

Policy

Board of Education Woodbridge Township

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#010 NAME, COMPOSITION, AND CLASSIFICATION

Section 1: Name

The Board of Education of this district shall be officially known as the "Board of Education of the Township of Woodbridge in the County of Middlesex in the State of New Jersey." (18A:10-2)

Section 2: Composition

The Woodbridge Township School District comprises all the area within the municipal boundaries of the Township of Woodbridge. (18A:1-8 and 18A:9-3)

Section 3: Classification

The Woodbridge Township School District is classified as a Type II district. (18A:9-3)

Section 4: Official Address

The official address of the Woodbridge Township Board of Education shall be:

P.O. Box 428
School Street
Woodbridge, New Jersey 07095

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#020 AUTHORITY AND POWERS

Section 1: Authority

The supervision of the public schools of this district shall be conducted by the Board of Education, hereinafter sometimes referred to as the "Board", which shall be a body corporate and which is constituted and governed by Title 18A: Education, of the New Jersey Statutes. (18A:10-1)

Section 2: Powers

- A. The Board shall make, amend, and repeal rules not consistent with Title 18A or with the rules of the State Board, for its own government and the transaction of its business and for the government and management of the public schools and the public school property of the district and for employment, regulation of conduct, and discharge of its employees. The Board shall perform all acts and do all things, consistent with laws and the rules of the State Board, necessary for the proper conduct, equipment, and maintenance of the public schools of this district. (18A:11-1)
- B. The Board shall act as general agent of the state in carrying out the will of the people of this district in the matter of public education. It shall establish educational goals for the children of this district and supervise a program of education designed to meet these goals. The Board shall be responsible for enforcing mandatory laws and shall consider and accept or reject the provisions of permissive laws. In all cases where state law does not provide or prohibit, the Board shall consider itself the agent.
- C. Board members have no authority as individuals. The Board has no powers when it is not in session, except for such powers as may be delegated by the Board to a committee thereof.

Date adopted: 4/18/73

Date revised: 12/21/78

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#030 FUNCTIONS

Section 1: Legislative

The Board shall exercise its rule-making power by adopting bylaws and policies for the organization and operation of the school district. Those bylaws and policies which are not dictated by the statutes or rules of the State Board or ordered by the Commissioner or a court of competent authority shall be subject to amendment only upon a majority vote of all the members of the Board at two meetings held not less than thirty days apart and in the calls for which the proposed amendment has been described in writing, except that:

- A. The Board may, at its organization meeting, readopt existing bylaws and policies upon a majority vote of those present and voting.
- B. Except for minor editorial revisions, changes in the proposed policy at the second reading shall cause that reading to constitute a first reading.
- C. Minor editorial revisions to existing policies may be accomplished in one reading, provided that a majority of the full membership of the Board agrees to such revision.
- D. The operation of any section or sections of these bylaws not established by law may be suspended by a majority vote of all the members of the Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of all the members when no such written notice has been given.
- E. These bylaws and policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined, for purposes of this rule, as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of the pupils or employees of the district. Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution in final form.

Bylaws and policies shall be adopted, amended, or repealed by a majority of the full Board. The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All current bylaws and policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

Section 2: Executive

The Board shall exercise its executive power by the appointment of the Superintendent of Schools, hereinafter sometimes referred to as "Superintendent," who shall serve as Chief School Officer, and a School Board Secretary. The Superintendent and Board Secretary shall enforce the statutes of New Jersey, rules of the State Board, and policies of this Board. They may issue regulations, which are consistent with such statutes, rules, and policies which shall be binding on the employees over which each has appropriate jurisdiction. Regulations of the Superintendent shall be binding on the students of this district as well.

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The Superintendent and Board Secretary shall be delegated the authority to take necessary action in circumstances within their responsibility and not provided for in Board policy, provided such action shall be reported to the Board at the next meeting following such action.

Date adopted: 4/18/73
Dates revised: 12/21/78; 11/16/06

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#040 MEMBERSHIP

Section 1: Number

The Board shall consist of nine members. (18A:12-11)

Section 2: Qualifications

Each member of the Board shall meet the qualifications specified by law and courts of competent authority. (18A:12-1, 12-2, 12-2.1)

Section 3: Election

Election of Board members shall be in accordance with law. (18A:14-2)

Section 4: Vacancies

Vacancies on the Board shall be filled in the following manner:

- A. By the County Superintendent, if the vacancy is caused by the absence of candidates for election to the school Board, or by the removal of a member because of lack of qualifications, or is not filled within 65 days following its occurrence;
- B. By the County Superintendent, to a number sufficient to make up a quorum of the Board if, by reason of vacancies, a quorum is lacking;
- C. By special election if, in the annual school election, two or more candidates qualified by law for membership on the school Board receives an equal number of votes. Such special election shall be held only upon recount and certification by the Commissioner of such election result, shall be restricted to such candidates, shall be held within 60 days of such annual school election, and shall be conducted in accordance with procedures for annual and special school elections set forth in Chapter 14 of Title 18A of the New Jersey Statutes. The vacancy shall be filled by the County Superintendent if in such special election two or more candidates qualified by law for membership on the school Board receive an equal number of votes;
- D. By special election if there is a failure to elect a member at the annual school election due to improper election procedures. Such special election shall be restricted to those persons who were candidates at such annual school election, shall be held within 60 days of the annual school election, and shall be conducted in accordance with the procedures for annual and special school elections set forth in Chapter 14 of Title 18A of the New Jersey Statutes;
- E. By the Commissioner if there is a failure to elect a member at the annual school election due to improper campaign practices; or
- F. By the Board in all other cases. (18A:12-15)

Section 5: Term

The term of each Board member shall be three years (18A:12-11), except that a member appointed to fill a vacancy shall serve until the Monday following the next annual election, unless he/she has been appointed to fill a vacancy occurring within the 60 days immediately preceding

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such election to fill a term extending beyond such election, in which case he/she shall serve until the Monday following the second annual election next succeeding the occurrence of the vacancy. (18A:12-15)

Section 6: Removal

Whenever a member shall cease to be a bona fide resident of the district, his/her membership shall cease immediately. The removal of a member who resigns shall become effective upon the acceptance of the resignation by the Board duly convened. Any member who fails to attend three consecutive public meetings of the Board without good cause may be removed from office (18A:12-3) on the affirmative vote of a majority of the full Board, provided that such action shall have been proposed at the next preceding meeting of the Board and provided that notice of such action has been given to the absent member in advance of the meeting for which such action has been proposed.

