUBLIC AND EXECUTIVE SESSIONS

The Elizabeth 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

PUBLIC AND EXECUTIVE SESSIONS (continued)

civil penalty or loss of license to an individual.

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

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

When public employees make statements pursuant to their official duties: in the classroom, at board meetings, and at other meetings related to educational issues affecting the district, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline (Garcetti v. Ceballos).

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

Public Participation

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

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

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

Grievances or complaints that have not previously been considered through administrative channels shall not be 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 and ethics as other forms

PUBLIC AND EXECUTIVE SESSIONS (continued)

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 chief school administrator immediately.

Electronic “Surveying” Communications

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

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

- A. The board shall maintain and provide access to all electronic communications pursuant to the New Jersey Open Public Records Act;
- B. Surveying is a type of electronic messaging communication, and shall conform to the same standards of judgment, propriety and ethics as other forms of board-related communications (committee meetings, telephone calls, etc.);
- C. Board members shall not use surveys, email or any other electronic messaging service as a substitute for deliberations at board meetings. The Open Public Meetings Act defines a



PUBLIC AND EXECUTIVE SESSIONS (continued)

“meeting” as any gathering, whether corporeal or by means of communication equipment, attended by or open to all of the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body;

- D. Surveying will not be used for topics referring to confidential information about employees, students or others in email communications because of the risk or improper disclosure; and
- E. The district will avoid the appearance of conducting board discussion or actions, in which opinions are exchanged among a quorum of board members through repeated survey questions and answers, outside an open public meeting.

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

Date: November 13, 1986  
 Revised: May 22, 1997  
 Second Revision: January 15, 2009  
 First Reading: December 22, 2008  
 Second Reading: January 15, 2009  
 NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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:30-1.1 et seq. Evaluation of the performance of school districts

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

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

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

**Possible**

**Cross References:** \*1120 Board of education meetings  
 \*3570 District records and reports  
 \*6142.10 Technology  
 \*9121 Election and duties of president  
 \*9271 Code of ethics

PUBLIC AND EXECUTIVE SESSIONS (continued)

\*9323/9324 Agenda preparation/advance delivery of meeting material  
\*9326 Minutes

**Regulation**

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PUBLIC AND EXECUTIVE SESSION

Public Participation

The Elizabeth 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 provide a period for public comment at every public meeting. Public participation shall be permitted at the discretion of the presiding officer.

Additionally, as a general statement of protocol, though the comments by members of the public to the board of Education are welcomed, individuals should attempt to resolve problems and/or complaints through initial contact with appropriate staff or administrators. Such matters should only be brought to the board after all avenues within a chain of command have been exhausted.

The presiding officer of each board meeting shall administer the rules of the board for its conduct. Public participation shall be governed by the following rules:

- A. Public participation shall be permitted only as indicated in the order of business on the agenda;
- B. Participants for the public portion must personally sign in prior to the start of the board meeting so that they may have the opportunity to speak. The sign in sheet states the name, address, telephone number and reason that the person wants to comment, whether it is an agenda item or a general education comment. During the public portion of the meeting, the presiding officer will call up each individual to the microphone allowing them the opportunity to comment. The presiding officer will call up each individual in the order that they were signed in;
- C. Participants may address the board for a total of three (3) minutes. The presiding officer shall limit the total time of public participation to sixty (60) minutes. No individual is able to yield their time to another individual;
- D. All statements shall be directed to the presiding officer; no participant may address or question Board members individually;
- E. The following rules for public participation shall apply:
  - 1. Time limits will be strictly enforced;
  - 2. No personal attacks on individuals;
  - 3. No vulgar or indecent language;
  - 4. A person may address the board no more than once during a single meeting;
  - 5. A speaker should refrain from naming individuals;
  - 6. Questions posed during public participation will not be debated.

