

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 9130

COMMITTEES

In order to use the time, effort and expertise of the members of the board effectively, the Roselle Park Board of Education shall operate under a committee system or as a committee of three.

The Board may create special committees for special assignments. When so created, such committees shall be appointed by the president, subject to Board approval, and shall terminate upon completing their assignments (or they may be terminated by a vote of the Board at any time).

It shall be the responsibility of such committees to make appropriate and effective use of professional expertise and resources within and outside the district. These committees may actively seek input and participation by parents/guardians, staff, community and pupils, as well as consult with other local public boards and agencies.

The president shall be an ex officio member of each task force or committee. The chief school administrator or a member of the chief school administrator's staff may also be named as liaison to each committee when appropriate.

Standing Committees

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

- A. The committee shall be established through action of the board;
- B. The committee chairperson and members shall be appointed by the board president;
- C. The committee shall be provided with a list of its functions and duties;
- D. The committee may make recommendations for board action, but it may not act for the board;
- E. The board president and superintendent shall be ex officio members of all standing committees;
- F. All standing committees shall be dissolved at the end of the board's year – at the annual organizational meeting. They may be dissolved at any time by a motion of the board.

Special Committees

Special committees may be created for special assignments. The same rules shall apply to special committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

COMMITTEES (continued)Committee of the Whole

The board reserves the right to meet and work as a committee of the whole in informational, discussion, and exploratory sessions. No official action shall be taken at these meetings, unless so advertised.

Adopted: March 16, 2010

NJSBA Review/Update: November 2015

Readopted:

Key Words

Committees, Board Committees

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

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A33-95

School Ethics Commission, Advisory Opinion, A02-00

School Ethics Commission, Advisory Opinion, A14-00

Possible

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

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 9200

ORIENTATION AND TRAINING OF BOARD MEMBERS

Orientation of New Board Members

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

Sufficient funds shall be allocated to reimburse new board members for attending NJSBA training in superintendent evaluation within the first six 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.

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools and learn Board procedures. Accordingly, the Board shall give to each new Board member no later than his/her first regular meeting as a Board member a copy of the Board policy manual, a copy of the District procedures manual, the current budget statement, audit report and related fiscal materials. Each new Board member shall be invited to meet with the Board President, the Superintendent and the Board Secretary 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 and Passaic County School Boards Association.

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.

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

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

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

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

Inservice Development

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

Therefore, the board recommends that, in addition to sending the mandated delegate to the New Jersey School Boards Association's Delegate Assemblies, the board send representatives to such educational conferences, workshops, conventions and seminars as it shall decide upon each year. **A maximum of four members may attend any such function held out-of-state.**

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

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

Adopted: March 16, 2010
NJSBA Review/Update: November 2015
Readopted:

Key Words

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

Legal References: N.J.S.A. 18A:6-45
through -50 New Jersey School Boards Association established ...
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-21 et. seq. School Ethics Act
N.J.S.A. 18A:12-24.1 Code of Ethics for School Board Members
N.J.S.A. 18A:12-33 Training program for new board members
N.J.S.A. 18A:17-20.3 Evaluation of superintendents; school board training program

ORIENTATION AND TRAINING OF BOARD MEMBERS (continued)

<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 <u>et seq.</u>	Evaluation of the superintendent
<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 members and charter school board of trustee members

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

Possible

<u>Cross References:</u>	1500	Relations between area, county, state, regional and national associations
and		the district
	*2131	Superintendent
	*9250	Expenses
	*9271	Code of Ethics

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 9250

EXPENSES AND REIMBURSEMENTS

Roselle Park Board of Education 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](http://www.state.nj.us/infobank/circular/cir0819b.pdf), (<http://www.state.nj.us/infobank/circular/cir0819b.pdf>) including but not limited to the types of travel, methods of transportation, mileage allowance, meal allowance, overnight travel and supporting documentation;

EXPENSES AND REIMBURSEMENTS (continued)

- B. Reimbursement must also be in compliance with OMB Circular A-87 (found at http://www.whitehouse.gov/omb/circulars/a087/a87_2004.html). No reimbursement will be issued without submission of written documentation such as receipts, checks and vouchers detailing the amount the expenditures. Such documentation must be submitted within a timeframe to be established by the board;
- C. Travel expenditures must be in compliance with state travel payment guidelines as established by the Department of the Treasury and with guidelines established by the federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. 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 superintendent and prior approval by a majority of the full voting membership of the board (as set forth below).

Prior Approval Is Required

Board members shall only be reimbursed for travel and related expenses that have received prior approval by a majority of the full voting membership of the board, and 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;

EXPENSES AND REIMBURSEMENTS (continued)

- B. Also, a board member shall not: act in his official capacity in any matter in which he or a member of his immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his independence of judgment in the execution of his official duties;
- C. For employees, a board of education requires that travel occur only upon prior written approval of the superintendent and prior approval by a majority of the full voting membership of the board; 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 pre-budget 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 pre-budget year and the amount spent to date;
- D. Provide that the maximum school district travel expenditure amount shall include all travel in accordance with this policy supported by local and State funds.