Section 7: Compensation

A Board member may not receive compensation for his/her services (18A:12-4), but funds shall be budgeted annually for Board member development opportunities. Individual Board members shall be reimbursed for out-of-pocket costs incurred through participation in approved activities. The Board as a whole shall retain the authority to approve or disapprove the participation of members in planned activities. The public shall be kept informed through the news media about short and long range benefits to our schools.

The Board regards the following as the kinds of activities and services appropriate for implementing this policy:

- A. Participation in school Board conferences, workshops, and conventions held by the State and National School Boards Association.
- B. District-sponsored training sessions for Board members.
- C. Subscriptions to publications addressed to the concerns of Board members.

Section 8: Indemnification

Whenever a civil or criminal action has been brought against any person for any act or omission arising out of and in the course of the performance of his/her duties as a member of a Board of Education, and in the case of a criminal action such action results in final disposition in favor of such person, the cost of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, shall be borne by the Board of Education. (18A:12-20)

Section 9: Superintendent

The Superintendent shall have a seat on the Board and shall have the right to speak on all educational matters at meetings of the Board, but shall have no vote. (18A:17-20)

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Section 10: Board Membership Orientation

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

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

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

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

The Board shall encourage and bear the costs of the attendance of each new Board member at orientation workshops of the New Jersey School Boards Association.

The Superintendent shall prepare and distribute to each new Board member such materials as will effectuate the intent of this policy.

Section 11: Board Member Development

The Board of Education places a high priority on the importance of a planned and continuing program of inservice education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The Board shall plan specific inservice activities designed to assist Board members in their efforts to improve their skills as members of a policy making body, to extend their knowledge about trends, issues, and new ideas affecting the continued welfare of our local schools, and to deepen their insights into the nature of leadership in a modern democratic society.

Date adopted: 4/18/73
Date revised: 12/21/78

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#050 ORGANIZATION

Section 1: Organization Meeting

The Board shall organize annually at a regular meeting held not later than 8:00 p.m. on any day of the first week commencing on the first Monday following the annual school election. If the organization meeting cannot take place on that day by reason of a lack of quorum or for any other reason, said meeting shall be held within three days thereafter. (18A:10-3)

Section 2: Officers

The organization meeting shall be called to order by the Board Secretary, and in his/her absence, the Assistant Board Secretary who shall act as chairperson pro tempore. The Board Attorney or Board Secretary shall administer the oath of office to new members. (41:1-1,1-3) The Board shall then proceed to the election of a President (who shall then take the chair) and a Vice President. Election of officers shall be by plurality vote of the Board.

- A. Officers shall serve for one year and until their respective successors are elected and shall qualify. (18A:15-1)
- B. Officers may be removed by a majority vote of the full Board should either officer refuse to perform the duties of his/her office imposed upon him/her by law. (18A:15-2)
- C. In case the office of President or Vice President becomes vacant, the Board shall, within 30 days thereafter, fill the vacancy for the unexpired term. (18A:15-2)

Section 3: Appointees

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

- A. A Secretary, who shall be elected by a recorded roll call majority vote of the full Board for a term to expire not later than the following June 30, except as subject to the tenure laws, but he/she shall continue to serve after the expiration of his/her term until his/her successor is qualified and appointed. (18A:17-2, 17-5)
 - B. A Custodian of School Monies who shall be the Custodian of Municipal Funds or the Tax Collector, provided, however, that if both the Custodian of Monies of the municipality and the Tax Collector of the municipality submit written notifications to the Board that they do not wish to serve as Custodian of School Monies, the Board shall appoint another suitable person, except a member or employee of the Board, with a term of office fixed by the Board as such custodian. (18A:17-31)
 - C. A public school accountant who shall make the annual audit of the district's accounts and financial transactions (18A:23-1) and whose term of office shall be July 1 - June 30.
 - D. A medical inspector. (18A:40-1)
 - E. An attendance officer, unless exempt from such appointment by the County Superintendent. (18A:38-32)
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- F. A psychological examiner. (18A:46-11)
- G. A member to serve as delegate to the New Jersey School Boards Association (18A:6-46) and another to serve as alternate delegate.
- H. An assistant secretary who shall be elected by a recorded roll call majority vote of the full Board for a term to expire not later than the following June 30, except as subject to the tenure laws. (18A:17-1, 18A:17-13)
- I. A member to serve as delegate to the Middlesex County School Boards Association.
- J. An attorney to the Board.
- K. A school dentist. (44:6-2)

Section 4: Motions

The Board shall, at the organization meeting:

- A. Designate a depository(s) for school funds (17:9-9; 18A:17-34) and those persons authorized to sign school warrants. (18A:19-1)
 - B. Designate a newspaper(s) published in the district as the official newspaper(s), and if there is no such newspaper, one which is published in the county or state and circulates in the district. (18A:17-19, 18A:22-11, 18A:39-3)
 - C. Designate a second newspaper for the purpose of publication of Board meetings. (10:4-8d)
 - D. Adopt at its organizational meeting, or within seven days thereafter, a schedule of meetings for the next ensuing year for the purpose of conducting the regular business of the Board and enabling full discussion of issues before the Board. The schedule shall list the time and date of each meeting and its location to the extent it is known and shall be posted, transmitted to the Board's official newspaper and one other newspaper as selected pursuant to B. above, and filed with the Municipal Clerk of the Township of Woodbridge. If the schedule so adopted and published is subsequently revised during said year, the Board will publish the revised schedule in the same manner within seven days of its adoption. (10:4-18)
 - E. Establish the fee to be charged to individuals and organizations requesting notification of Board meetings, other than those required to be notified by the law, except that no fee shall be charged to requesting media serving the district. The fee shall be an estimate of the actual cost to the district of notification for the ensuing year. (10:4-19)
 - F. Adopt existing bylaws, policies, and job descriptions for its own operation and the operation of the school system. (Article III, Sec. 1)
 - G. Readopt continuing contracts and agreements of the Board where continuation is not authorized by law.
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Section 5: Committees

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

Ad hoc committees may be created and charged at any time by the President or a majority of the members present at any meeting at which a need for a committee becomes evident.