ORGANIZATION (continued)

- F. The presiding officer or designee shall determine whether a person addressing the board has attempted to solve a matter administratively through resolution channels established by policy. If not, the person shall be referred to the appropriate administrator;
- G. Signs or placards brought to a board meeting shall not block the view of those attending the meeting and shall only be allowed behind the last row of seats and/or against the side walls of the meeting room;
- H. The presiding officer may:
1. Interrupt, warn, or terminate a participant's statement when the statement is too lengthy, abusive, obscene, or irrelevant;
  2. Request any individual to leave the meeting when that person does not observe reasonable decorum;
  3. Request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
  4. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; and
  5. Waive these rules when necessary for the protection of privacy or the efficient administration of the board's business.

Date:	November 13, 1986
Revised:	January 15, 2009
First Reading:	December 22, 2008
Second Reading:	January 15, 2009
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019
Revised:	<b>December 16, 2021</b>
First Reading:	November 23, 2021
Second Reading:	December 16, 2021

ORGANIZATION MEETING

The annual meeting of the Elizabeth Board of Education for organization shall be held on the date set by law, unless the same shall fall on Sunday, or a legal holiday, in which case the meetings shall be held on the next business day, at the usual time and place of the meeting of the board.

The meeting shall be called to order at an appointed hour, not later than 8:00 p.m., by the school business administrator/board secretary, or in his/her absence by a secretary pro tempore. He/she shall call the roll of holdover and newly elected members who shall have qualified. On ascertaining that a majority of members are present and qualified, the school business administrator/board secretary will call for the election of a president.

The annual organization meeting shall constitute a regular meeting of the board for the transaction of all business. It shall be the duty of the school business administrator/board secretary to give due notice of this meeting accordingly.

Date: November 13, 1986  
Revised: August 10, 1989  
Second Revision: January 15, 2009  
First Reading: December 22, 2008  
Second Reading: January 15, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Legal References:** N.J.S.A. 18A:10-3 Annual organization  
N.J.S.A. 18A:10-5 Organization meeting as business meeting  
N.J.S.A. 41:1-1 Oath of allegiance; form  
N.J.S.A. 41:1-3 Oath of allegiance; persons required to take; form

**Possible**

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

AGENDA PREPARATION/ADVANCE DELIVERY OF MEETING MATERIAL

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

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

Date: November 13, 1986  
Revised: January 15, 2009  
First Reading: December 22, 2008  
Second Reading: January 15, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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

## MEETING PROCEDURES

### Quorum

Five (5) members present at a meeting of the board shall constitute a quorum. In the event a quorum is not present at the time of convening, the hour of convening may be postponed until 9:00 P.M. by a majority of those present. If a quorum is not present, a simple motion by those present may adjourn the meeting until a later date within seven days. Public announcement of the time and date to which the meeting is adjourned shall be made at the time of the adjournment or recess. No further recess or adjournment shall be made. Adequate notice of the time, date and place of the adjourned meeting must be given pursuant to the requirements of the Open Public Meetings Act.

### Doctrine of Necessity

When a quorum of the board has conflicted interests, the doctrine of necessity may be invoked in order to allow conflicted board members to participate in the negotiation process and vote. The doctrine of necessity may be invoked for the negotiation team or superintendent search committee only when the board of education has fewer non-conflicted board members than are required, pursuant to statute, to take action. The board shall only invoke the doctrine of necessity after consultation with the board attorney. When invoking the doctrine of necessity the board shall state publically that it is invoking the doctrine of necessity with the reasons for doing so and the specific nature of the conflicts of interest. The board shall read the resolution invoking the doctrine of necessity at a regularly scheduled public meeting, post the notice of the resolution for 30 days and provide the School Ethics Commission with a copy of the resolution.

### Parliamentary Authority

Robert's Rules of Order, Newly Revised, shall govern the Elizabeth 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.

MEETING PROCEDURES (continued)

Agenda

In general the order of business shall be:

- A. Roll call;
- B. Pledge of Allegiance;
- C. Pledge of Ethics;
- D. Core beliefs and commitments;
- E. Recognitions;
- F. Public comment;
- G. Motion for closed session;
- H. Approval of minutes;
- I. Reports of school business administrator/board secretary;
- J. Treasurer of school moneys;
- K. Personnel;
- L. Tuition;
- M. Chief school administrator's report;
- N. Authorizations;
- O. Finance and accounting;
- P. Reports award of contracts;
- Q. Miscellaneous;
- R. Communications;
- S. Presentation of claims;
- T. Resolutions,
- U. Public comment;