EXPENSES AND REIMBURSEMENTS (continued)Additional Detailed Accounting Requirements which Demonstrate Compliance

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

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

- A. "Retreats" will be held at school district facilities, if available. A retreat is a meeting of school district employees and school board members, held away from the normal work environment, at which organizational goals and objectives are discussed;
- B. A school district shall not bear costs for car rentals, limousine services, and chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees accommodations at the travel event;
- C. One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in Department of the Treasury guidelines;
- D. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following:
 1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as established in the federal register for the current year;
 2. Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
 3. Receipts are required for hotel expenses. Meal expenses under the federal per diem allowance limits do not require receipts;
 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;

EXPENSES AND REIMBURSEMENTS (continued)

6. Air and rail tickets shall be purchased via the internet, if possible, using online travel services such as Travelocity, Expedia, Hotwire or Priceline.
7. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or school board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement; and

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

Types of Expenditures Not Eligible for Reimbursement

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

Penalties

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

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

The superintendent may develop regulations to implement this policy.

EXPENSES AND REIMBURSEMENTS (continued)

Adopted: December 6, 2005
 Revised: June 12, 2007
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Key Words

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

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

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

Possible

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

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 9314

SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS

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

Therefore:

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

In the event of an emergency requiring immediate action, the superintendent shall have the power to waive policy or regulation in the single instance. In such cases, the superintendent shall report the instance to the board president immediately, and request reconsideration of the policy at the next regular meeting. In no event shall any such action by the superintendent constitute a revision of official board policy.

The bylaws of the Roselle Park Board of Education shall not be waived or suspended, and may only be amended at any public meeting by a two-thirds vote of the full membership of the board, provided that the amendment has been submitted in writing at a previous regular or special meeting. Such notice shall be signed by a movant and a second. Any amendment to the bylaws shall have immediate effect, unless the amendment specifies an alternate effective date. In any amendment to the bylaws, the board secretary shall be authorized to correct article and heading designations, punctuation and cross-references and to make other such technical and conforming changes as necessary to effect the full intent of the board.

Adopted: March 16, 2010
NJSBA Review/Update: November 2015
Readopted:

SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS (continued)Key Words

Policy; Board Policy; Bylaws; Board Bylaws; Regulations; Administrative Regulations; Suspension of Policies; Bylaws and Regulations

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:17-20 Tenured and non-tenured superintendents; general powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:10-8.1 et seq. Evaluation of the superintendent
N.J.A.C. 6A:32-2.1 Definitions (superintendent 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

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

POLICY

Roselle Park Board of Education
Roselle Park, New Jersey

File Code: 9322

PUBLIC AND EXECUTIVE SESSIONS

The Roselle Park Board of Education shall officially transact all business at a legal meeting of the board in accordance with New Jersey law.

All meetings of the board of education shall be open to the public with the exception of meetings to discuss:

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

PUBLIC AND EXECUTIVE SESSIONS (continued)

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.

All statements shall be directed to the presiding officer. Where appropriate, the presiding officer shall direct the inquiries to the Superintendent of Schools, who will determine the appropriate response; no participant may address or question Board members and/or staff members individually.

The presiding officer may inform a speaker that his allotted time is coming to an end and subsequently terminate his speaking privilege at the end of his three minutes. The presiding officer may also request an individual leave or request assistance from law enforcement officials of a disorderly person when that person's conduct substantially interferes with the orderly process of the meeting, or call a recess for 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.

PUBLIC AND EXECUTIVE SESSIONS (continued)Electronic Communication Among Board Members

The board of education believes that electronic communication among its members and the administration is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, board members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to email, internet web forums and internet chat rooms. They should understand at all times that these communications represent permanent school district records that can be subject to public disclosure. Electronic messaging communication shall conform to the same standards of judgment, propriety and ethics as other forms of board-related communication (committee meetings, telephone calls, etc.). Board members shall adhere to the following guidelines when communicating electronically:

- A. Board members shall not use email or any other electronic messaging service as a substitute for deliberations at board meetings. The Open Public Meetings Act defines a "meeting" as any gathering attended by, or open to, all of the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body;
- B. Board members shall be aware that email and email attachments received or prepared for use in board business are likely to be regarded as public records that may be inspected by any person upon request, unless otherwise made confidential by law;
- C. Board members shall avoid reference to confidential information about employees, students or others in email communications because of the risk of improper disclosure;
- D. Board members shall adhere to the district "acceptable use" policy in all email communications and shall refrain from sending inappropriate, profane, harassing or abusive emails. (See file code 6142.10 Technology);
- E. Board members shall not reveal their passwords to others in the network or to anyone outside of it, except to the system administrator. If any board member has reason to believe a password has been lost or stolen, or that email is being accessed by someone without authorization, he/she shall notify the superintendent immediately.

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:

PUBLIC AND EXECUTIVE SESSIONS (continued)

- 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 "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.

Adopted: March 16, 2010

NJSBA Review/Update: November 2015

Readopted:

Key Words

Board of Education Meetings, Public and Executive Sessions, Executive Sessions

Legal References:	<u>N.J.S.A.</u> 2C:33-8	Disrupting meetings and processions
	<u>N.J.S.A.</u> 10:4-6 <u>et seq.</u>	<u>Open Public Meetings Act</u>
	<u>N.J.S.A.</u> 18A:10-6	Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:12-21 <u>et seq.</u>	<u>School Ethics Act</u>
	<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> 47:1A-1 <u>et seq.</u>	Public Records; Examination and Copies (<u>Open Public Records Act</u>)
	<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the performance of school districts

PUBLIC AND EXECUTIVE SESSIONS (continued)

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

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

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