Date adopted: 4/18/73
Date revised: 12/21/78

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#060 MEETINGS

Section 1: Parliamentary Authority

Robert's Rules of Order, newly revised, shall govern the Board in its deliberations in all cases in which it is not inconsistent with statute, administrative code, or these bylaws.

Section 2: Quorum

Five members present shall constitute a quorum. In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time not later than 9:00 p.m. of the same day. If a quorum is not then present, the members present may adjourn the meeting to a later date within seven days. (18A:10-6)

Section 3: 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 instead; if neither person is available, any member shall be designated to preside by a plurality of those present. The act of any person so designated shall be legal and binding. (18A:16-1.1)

Section 4: Notice

The Board shall annually, at its organization meeting, determine the public place or places appropriate for public announcements, at which it will post notice of meetings of the Board and designate the newspaper, in addition to the official newspaper required by provisions of the education laws, with the greatest likelihood of informing residents of the district to receive notice of meetings. When the Board calls a meeting other than those scheduled, or a meeting for which the location was not established in the annual publication of regularly scheduled meetings, it shall give notice of such meeting by written notice posted, transmitted to the Board's official newspaper and one other newspaper as designated above, and filed with the Municipal Clerk of the Township of Woodbridge no later than 48 hours before the meeting is to be held. Such notice shall include the time, date, and location of the meeting, the agenda to the extent that it is known, and a statement whether formal action may or may not be taken.

Section 5: Announcement

At the outset of each meeting of the Board for which adequate advance notice has been given, the presiding officer shall announce the manner in which such notice was provided. Upon the affirmative vote of three-fourths of the members present, the Board may hold a meeting, notwithstanding the failure to provide adequate notice, if:

- A. Such meeting is required in order to deal with matters of such urgency and importance that a delay for the purpose of providing adequate notice would be likely to result in substantial harm to the public interest; and
 - B. The meeting is limited to discussions of, and acting with respect to such matters of urgency and importance; and
 - C. As soon as possible following the calling of such meeting, notice of the meeting is provided by putting written notice of the same in the public place described in Section 4 above, and
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also by notifying the two newspapers described by telephone, telegram, or by delivering a written notice of the same to such newspapers; and

- D. Either, (1) the Board could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided; or (2) although the Board could reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided, it nevertheless failed to do so.
- E. In the event that notice is waived by an affirmative vote of three-fourths of the members present, the presiding officer shall state:
 - 1. the reasons compelling the Board to meet in special session and the nature of the substantial harm to the public interest if the Board delays its meeting;
 - 2. the limitation of the Board's discussion and action to the urgent matters for which the meeting was called;
 - 3. the manner in which notice was given (not less than notification of two newspapers as soon as the members were informed of the meetings);
 - 4. that adequate notice could not have been given at the time the need for the meeting was foreseen or, if the need could have been foreseen in time to give adequate notice, the reasons why notice was not given.
- F. At the outset of each meeting and after the statement in E. above, the presiding officer shall entertain the objection, with supporting reasons, of any member to the conduct of the meeting on the grounds that it violates the Open Public Meetings Act. If such objection is offered, the presiding officer shall poll the members present on the question of overruling the objection. If three-fourths of the members present vote affirmatively, the meeting may proceed and the objecting member may participate in it.

Section 6: Regular Meetings

Regular meetings of the Board shall be public (10:4-1) and shall commence not later than 8:00 p.m. (18A:10-6) except as provided in Section 2 of this Article.

- A. It shall be the responsibility of the Superintendent to prepare an original agenda of the items of business to come before the Board at each regular meeting. The agenda, together with all such reports as can be completed, shall be provided each Board member prior to the meeting.
 - B. The order of business shall be as follows:
 - 1. Call to order;
 - 2. Roll call;
 - 3. Statement regarding notice of meeting or lack thereof as required by Section 4, ante;
 - 4. Approval of the minutes of previous meeting;
 - 5. Communications and reports;
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6. Committee reports;
7. Statement that the members of the Board of Education certify that to the best of their knowledge no major account or fund has been over-expended in violation of N.J.A.C. 6:20-2.12(e), and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year;
8. Superintendent's reports;
9. Attorney's recommendation;
10. Unfinished business;
11. New business;
12. Public discussion;
13. Adjournment.

Section 7: Special Meetings

Special meetings of the Board shall be public (10:4-1) and shall commence no later than 8:00 p.m. (18A:10-6) except as provided in Section 2 of this Article.

- A. Special meetings shall be called by the Secretary at the request of the President or upon the presentation to him/her of a petition requesting such special meeting and signed by a majority of the whole number of members of the Board. (N.J.A.C. 6:3-1.9)
 - B. The order of business shall be as follows:
 1. Call to order;
 2. Roll call;
 3. Announcement; (Article VI, 5)
 4. Reading of notice of meeting;
 5. Transaction of business for which meeting was called;
 6. Public discussion;
 7. Adjournment.
 - C. No business, other than that set forth in the notice to Board members and included in the agenda published pursuant to the terms of this paragraph, may be transacted at such meetings, except by an affirmative vote of two-thirds of the full Board.
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Section 8: Agenda Meetings

Agenda meeting of the Board shall be public (10:4-1) and shall commence no later than 8:00 p.m. (18A:10-6) except as provided in Section 2 of this article.