MEETING PROCEDURES (continued)

V. Old business

W. New Business

X. Motion to adjourn

Date: November 13, 1986  
Revised: January 15, 2009  
First Reading: December 22, 2008  
Second Reading: January 15, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Cross References:** \*1220 Ad hoc advisory committees  
\*9121 Election and duties of president  
\*9322 Public and executive sessions  
\*9325.4 Voting Method  
\*9326 Minutes

**Exhibit**

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MEETING PROCEDURES – ORDER OF BUSINESS

The regular order of business shall be as follows:

Time opened: \_\_\_\_\_

Presiding officer reads following statement:

“Ladies and Gentlemen, good evening. This is a regularly scheduled meeting of the Board of Education. Pursuant to New Jersey Statutes and the rules adopted by the Board of Education, notice of this meeting was sent to \_\_\_\_\_ (newspaper), \_\_\_\_\_ (newspaper), and \_\_\_\_\_ (television station) on \_\_\_\_\_ (date). In addition, this notice is posted on the Bulletin Board in the lobby of 500 North Broad Street, and pursuant to this act, a copy has been filed with the City Clerk of Elizabeth.”

“I wish to extend a warm welcome to everyone present and to our television viewers to this \_\_\_\_\_ (date) meeting of the Board of Education. We are here to govern, provide management oversight, and make policy for the district. The superintendent manages the district. This is a meeting of the Board in public, not a meeting of the public.

“This meeting is being recorded and will become part of the Elizabeth Board of Education permanent record. In order that the recording will adequately reflect the proceedings, please refrain from talking while others are speaking. I also ask that you silence the sound on your electronic devices. Since it is legally mandated that these proceedings be accurately recorded, I may have to ask for order periodically should noise begin to interfere with our recording capabilities. I am pleased that you have taken time this evening to join us. Thank you for your interest in the Elizabeth Public Schools.”

“There will be a public portion for citizens to address the Board. Participants for the public portion must personally sign in prior to the start of the meeting so that they may have the opportunity to speak. The sign-in sheet states the name, address, telephone number and reason that the person wants to comment, whether it is an agenda item or a general education comment.”

Roll Call

Pledge of Allegiance

Pledge of Ethics

Core Beliefs and Commitments

Recognitions

Public comment

MEETING PROCEDURES (exhibit continued)

“The President requests a motion to go into Private Session to consider matters exempt under the Open Public Meetings Act, specifically for \_\_\_\_\_. The Board will reconvene in public and may take formal action.”

Approval of Minutes  
 Reports of School Business Administrator/Board Secretary  
 Treasurer of School Moneys Personnel  
 Tuition  
 Superintendent’s Report  
 Authorizations  
 Finance and Accounting Reports  
 Award of Contracts  
 Miscellaneous  
 Communications  
 Presentation of Claims  
 Resolutions

Citizens may address the Board.

“At this time, the microphones are open for public comment to those who have signed in prior to this session. I shall call individuals to the microphone based on the order of the sign-in. Each statement made by a participant shall be limited to three minutes in duration. The total time of public comment shall be limited to 60 minutes. No individual is able to yield their time to another individual. All statements shall be directed to the presiding officer; no participant may address or question Board members individually. The following rules for public participation shall apply:

1. Time limits will be strictly enforced;
2. No personal attacks on individuals;
3. No vulgar or indecent language;
4. A person may address the board no more than once during a single meeting;
5. Speakers should refrain from naming individuals;
6. Comments or questions posed during public participation will not be debated.

As a reminder this is a meeting of the Board in public, not a meeting of the public.”

“At this time, I close the public comment portion of this meeting.”

Old Business  
 New Business  
 Motion to adjourn

Date: November 13, 1986  
 Revised: January 15, 2009  
 First Reading: December 22, 2008  
 Second Reading: January 15, 2009

MEETING PROCEDURES (exhibit continued)

NJSBA Review/Update: December 2018  
Readopted: June 13, 2019  
Revised: **December 16, 2021**  
First Reading: November 23, 2021  
Second Reading: December 16, 2021

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.