- A. Agenda meetings are work sessions for the entire Board. The purpose of agenda meetings is the development of agendas for future public meetings.
- B. The order of business shall be as follows:
 - 1. Call to order;
 - 2. Roll call;
 - 3. Announcement; (Article VI, 5)
 - 4. Reading of notice of meeting;
 - 5. Discussion and development of agenda for future meeting;
 - 6. Adjournment;
- C. The first meeting of each month shall be an agenda meeting, beginning with September, 1989.

Section 9: Hearing of Citizens

A member of the public present at a meeting of the Board may address the Board in accordance with the Board's rules.

Section 10: Voting

All motions shall require for adoption a majority vote of those present and voting except, as provided by statute, these bylaws, or parliamentary authority. Abstentions shall not be counted as votes but shall be recorded and are deemed to acquiesce in the outcome of the vote. At least a majority of the quorum voting affirmatively shall be required to pass a resolution or motion.

- A. Actions requiring a recorded two-thirds vote of the full Board:
 - 1. Placement without a bid of a non-exempt contract in excess of \$2,500 because of failure to receive bids on two occasions. (18A:18A-5c)
 - 2. Placement of a contract following failure to receive responsible bids on two occasions. (18A:18A-5d)
 - B. Action requiring affirmative vote of three quarters of the members present:
 - 1. Hold meeting, notwithstanding the failure to provide adequate notice. (10:4-9b)
 - C. Action requiring a recorded roll calls majority vote of the full Board:
 - 1. Admission after October 1 of a pupil who has never attended school. (18A:38-6)
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2. Adoption, amendment, repeal or suspension of a bylaw or policy of the Board. (Article III, 1)
 3. Adoption or alteration of a course of study. (18A:33-1)
 4. Application for membership in an established county audio-visual aid center. (18A:51-11)
 5. Appointment of a School Business Administrator. (18A:17-14.1)
 6. Appointment of Superintendent (18A:17-15) or Assistant Superintendent (18A:17-16), Secretary (18A:17-5) or Assistant Secretary (18A:17-13).
 7. Appointment or transfer of a teaching staff member. (18A:25-1 and 27-1)
 8. Approval of budgets and capital construction. (18A:22-32, -39)
 9. Approval of employee salary deduction for hospital and insurance plans and government bonds. (18A:16-8)
 10. Authorization of school bonds. (18A:24-10)
 11. Decision to establish with other school districts a county audio-visual educational aid center. (18A:51-1)
 12. Determination of sufficiency of charges warranting dismissal or reduction in salary of a tenured employee. (18A:6-11)
 13. Determination to use voting machines at all school elections. (18A:14-39)
 14. Disposition or change of lands owned by the Board. (18A:20-5 and 20-8)
 15. Purchase of bonds or other obligations as investments. (40:5-7.1)
 16. Removal of a member of the Board. (Article IV, 6)
 17. Removal of the President or Vice President of the Board. (18A:15-2)
 18. Restoration or removal following suspension of an Assistant Superintendent, principal, or teacher. (18A:25-6)
 19. Sale of bonds or other obligations purchased as investments. (40:5-7.3)
 20. Selection of textbooks. (18A:34-1)
 21. Withholding a salary increment. (18A:29-14)
- D. All actions requiring a vote can be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded. Proxy voting is prohibited. Any member may request that the Board be polled.

Section 11: Adjournment

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The Board may at any time recess or adjourn to an adjourned meeting at a specified date and place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon.

Section 12: Executive Session

The Board may exclude the public from its meeting only for those portions of the meeting in which the Board discusses the exempted matters enumerated at 10:4-12 of the Open Public Meetings Act and the whole of the meeting devoted exclusively to such matters. Before the Board does so, however, it shall resolve at a public meeting its intention to conduct a discussion in closed session, the general nature of the subject matter to be discussed, and the time when and circumstances under which the discussion can be disclosed to the public.

Section 13: Minutes

Minutes shall be kept of all meetings of the Board. They shall include:

- A. The time, date, and location of the meeting;
- B. The presiding officer;
- C. The members present;
- D. The statement of manner of notification or reasons for lack of notification;
- E. Objections, if any, to the validity of the meeting;
- F. The subjects considered, but not necessarily a detailed description of debate and discussion; and, where the matter is exempt from public discussion, only the general nature of the subject matter need be recorded;
- G. The actions taken, with formal verbatim record of resolutions and motions and the vote of each member recorded;
- H. Where disclosure of identity may tend to invade the privacy of an individual or otherwise affect an individual adversely, the name of such person may be omitted from the minutes and coded to a confidential file, provided that, if the person is a student or employee of the district, said person's file shall contain notice of the minute entry and the confidential file entry;
- I. Tape recordings shall be made of each public meeting of the Board and shall be preserved as public documents of the Board for one year.

Section 14: Challenge

When any action of the Board is challenged by any person on the grounds that it was taken at a meeting in violation of the Open Public Meetings Act, the Board may cure the alleged defect by action taken at a public meeting to which adequate advance notice has been given or, where circumstances warrant, at a duly convened special meeting. Such action shall not be mere ratification of the prior act; the Board shall consider the matter fully and record its action as if for

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the first time. Absent a declaration of the Superior Court that the initial action is void, however, the action shall be considered to have been taken at the meeting at which it was first acted upon.

Section 15: Committee Meetings

Committee meetings may be called at any time by the committee chairperson. Committee meetings need not be open to the public.

Date adopted: 4/18/73

Dates revised: 12/21/78, 10/19/89, 4/09/92

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#065 COMMUNITY MEMBER PARTICIPATION IN BOARD OF EDUCATION COMMITTEE MEETINGS

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

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

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

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

Date adopted: 1/16/86

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#066 STUDENT PARTICIPATION IN BOARD OF EDUCATION MEETINGS

A goal of the Woodbridge Township School District states that the system should “maintain a system of effective communication among students, parents, staff, and the Board of Education.” As one method of accomplishing this goal, the Board supports a program where the President of the Student Council or a Student Council representative from one of our three high schools is invited to attend and participate in a Board of Education agenda meeting, without a vote, but with the right to contribute to discussions.

Date Adopted: 9/21/89

Revised: 7/26/00

Policy

Board of Education Woodbridge Township

#067 CITIZEN PARTICIPATION IN BORD OF EDUCATION MEETINGS

A goal of the Woodbridge Township School District states that the system should "maintain a system of effective communication among students, parents, staff, and the Board of Education." As one method of accomplishing this goal, the Board supports a program where a representative of our senior citizens is invited to attend and participate in Board of Education agenda meetings, without a vote, but with the right to contribute to discussions

Date adopted: 7/26/00

Policy

Board of Education Woodbridge Township

#070 DUTIES

Section 1: Board

Those duties which a Board must perform to comply with the statutes and rules of the State Board of Education are:

A. Educational Program

1. Establish particular educational goals, objectives, and standards. (18A:7A-7; N.J.A.C. 6:8-3.2, 3.3)
 2. Make an annual report to the Commissioner of the progress of the district in conforming to the goals, objectives, and standards established. (18A:7A-11; N.J.A.C. 6:8-6.1b)
 3. Develop a written educational plan for the district and each school within the district. (N.J.A.C. 6:8-3.1a)
 4. Adopt annually the educational program for the district and each school. (N.J.A.C. 6:8-3.5)
 5. Guarantee each child equal educational opportunity. (N.J.A.C. 6:4-1 et seq)
 6. Establish a bilingual instruction program for any classification of more than 20 students with limited English-speaking ability. (18A:35-15 et seq)
 7. Provide for the purchase and loan of textbooks for use of resident students attending non-public schools upon proper request. (18A:58-37.1 et seq)
 8. Provide courses of study suitable to the ages and attainment of all students properly enrolled in the schools of the district. (18A:33-1)
 9. Provide suitable facilities and convenience of access thereto for the implementation of the educational program. (18A:33-1)
 10. Determine annually the dates between which the schools of the district shall be open in accordance with the law. (18A:36-2)
 11. Provide the textbooks and other necessary school supplies free of cost to all pupils. (18A:34-1)
 12. Identify and ascertain which children between the ages of five and twenty years of age cannot be properly accommodated through school facilities because of their handicaps. (18A:46-6)
 13. Report to the County Superintendent all children in the special education instructional services and any known handicapped children who are not attending school. (18A:46-7)
 14. Provide suitable facilities and programs of education for all children classified as handicapped, whether or not such facilities exist in the school district. (18A:46-13)
 15. Afford parents procedural safeguards of notification and an opportunity to be heard in the identification, evaluation, and placement of their handicapped children. (N.J.A.C. 6:28-1.9)
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Board of Education Woodbridge Township

16. Pay tuition whenever a handicapped child is confined to a hospital, home, or institution and is enrolled in an approved educational program. (18A:46-14)
17. Make rules for safekeeping and proper care of textbooks and keep account of monies expended for textbooks and other supplies in accordance with bookkeeping directions prescribed by the State Board. (18A:34-2)
18. Adopt a course of study in community civics and geography, history and civics of New Jersey, and the privileges and responsibilities of citizenship. (18A:35-3)
19. Teach the nature and effects of alcohol and narcotics. (18A:4-28.7, 18A:35-4)
20. Give regular courses of instruction in accident and fire prevention. (18A:6-2)
21. Give regular courses of instruction in the Constitution of the United States. (18A:6-3)
22. Conduct courses in health, safety, and physical education. (18A:35-5)
23. If maintaining a program of adult education, determine the courses, charge and collect tuition, and apply all such income to the adult school program. (18A:50-1 et seq)
24. Provide appropriate exercises for the development of a higher spirit of patriotism on the last school day preceding: (18A:36-13)

M.L. King's Birthday	Columbus Day
Lincoln's Birthday	Veterans Day
Washington's Birthday	Thanksgiving Day
Memorial Day	
25. Approve annually the interscholastic sports program. (N.J.A.C. 6:29-6.4)
26. Provide appropriate exercises for the observation of:

Flag Day (June 14) (18A:36-6)
Arbor Day (April 28) (18A:36-9)
Commodore Barry Day (Sept. 13) (18A:36-11)
27. Present to each pupil, upon completion of elementary school, a copy of the Declaration of Independence, the Constitution of the United States and the amendments thereto, and the Constitution of the State of New Jersey and the amendments thereto. (18A:36-18)

B. Personnel Matters

1. Employ and determine compensation and term of employment (within provisions of the Tenure Act) for Board Secretary (or School Business Administrator), Superintendent, principals, teachers, janitors, and other officers and employees as it shall determine. (18A:16-1)
 2. Guarantee to all persons equal access to all categories of employment. (N.J.A.C. 6:4-1 et seq)
 3. Appoint a suitable number of persons to be designated as attendance officers, fix compensation, and make rules therefor. (18A:38-32)
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Board of Education Woodbridge Township

4. Employ physician(s) and nurse(s) and fix salaries and terms of office. (18A:40-1)
 5. Appoint such supervisors, teachers, etc., as it shall think necessary for the proper maintenance, control, and management of playgrounds and recreational places, and fix compensations and terms. (18A:20-21)
 6. Employ separately or jointly psychological examiners, or contract to use the services of an agency or clinic (18A:46-11), and provide the services of a learning disabilities teacher consultant and school social worker. (N.J.A.C. 6:28-1.3)
 7. Investigate the character of questionable bus driver candidates. (18A:39-19)
 8. Maintain a list of available, certified, substitute teachers. (N.J.A.C. 6:8-4.3e)
 9. Observe and evaluate non-tenured staff members at least three times annually. (18A:27-3.1)
 10. Honor any request properly made for reasons of non-renewal. (18A:27-3.2)
 11. Comply with the rules and standards for equalization of opportunity prescribed by law or formulated by the Commissioner and State Board in order to participate in any state aid appointment. (18A:58-16)
 12. Inform each person, upon employment, of duties and obligations under Chapter 66 as a condition of employment, notify the retirement system of appointment within ten (10) days, keep records, make salary deductions, and make statements of amounts so paid. (18A:66-32)
 13. Require all employees to undergo an annual physical examination, the scope to be determined under the rules of the State Board. (18A:16-2)
 14. Grant permission to any full-time teaching staff member, secretary, or clerk to attend annual convention of N.J.E.A. for not more than two (2) days, salary to be paid upon filing proof of attendance. (18A:31-2)
 15. Terminate contract of any teacher when informed by County Superintendent that a person is not properly certified. (18A:27-2)
 16. Provide for vocational guidance and counseling personnel. (N.J.A.C. 6:43-2.10)
 17. Include special educational programs and services to assist the disadvantaged and handicapped. (N.J.A.C. 6:43-4.1)
 18. Provide a teacher training program when required to provide sufficient staff. (N.J.A.C. 6:43-2.9)
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C. Student Concerns