Date: November 13, 1986  
Revised: October 12, 1989  
Revised: January 15, 2009  
First Reading: December 22, 2008  
Second Reading: January 15, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

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

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;
- G. A record of all communications presented to the board; and
- H. A record of each motion placed before the board, the result of the vote, and the vote of each member.

A copy of the minutes of the previous meeting shall be sent to all board members along with agenda materials.

The minutes shall be filed permanently for reference purposes.

All reports requiring board action, resolutions, agreements and other written documents shall be placed in the files of the board secretary and/or the 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 (continued)

Minutes of all regular meetings shall be available to the public for inspection within two weeks of the meeting or by the next district board of education 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 students 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.

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 New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS) 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 (use of video camera, smart phone or any other device capable of 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.

Date: November 13, 1986

Revised: January 15, 2009



MINUTES (continued)

First Reading: December 22, 2008  
 Second Reading: January 15, 2009  
 Revised: November 15, 2012  
 First Reading: October 18, 2012  
 Second Reading: November 15, 2012  
 NJSBA Review/Update: December 2018, January 2019  
**Readopted:** June 13, 2019

**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

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

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

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

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

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

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

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

MINUTES (continued)

MEMBERSHIP IN ASSOCIATIONS

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

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

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

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

**Possible**

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

**MANAGEMENT OVERSIGHT**

The Elizabeth School Board is responsible for overseeing management of the school district's major systems, which include but are not limited to:

- Finance
- Human Resources
- Construction management / facilities maintenance
- Transportation
- Food Service
- Technology
- Security
- Teaching and Learning

The Board will hold the Superintendent accountable for the performance of these district systems. In exercising its oversight responsibilities, the Board will not interfere with the Superintendent's management of the district.

The Board will fulfill its management oversight responsibilities by:

- Overseeing the annual external financial audit process;
- Ensuring that the Superintendent acts on the auditors' recommendations;
- Reviewing the performance of all major management systems listed above at least annually, using metrics proposed by the Superintendent and approved by the Board; and
- Reviewing the integrity of all major management systems at least once every three (3) years (where integrity is defined as overall effectiveness, including structure, process, metrics, internal controls, etc.).

The Superintendent will be responsible for ensuring that all procedures, controls, checks and balances, and codes of ethics are in place and are being executed properly.

The Board, acting as a body, will require the Superintendent to provide data and other information necessary to document effective execution and results. The Board may also decide to call for external reviews of systems integrity and performance (e.g., from audit firms, task forces comprised of local experts or community members, etc.).

The Board will incorporate the results of its oversight reviews into the Superintendent's annual performance evaluation.

**Date:** **March 19, 2009**  
**First Reading:** February 19, 2009  
**Second Reading:** March 19, 2009  
**NJSBA Review/Update:** December 2018  
**Readopted:** June 13, 2019

**BOARD WORKSHOPS**

Workshops are defined as meetings of the board in a committee of the whole, posted for discussion but not action, for the purpose of receiving major presentations by the chief school administrator or his/her designees in order to educate the board and the public. Workshops may cover more than one issue but should not be scheduled for more than three (3) hours.

The board will hold workshops four (4) times a year, or more frequently as necessary, in order to review:

- A. The systems integrity and performance of major district management systems, for the purpose of exercising management oversight;
- B. The implementation or evaluation of major policies, for the purpose of exercising policy oversight;
- C. Major reform options;
- D. Major changes in district or school operations;
- E. Major changes in State or federal policy;
- F. Any other major issue facing the district.

The board, at its annual retreat, will schedule at least four workshops for the year. Additional workshops may be added, with a minimum of two (2) months advance notice. The board will make a good faith effort to provide the chief school administrator with as much clarity as possible on its expectations. The chief school administrator's presentation will normally be data rich, with visual presentation of data. Advance reading provided by the chief school administrator to board members will be delivered in a timely manner and reviewed thoroughly by board members prior to the workshop.

All workshop readings, materials and minutes will be preserved according to standards of professional records management.

Workshops will be conducted with the same attention to effectiveness, efficiency, and professionalism as regular business meetings.