1. Assess pupil proficiency levels in the basic and computational skills. (N.J.A.C. 6:8-3.8)
2. Reinstate a suspended student or continue any suspensions beyond the second regular Board meeting, or expel a pupil. (18A:37-5)
3. Require wearing of protective eye devices in shops, labs, and other areas of danger to the eyes. (18A:40-12.1)
4. Require tests for tuberculosis and keep all records confidential except for examination by state and local health officers. (18A:40-16)
5. Adopt rules to enforce ban on certain student organizations. (18A:42-6) (See Policy #539)
6. Develop a policy for reporting pupil progress to parents or guardians. (N.J.A.C. 6:8-4.1) (See Policy #513)
7. Develop policies and procedures for pupil promotion and high school graduation. (N.J.A.C. 6:8-4.2) (See Policy #514 and 520)
8. Require all students, except as noted in statute, to salute the flag and pledge allegiance to it on every school day. (18A:36-3)
9. Whenever providing transportation for public school pupils, provide transportation for resident students going to non-public schools in New Jersey within 20 miles. (18A:39-1)
10. Furnish daily transportation for handicapped children. (18A:46-23)
11. Provide for such diagnostic examinations as are necessary to determine the need of special education programs for pupils who manifest specified disabilities. (N.J.A.C. 6:28-2.2)
12. Establish and put to use criteria to evaluate the effectiveness of the programs for the education of the handicapped. (N.J.A.C. 6:28-3.8)
13. Protect pupils in cooperative program from illegal employment and exploitation. (N.J.A.C. 6:43-1.2)

D. Finances and Property

1. Prepare a budget, conduct a public hearing, and submit to the voters. (18A:Chapter 22)
 2. Cause an annual audit of the district's accounts and financial transactions to be made by a public school accountant not later than three (3) months after the end of the school fiscal year. (18A:23-1)
 3. Cause the recommendations of the auditor to be read and discussed within thirty (30) days of receipt at a regularly scheduled public meeting. (18A:23-5)
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4. Whenever it is necessary to raise additional sums of money, estimate the amounts deemed necessary to be raised and cause the question of whether or not these amounts shall be raised to be submitted to the voters in accordance with Title 19. (18A:22-40 and 41)
 5. Submit annually a written request for debt service and budgeted capital outlay payments to the Commissioner thirty (30) days prior to the beginning of the fiscal year. (18A:7A-26)
 6. Whenever receiving unappropriated monies transferred from the municipality, apply the monies as provided in statute. (18A:22-45)
 7. Require that all bidders on contracts for public work which shall exceed \$10,000 shall first be classified by the State Board. (18A:18A-23)
 8. Prescribe the regulations under which advertisement for proposals shall be made. (18A:18A-21)
 9. Require that no claim or demand is paid unless it is authorized by law and the rules of the Board, is itemized and verified, has been audited and approved by the Board, and the amount is available for that purpose. (18A:19-2)
 10. Advertise bids for transportation contracts over \$2,500 and, at a time and place advertised, receive, unseal, and reveal such proposals. (18A:39-3 and 5)
 11. When receiving pupils under terms of 18A:46-1 et seq, determine tuition rate to be paid by the sending Board of Education. (18A:46-21)
 12. Reimburse the state for a proportionate share of the amount paid by the state for the expenses of administering the retirement system. (18A:66-17)
 13. When owning and operating buses, furnish liability insurance. (18A:39-6)
 14. Have title to and supervision, control, and management of, all property (real and personal) of the school district. (18A:20-1)
 15. Have full control over all lands, public playgrounds, and recreational places acquired or leased by it. (18A:20-20)
 16. Ensure all school buildings shall be safe, clean, attractive, and in good repair. (N.J.A.C. 6:8-4.8)
 17. Keep all insurable property, real and personal, of the district insured against loss or damage by fire and, at its discretion, against other loss or damage. (18A:20-25)
 18. Provide by resolution for acceptance, application, custody, and maintenance of property donated to it for higher education scholarship purposes. (18A:71-27)
 19. Account for all proceeds from the sale of articles and materials produced under the vocational program and credit to the account of the district. (N.J.A.C. 6:43-1.2)
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Policy