Date: March 19, 2009

INTERSCHOLASTIC COMPETITION (regulation continued)

First Reading:	February 19, 2009
Second Reading:	March 19, 2009
NJSBA Review/Update:	December 2018
<b>Readopted:</b>	June 13, 2019

**Exhibit**

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BOARD WORKSHOPS

The Elizabeth School Board commits to review the integrity of district systems through regularly scheduled workshops or other formal processes. Integrity is defined as overall effectiveness, including structure, process, metrics, internal controls, etc.

<b>Year</b>	<b>Quarter</b>	<b>Workshop</b>
	1	Human Resources
	2	Food Services
	3	Security
	4	Technology

Date: March 19, 2009  
First Reading: February 19, 2009  
Second Reading: March 19, 2009  
Revised: May 10, 2012  
First Reading: April 19, 2012  
Second Reading: May 10, 2012  
Revised: February 22, 2018  
First Reading: January 18, 2018  
Second Reading: February 22, 2018  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

LEGISLATIVE PROGRAM

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

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**Possible**

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



BOARD SELF-EVALUATION

The members of the 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.

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

**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

**Exhibit: Board Self-Evaluation Form**

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BOARD SELF-EVALUATION

You and your board have recognized the importance of assessment and accountability by participating in a self-evaluation in compliance with NJQSAC (New Jersey Quality Single Accountability Continuum.) You are sending a clear signal to the community and staff about the importance of evaluation -- "you are practicing what you preach." This process will assist your board in its continuing commitment to focusing on and raising student achievement.

Instructions

Send your completed evaluation to your General Counsel for compilation and analysis.

Your General Counsel will meet with the board to share the strengths and areas of concern identified by the evaluation. This will assist your board, utilizing the results of this evaluation in developing the NJQSAC mandated board professional development improvement plan. This plan must be directed toward increasing your knowledge and skills in policymaking and board governance.

## Board Self-Evaluation: PART I

*(Adapted from Donald R. McAdams, President, Center for Reform of School Systems, Houston, TX)*

Please mark the most appropriate response (Not Present, Partly Present, or Fully Present) to each of the indicators.

INDICATOR	NOT PRESENT	PARTLY PRESENT	FULLY PRESENT
1. Board members view all children achieving at high levels as their primary objective and act accordingly.	Board members make excuses for poor performance and/or do not demonstrate a commitment to high standards for all students.	Board members may profess a commitment to high standards for all children but do not follow through consistently with action (e.g., policies, programs). Board lacks a sense of urgency about poor performance and the achievement gap.	Board members accept no excuses for poor performance and demonstrate a strong commitment to all children achieving at high levels. Board views the achievement gap with urgency and actively pursues policies, programs, and other actions to eliminate it.
<b><i>EVALUATE:</i></b>			
2. The Board has approved core beliefs and commitments to high achievement for all students and efficient and effective operations.	Board has not discussed or articulated core beliefs and commitments.	Board has discussed and perhaps formulated core beliefs and commitments but never formally adopted them.	Board has formulated core beliefs and commitments and formally adopted them. Board has communicated its core beliefs to staff and community.
<b><i>EVALUATE:</i></b>			
3. The board has clear philosophy of teaching and learning that provides an overarching strategy for achieving goals.	Board has no clear philosophy for teaching and learning reform and minimal understanding of current teaching and learning strategies underway in the district.	Board is somewhat knowledgeable about the district's philosophy for teaching and learning but lacks an explicit philosophy. There may be an implicit philosophy but it is incomplete or poorly aligned with district goals.	Board has, and can articulate, a clear philosophy for teaching and learning that is reasonably complete and well aligned with district goals and other reform strategies. Board is deeply knowledgeable about district reforms and initiatives.
<b><i>EVALUATE:</i></b>			
4. The board has adopted a comprehensive and	Board has not approved a comprehensive,	Board has adopted a district curriculum, but it is not well	Board has adopted a uniform district curriculum that is