Board of Education Woodbridge Township

E. Organization and Operation

1. Adopt an official seal by which all official acts may be authenticated. (18A:11-1)
 2. Enforce the rules and regulations prescribed by the State Board of Education. (18A:11-1)
 3. Make an annual report to the Commissioner of Education on or before August 1, in the manner and form prescribed by the Commissioner. (18A:6-4)
 4. Provide for school elections per 18A: Chapter 14.
 5. Pay the cost of defending a Board member, officer, or employee for reasonable legal expenses incurred in defending civil suits against him/her arising out of the performance of official duties and also pay the costs of such defense in a criminal action if its disposition is favorable to defendant. (18A:12-20 and 18A:16-6)
 6. Join the State School Boards Association (18A:6-45); select annually one member as a delegate; pay all necessary expenses of delegates thereto, and such sums as dues that may be assessed by the Association. (18A:6-50)
 7. Meet semiannually with other Boards in the County at the time and place fixed by the County Superintendent. (18A:10-7)
 8. Procure and display the United States flag on or near each school building, in the assembly, and in each classroom. (18A:36-3)
 9. Make lunch available to all pupils in school when 5% or more of pupils are eligible for free or reduced price meals. (18A:33-4,-5)
 10. Report to the public the state classification of the school district. (N.J.A.C. 6:8-6.2d)
 11. Annually, on or before December 1, submit to the Commissioner a copy of the proposed budget for next year. (18A:7A-28)
 12. Establish and implement a specific eye protection program in the public schools of the district, in compliance with the law. (N.J.A.C. 6:3-1.14)
 13. Maintain such records and accounts, including personnel, financial, and students' information and evaluation records, as are deemed necessary by the Commissioner. (N.J.A.C. 6:17-3.1)
 14. Designate the pupils to be transported to school. (N.J.A.C. 6:21-11.3)
 15. Adopt rules to govern the health services in the school district. (N.J.A.C. 6:29-1.1)
 16. Furnish each school building with an emergency kit or a cabinet with first aid equipment. (N.J.A.C. 6:29-1.2)
 17. Have drinking water in each school building tested at least once during each school year. (N.J.A.C. 6:29-1.2)
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Board of Education Woodbridge Township

18. Adopt rules and a program of procedures for the care of pupils injured at school, and require that such rules and program be explained at the beginning of each school year to all employees, and that copies be posted. (N.J.A.C. 6:29-2.3)
19. Adopt efficient administrative procedures (Board Policies). (N.J.A.C. 6:8-4.7)
20. Publicize the availability of free and reduced price meals. (N.J.A.C. 6:70-1.6)
21. Provide parents or guardians and other district residents opportunities for orientation and information regarding state regulations and school procedures. (N.J.A.C. 6:8-4.6)
22. Provide all equipment in any field of vocational education with guards or protective devices which meet the standards specified in the administrative code. (N.J.A.C. 6:43-1.2)

Section 2: Board Member

A Board member shall:

- A. when required by order of the State Board of Education, attend before that body, its committees, or to the Commissioner of Education; (18A:4-18)
- B. when so appointed by the Board, declare the polls open for school elections or referenda. (18A:14-46)

Section 3: President

The President shall:

- A. preside at meetings of the Board;
- B. appoint all committees and shall be a member, ex officio, of all committees;
- C. have the right to vote on all questions before the Board;
- D. the presiding officer shall follow Robert's "Rules of Order, Newly Revised," in the conduct of meetings;
- E. call special meetings of the Board; (N.J.A.C. 6:3-1.9)
- F. sign all school warrants; (18A:19-1)
- G. certify to all payrolls; (18A:19-9)
- H. subscribe bonds, notes, contracts, and other legal instruments for which the signature of the President is called; (No citation)
- I. issue subpoenas to compel attendance of witnesses and production of documents. (18A:6-20)

Section 4: Vice President

The Vice President, in the absence of the President, shall perform all the latter's functions but shall not have the authority to alter any committee assignments made by the President. In the absence of both officers, a chairperson pro tempore shall be selected by the Board under the guidance of the Secretary. (18A:16-1.1)

Policy

Board of Education Woodbridge Township

Section 5: Committee Chairperson

A committee chairperson shall call meetings of the committee and keep informed of developments in activities under the committee's jurisdiction. (No citation)

Date adopted: 4/18/73

Date revised: 12/21/78

Policy

Board of Education Woodbridge Township

#080 DISTRIBUTION

The Board of Education desires to make this manual of bylaws and policies a useful guide to all members of the Board, the administration of this district, all personnel employed by the Board, and the students of the district. Therefore, copies of this manual shall be given to the following: Board members, Superintendent, Board Secretary, Assistant Superintendent, Directors, Office of the Supervisors, building principals, vice principals, Board Attorney and each recognized bargaining unit, and the President of the Presidents' Council.

A record shall be maintained by the Office of the Superintendent as to the placement of each copy of this manual. Copies of revised pages shall be furnished to the holders of copies as changes are made.

The manual of bylaws and policies shall be considered a public record and shall be open for inspection in the Board office and in each school building during regular office hours. (47:1A-1)

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

Date adopted: 12/21/78
Date revised: 9/21/89

Policy

Board of Education Woodbridge Township

#090 CODE OF ETHICS

1. I will be a staunch advocate of free public education.
2. 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.
3. I will make decisions in terms of the educational welfare of children and will strive for public schools which can meet the individual needs of all children regardless of their ability, race, creed, or social standing.
4. I will join with my fellow members on the Board, the staff, the community, and the students in the continuing study of the nature, value, and direction of contemporary education in our society in order to facilitate needed change in our schools.
5. I will work unremittingly to help the people of my community understand the importance of public education and the need to support it.
6. I will strive to ensure that people are accurately informed about our schools and I will try to interpret to the staff the aspirations of the community for its schools.
7. I will recognize that my responsibility is not to run the schools but, together with my fellow Board members, to see that they are well run.
8. I will confine my Board action to policy making, 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.
9. I will arrive at conclusions only after discussing all aspects of the issues at hand with my fellow Board members assembled in meeting.
10. I will recognize that authority rests with the whole Board assembled in public meeting and I will make no personal promises nor take any private action which may compromise the Board.
11. 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.
12. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools.
13. I will vote to appoint, upon proper recommendation by the appropriate administrative officer, the best trained technical and professional personnel available.
14. I will support and protect school personnel in the proper performance of their duties.
15. I will refer all complaints to the Chief Administrative Officer and will act on such complaints at public meetings only after the failure of an administrative solution.