aligned district curriculum and monitors disaggregated student performance data by grade and school.	aligned district curriculum. Curricular decisions are left to individual schools or teachers. Board has no formal way to monitor system or school progress. Data reviewed by the board are not disaggregated.	aligned with state standards and assessments. Board reviews data but disaggregation is limited.	aligned with state standards and assessments. Board regularly monitors system and school progress using disaggregated data
<b><i>EVALUATE:</i></b>			
<b>INDICATOR</b>	<b>NOT PRESENT</b>	<b>PARTLY PRESENT</b>	<b>FULLY PRESENT</b>
5. The Board is active in policy development and ensures that its reform policies are codified in policy.	Board spends most of its time dealing with operational issues or reacting to problems rather than developing and overseeing policies to help achieve district goals.	Board spends some time on policy development and oversight, but this is not its primary focus.	Board spends most of its time developing and overseeing the implementation of policies designed to achieve district goals.
<b><i>EVALUATE:</i></b>			
6. The board is diligent about monitoring the implementation of its policies to determine whether or not they are achieving their intended objectives.	Board does not have a formal process for monitoring the implementation of the policies it approves.	Board does not build in sufficient oversight mechanisms into its policies. Or, it relies too much on informal feedback rather than regular, formal reporting on policy implementation.	Board has strong mechanisms in place to monitor the implementation of the policies it approves. Board receives regular reports from the superintendent and staff that allow members to determine whether policies are having desired impact/results.
<b><i>EVALUATE:</i></b>			
7. The board makes decisions based on relevant research and data.	Board often makes decisions or policies without first analyzing data or considering relevant research.	Board sometimes makes decisions or policies without first analyzing data or considering relevant research.	Board, with superintendent, analyzes data and relevant research before making policies or decisions.
<b><i>EVALUATE:</i></b>			
8. Board agenda and business meetings are efficient and	Board agenda and business meetings are often long,	Board agenda and business meetings are sometimes long	Board agenda and business meetings are usually efficient and

effective and focus primarily on student achievement and other district priorities.	inefficient, chaotic, or disorganized. Board spends most of its time discussing non-academic, non-priority issues.	and/or not highly efficient. Board spends considerable time discussing academic and other priority issues, but too much time is wasted on secondary matters.	tightly run. Board spends the vast majority of its time discussing academic and priority issues.
<b>EVALUATE:</b>			
9. The board is fairly cohesive; not all votes are unanimous, but there are no “fixed factions.”	Board is fractured. Most decisions are made on split votes.	Board is not deeply divided, but neither is it cohesive. Decision and policies about student achievement and other priority issues are sometimes approved on split votes.	Board is cohesive and has a stable working majority. Decisions and policies about student achievement and other priority issues are usually supported by the full board.
<b>EVALUATE:</b>			
<b>INDICATOR</b>	<b>NOT PRESENT</b>	<b>PARTLY PRESENT</b>	<b>FULLY PRESENT</b>
10. Board members treat each other, the superintendent, staff, and members of the public with respect.	Board members clearly dislike and/or distrust each another, the superintendent, or staff; and this is made public during board meetings, in media comments, etc.	Some board members may dislike and/or distrust each other, the superintendent, or staff. Disagreements are sometimes aired publicly.	Board members respect each other, the superintendent, and staff, and relate in an honest and trustworthy manner. Conflicts are handled discreetly.
<b>EVALUATE:</b>			
11. The board maintains a close relationship of trust with the superintendent/CEO and strives to facilitate his or her success.	Board members often show a lack of support for the superintendent. Some board members actively undermine the superintendent. Disagreements or concerns are often voiced publicly rather than discreetly.	Most board members work well with the superintendent. But board members sometimes act in ways that undermine the superintendent.	Board actively supports the superintendent. Concerns are handled discreetly and constructively.