Date adopted: 4/18/73

Date revised: 12/21/78

Policy

Board of Education Woodbridge Township

#091 APPOINTMENT OF VACANT BOARD OF EDUCATION SEAT

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

- A. The Board of Education will announce the vacancy at a public meeting.
- B. An advertisement advising the public of the vacancy and requesting candidates to submit their résumés in application of the vacancy will be placed in two different newspapers in the manner that public meeting notices are advertised and publicized on the district's local TV station and Webpage.
- C. The interested candidates must submit a letter of intent with résumé addressed to the Board President (or in his or her absence, the Vice President) at the Board of Education's administrative offices.
- D. Interviews will be scheduled by the Board President (or, in his or her absence, the Vice President) and the dates will be announced to the public.
- E. The entire Board of Education will participate in the interview process during a public session. The public may attend but will not be allowed to ask questions during the interview process.
- F. The qualifications for Board members, pursuant to N.J.S.A. 18A:12-1 are as follows:
 - 1. Must be able to read and write.
 - 2. Must hold United States citizenship and one-year residency in the school district.
 - 3. Must be registered to vote in the district.
 - 4. Must not be disqualified as a voter under N.J.S.A. 19:4-1.
- G. No member of the Board shall have an interest in any contract with the Board or a claim against the Board. (N.J.S.A. 18A:12-2).
- H. No member of the Board may hold office as a member of the municipal governing body. (N.J.S.A. 18A:12-2).
- I. The seated Board members will make a decision on the appointment within 65 days of the official date of the vacancy.
- J. Vacancies filled by the Board shall be by a majority vote of the remaining members of the Board after the vacancy occurs.

The County Superintendent fills vacancies that the Board fails to fill within 65 days and those caused by (1) the voters' failure to elect a member; (2) the failure to elect a member as the result of a recount or contested election; (3) a flaw in the election; (4) the removal of a member because of lack of qualifications; or (5) a lack of a quorum.

Date adopted: 9/22/05

Policy

Board of Education Woodbridge Township

#095 REQUESTS FOR INFORMATION FROM ADMINISTRATORS

The Board of Education has the ultimate decision making power in the Woodbridge Township School District.

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

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

Date adopted: 10/20/88

Policy

Board of Education Woodbridge Township

#096 NEPOTISM

A. Definitions

“Nepotism” for the purpose of this policy shall be defined as the showing of favoritism to an employee or candidate for employment based on the existence of a relationship as a relative or immediate family member of a board member or superintendent of schools.

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

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

“District administrator” shall be defined as a Board employee who holds a position that (1) requires a certificate that authorizes the holder to serve as school administrator, principal, or school business administrator; (2) does not require that the person hold any type of certificate but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district; or (3) requires a certificate that authorizes the holder to serve as supervisor and who is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by the local school district.

B. Employment/Promotion of Relative

The board of education, in order to avoid both the reality and the appearance of conflict of interest in employment, will not appoint a relative of a board member or of the superintendent of schools to any employment position in this district. The superintendent of schools shall not recommend to the board any relative of a board member or of the superintendent of schools, unless the person is subject to any of the exceptions below; nor shall any person be considered for employment in any position in which he/she would come under the direct or indirect supervision of any relative.

No district administrator shall supervise, or exercise authority on personnel actions regarding a relative of the district administrator. Where it is not feasible to eliminate such a direct or indirect supervisory relationship, appropriate screens and/or alternate supervision and reporting mechanisms shall be put in place.

C. Exceptions

Persons who are employees of the board on the date that this policy becomes effective or the date a relative becomes a board member or superintendent of schools shall not be prohibited from continuing to be employed in the district. This includes employees who must be renewed annually by the board. The superintendent of schools may recommend those employees for reemployment, transfer, promotion or removal.

Policy

Board of Education Woodbridge Township

A relative of a school board member or superintendent of schools may be employed by the district provided that the district has obtained the approval from the executive county superintendent of schools. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position.

Per diem substitutes and student employees are excluded from this nepotism policy.

D. Board Member/District Administrator Participation in Negotiations

When a board member or district administrator's relative is a member of the bargaining unit, or receives the benefit of the contract, that board member or district administrator shall not discuss the proposed collective bargaining agreement with that unit nor participate in any way in negotiations. This includes, but is not limited to, being a member of the negotiating team. Nor shall that board member or district administrator be present with the board in closed session when negotiation strategies are being discussed. However, a district administrator may provide technical information that is necessary to the collective bargaining process when no one else can provide that information.

When a member of a board member's or district administrator's immediate family is a member of the same statewide union with which the board is negotiating, that board member or district administrator shall not participate in any way in negotiations. This includes, but is not limited to: being a member of the negotiating team, prior to the board's attaining a tentative memorandum of agreement with the bargaining unit, including salary guides and/or the total package of money to be offered.

Once such tentative memorandum of agreement is established, including salary guides and/or the total package of money to be offered, the board member or district administrator may fully participate in the process, including board member voting, absent other conflicts. Prior to that time, the board member or district administrator shall not be present with the board in closed session when negotiation strategies are being discussed. However, a district administrator may provide technical information that is necessary to the collective bargaining process when no one else in the district can provide that information.

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
 N.J.S.A. 18A:16-1 Officers and employees in general
 N.J.S.A. 18A:27-4.1 Appointment, transfer, removal or renewal of officers
 and employees; exceptions
 N.J.S.A. 52:13D-13 State conflict of interest law and 21.2
 N.J.A.C. 6A:4-1.1 Appealable decisions
 N.J.A.C. 6A:23A-1.2 Fiscal accountability; definitions
 N.J.A.C. 6A:23A-6.2 Fiscal accountability; nepotism
 N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission

Policy

Board of Education Woodbridge Township

In the Matter of the Election of Dorothy Bayless to the Board of Education of the Lawrence Township School District, 1974 S.L.D. 603, reversing 1974 S.L.D. 595

Shirley Smiecinski v. Board of Education of the Township of Hanover, Morris County, 1975 S.L.D. 478

Scola v. Ringwood Bd. of Ed., 1978 S.L.D. 413

Salerno v. Old Bridge Board of Ed., 1984 S.L.D. (April 28)

Larsen v. Woodbridge Board of Ed., 1985 S.L.D. (March 18)

Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93, (February 3, 1994)

In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'd Commissioner 97 NJAR 2d (EDU) 339

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, A14-00

N.J. Department of Education 05-13-09 Broadcast #1, Nepotism Policy Clarification”

Date adopted: 1/24/91
Date revised: 9/17/92, 9/15/11