<b><i>EVALUATE:</i></b>			
12. The board ensures opportunities for the diverse range of views in the community to inform board deliberations and decisions.	Board does not seek input from the community to inform its deliberations and decisions.	Board sometimes seeks input from the community, but either does not do this consistently or does not appear to value or use the input they receive.	Board members meet regularly with community members and listen extensively to community needs.
<b><i>EVALUATE:</i></b>			
13. The board effectively communicates its goals, plans, and policies to the community to build public understanding and support.	Board does not communicate its goals, plans, or policies to the community. Public knowledge or board actions is limited to meetings and media coverage. When the board communicates about its actions publicly, it is often doing so in reaction to criticism.	Board sometimes uses it regular meetings (or area, sub-district, or town-hall type meetings) to inform the community about its goals, plans, or policies. But much of this communication is reactive rather than proactive, and public understanding of the board's work is limited.	Board proactively uses its meetings and a variety of other means (area meetings, newsletters, etc.) to communicate with the public and build support for its goals, plans, and policies. Board consistently strives to “shape the message”.
<b><i>EVALUATE:</i></b>			
14. Board members understand their role is to govern, not manage, and act in accordance with this understanding.	Most or all board members frequently cross the line between governance and management and involve themselves extensively in the day-to-day operation of the district.	Board generally respects the line between governance and management, but sometimes crosses over and becomes overly involved in management decisions.	Board consistently respects the line between governance and management and avoids interfering with the superintendent's management of the district.
<b><i>EVALUATE:</i></b>			
<b>INDICATOR</b>	<b>NOT PRESENT</b>	<b>PARTLY PRESENT</b>	<b>FULLY PRESENT</b>
15. Board members provide necessary constituent service without attempting to solve problems or otherwise cross the line into management.	Board members frequently try to solve constituent problems themselves or influence management decisions. Procedures for board to manage constituent	Board members generally avoid trying to solve constituent problems themselves or influence management decisions. Procedures for the board to manage constituent	Board has established effective protocols for handling constituent complaints and communicated these to the public. Board receives regular reports from administration providing analysis of

	complaints are not clearly articulated or agreed upon.	complaints work reasonably well and are used fairly consistently.	patterns of constituent complaints. This information is then used to improve system performance
<b><i>EVALUATE:</i></b>			
16. The board exercises its management oversight responsibilities through audits, workshops, reports, and other methods to assure the integrity and performance of the district's management systems.	Board does not exercise any management oversight and/or has become, in effect, part of the district's management.	Board exercises some management oversight from time to time, via questions or requests for information, but these efforts tend to be sporadic, reactive, or superficial.	Board has developed a systematic approach to management oversight that enables the board to periodically review all major business systems for integrity and performance (using reports, workshops, audits, reviews by external parties, or other methods) without crossing the line into management.
<b><i>EVALUATE:</i></b>			
17. The board adopts a fiscally responsible budget based on the district's vision and goals and regularly monitors the fiscal health of the district.	Board has abandoned its fiduciary responsibility. There are no regular budget updates or internal/external audit reviews.	Board and/or community has insufficient information to determine whether the district budget is fiscally responsible. Board exercises some oversight, but these efforts are not sufficient to provide confidence that the board is adequately monitoring the fiscal health of the district. Board seldom uses internal or external audits to review district finances.	Board adopts a fiscally responsible budget that is closely aligned with the district's vision and goals. Board regularly monitors the fiscal health of the district and integrity of its finances through internal and external audits and regular budget updates for revenue and expenditures based on budget-to-actual and 3-year projections.
<b><i>EVALUATE:</i></b>			
18. The board strives to provide adequate resources and allocate them equitably to meet the needs of all children in the district.	Board does not support efforts to allocate funds equitably or provide additional resources for low-performing/high needs schools.	Board has made some effort to allocate funds more equitably but is not willing to go far toward providing additional resources for low-performing/high-	Board is actively driving a policy agenda to allocate funds more equitably and provide additional resources for low performing/high-needs schools.

		needs schools.	
<b><i>EVALUATE:</i></b>			
<b>INDICATOR</b>	<b>NOT PRESENT</b>	<b>PARTLY PRESENT</b>	<b>FULLY PRESENT</b>
19. The board annually works with the superintendent to develop performance objectives for evaluation that are consistent with district goals and in compliance with district policy.	Board does not set annual measurable goals for the superintendent or district.	Board sets annual goals for the superintendent or district, but they are not closely linked; or, the goals are subjective and difficult to measure.	Board sets annual measurable goals for the superintendent and district and uses these to evaluate the superintendent.
<b><i>EVALUATE:</i></b>			
20. The Board annually evaluates its own effectiveness.	Board seldom or never evaluates its effectiveness or holds retreats to improve its effectiveness.	Board occasionally reflects on or informally evaluates its effectiveness, but it appears that the board is not highly motivated to improve itself or its governance.	Board annually reflects on, evaluates its effectiveness, and appears motivated to continuously improve itself and its governance.
<b><i>EVALUATE:</i></b>			

21. Comments: Where possible please reference specific questions.



Board Self –Evaluation: PART II  
CUSTOMIZED BOARD SURVEY QUESTIONS

Please mark the most appropriate response to each of the indicators around the current governance goals:

Indicators	Fully Accomplished	Partially Accomplished	Not at All
22. Did the Board monitor its 2017-18 governance goals			
22a. Reach consensus on a defined set of communications expectations.			
22b. Develop annual Board governance goals along with a structure and schedule (Work Plan).			
22c. Develop, update, and monitor policies/procedures in the following priority areas aligned with the Board’s adopted Core Beliefs and Commitments: Data Dashboard, Constituent Services, Promotion and Retention, Student Code of Conduct.			
22d. Learn and support the district’s Teaching and Learning agenda.			
22e. Participate in professional development through retreats and workshops.			
22f. Set annual calendar and complete and analyze a Board Self-Assessment			
22g. Provide increased opportunities for community engagement with the Board.			

Indicators	Fully Accomplished	Partially Accomplished	Not at All
23. Did the Board evaluate the General Counsel’s work performance?			
24. To what extent does the Board function with a high degree of trust among its members?			
25. Is the Board clear on implementation of plans and strategies for monitoring the Strategic Plan (Strategy Map)?			

<b>Indicators</b>	<b>Always</b>	<b>Frequently</b>	<b>Some of the Time</b>	<b>Never</b>
26.. When the Board provides direction to the superintendent, does it ensure that it is done collectively and not individually?				
27. Individual Board members issues and concerns are recognized and addressed by the full Board?				
28. Does the Board employ successful strategies to deal with conflicts regarding issues under consideration?				
29. Does the Board require systematic evaluation of and feedback on the instructional program (which includes the Program of Study, student supports, interventions, and enrichment programs)?				

Date: June 25, 2009  
 First Reading: June 11, 2009  
 Second Reading: June 25, 2009  
 Revised: June 21, 2018  
 First Reading: May 10, 2018  
 Second Reading: June 21, 2018  
**Readopted:** June 13, 2019

**Policy**

RECOGNITION OF EMPLOYEE RETIREMENT

The Elizabeth Board of Education will make public acknowledgement at a regular meeting of any extra-ordinary accomplishments of staff, pupils, or citizens in behalf of the school. The board will also acknowledge publicly the deaths of long-term or serving board members and employees and other public servants. Appropriate expressions of sympathy will be sent to district employees on the death of close relatives.

Further, the board will acknowledge contributions of community groups to the success of our school.

Staff Tributes

Tributes for school personnel in recognition of promotions, retirements, and other career milestones or personal accomplishments are frequently organized, by members of the staff.

These affairs are not given under the auspices of the board of education. Staff members wishing to honor their co-workers are advised that they must handle all matters relating to said tribute on their personal time, but not during regular working hours.

No services, goods, equipment, addresses, or phone numbers under the jurisdiction of the board of education shall be used in the planning and/or implementation of these activities. All correspondence must emanate from and be returned to private residences or post office boxes.

Use of board of education facilities will be in accordance with established policy.

A special bank account, separate and apart from the board of education bank accounts, must be established for each activity and all expenses for the activity shall be paid from moneys collected or contributed. It is recommended that bank accounts be established with two or more signatures required.

Date: November 13, 1986  
Revised: June 25, 2009  
First Reading: June 11, 2009  
Second Reading: June 25, 2009  
NJSBA Review/Update: December 2018  
**Readopted:** June 13, 2019

Possible

Cross References: \*1100 Communicating with the public  
\*1120 Board of education meetings  
\*3100 Budget planning, preparation and adoption

*3570	District records and reports
*5145.5	Photographs of pupils
*9322	Public and executive sessions
*9323/9324	Agenda preparation/advance delivery of meeting material
*9326	Minutes