

# BYLAWS

## TEANECK BOARD OF EDUCATION

### ADOPTION RESOLUTION

#### ADOPTION RESOLUTION

RESOLVED, that the bylaws and policies printed and codified in the comprehensive document entitled “Bylaws and Policies of the Teaneck Board of Education” are hereby adopted and that all bylaws and policies heretofore adopted by the Teaneck Board of Education and inconsistent with the bylaws and policies hereby adopted are hereby rescinded, and be it further

RESOLVED, that in the event any policy, part of a policy or section of the bylaws is judged to be inconsistent with law or inoperative by a court of competent jurisdiction or is invalidated by a policy or contract duly adopted by this Board, the remaining bylaws, policies, and parts of policies shall remain in full effect.

Adopted by the Teaneck Board of Education in the County of Bergen at a public meeting held at Teaneck, New Jersey on the 14<sup>th</sup> day of March, 2012.



## INTRODUCTION

### Definitions

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

“Board” means the Board of Education of Teaneck.

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

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

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

“County Superintendent” means the County Superintendent of Schools for Bergen County.

“Day” means a calendar day.

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

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

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

“Parent” means the parent(s) or legal guardian(s) having legal custody and control of a pupil.

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

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

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

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



“Pupil” or “Student” means a person enrolled in a school in this district.

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

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

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

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

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

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

## Construction

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

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

## Effectuation

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



## Citations

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

1. United States Statutes  
20 U.S.C.A. Education
2. United States Regulations  
34 C.F.R. Education
3. New Jersey Statutes
  - N.J.S.A. 2C Code of Criminal Justice
  - N.J.S.A. 9 Children-Juvenile and Domestic Relations
  - N.J.S.A. 10 Civil Rights
  - N.J.S.A. 11 Civil Service
  - N.J.S.A. 17 Corporations and Institutions for Finance and Insurance
  - N.J.S.A. 18A Education
  - N.J.S.A. 19 Elections
  - N.J.S.A. 24 Food and Drug
  - N.J.S.A. 26 Health and Vital Statistics
  - N.J.S.A. 27 Highways
  - N.J.S.A. 30 Institutions and Agencies
  - N.J.S.A. 34 Labor and Worker's Compensation
  - N.J.S.A. 36 Legal Holidays
  - N.J.S.A. 39 Motor Vehicles and Traffic Regulation
  - N.J.S.A. 41 Oaths and Affidavits
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  - N.J.S.A. 53 State Police
  - N.J.S.A. 54 Taxation
  - N.J.S.A. 59 Tort Claims
4. New Jersey Administrative Code
  - N.J.A.C. 1 Administrative Law
  - N.J.A.C. 6 & 6A Education
  - N.J.A.C. 8 Health
  - N.J.A.C. 10 Human Services
  - N.J.A.C. 13 Law and Public Safety
  - N.J.A.C. 17 Treasury-General



## Severability

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

## Enactment

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



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## 0110 IDENTIFICATION

### Name

The official name of the Board of Education shall be “The Board of Education of the Township of Teaneck in the County of Bergen.”

### Purpose

The Board of Education exists for the purpose of providing a thorough and efficient system of free public education in grades Pre-Kindergarten through twelve in the Teaneck School District.

### Composition

The Teaneck School District is comprised of all the area within the municipal boundaries of Teaneck.

### Classification

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

### Address

The address of the Board of Education shall be:

1 Merrison Street  
Teaneck, New Jersey 07666

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

Adopted: 14 March 2012





## 0120 AUTHORITY AND POWERS

### Authority

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

### Powers

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

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

Adopted: 14 March 2012



## 0131 BYLAWS AND POLICIES

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

### Adoption, Amendment, and Repeal

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

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

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

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

### Promulgation and Distribution

A manual of bylaws and policies shall be maintained. A copy of the manual of bylaws and policies shall be given to each Board member, the Superintendent, the Board Secretary, the Board Attorney, each Building Principal, and other individuals designated by the Superintendent.

The School Business Administrator/Board Secretary shall institute a plan for the orderly promulgation of policies to staff members who are affected by them and shall provide staff members with access to an up-to-date manual of Board bylaws and policies.

Each copy of the manual of bylaws and policies shall be numbered; a record of the placement of each manual shall be maintained by the School Business Administrator/Board Secretary. Copies of revised pages will be furnished to the holders of manuals as changes are made to bylaws and policies. The holder of a policy manual shall return the manual to the Board Secretary upon the termination of his/her service to the district.



The manual of bylaws and policies shall be considered a public record open to inspection in the office of the School Business Administrator/Board Secretary. The manual retained by the School Business Administrator/Board Secretary shall be considered the master copy of the policy manual and shall not be modified by any person other than the School Business Administrator/Board Secretary or his/her designee.

## Development of Bylaws and Policies

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

1. A new or revised bylaw or policy may be suggested to the Board by any Board member, the Superintendent, any staff member, or a member of the public;
2. A suggestion for a new or revised bylaw or policy may be referred, at the discretion of the President and as appropriate to the subject, to the Superintendent, a Board committee, or a public advisory committee for study and formulation of a recommendation to the Board. Any study of a policy suggestion should consider whether the matter is adequately addressed in existing Board policy and whether the matter is more appropriately addressed by administrative regulation;
3. If a recommendation for a new or revised bylaw or policy results from referral for study, a proposed draft will be submitted to the Board for discussion and approval on first reading. Copies of the proposed draft will be made available to staff members and the public, and comment will be invited. Changes in the draft may be made, by a simple majority vote, when the draft is presented for approval on first reading;
4. The proposed draft, approved on first reading, will be submitted for adoption at the next regular meeting of the Board. Changes in the draft may be made by a simple majority vote. A change that alters the substantive meaning of the draft will constitute a new first reading, and the draft must be presented for adoption at the next succeeding Board meeting. A change that is merely editorial may be followed by a vote to adopt the new or revised bylaw or policy on second reading.

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

Adopted: 14 March 2012



## 0132 EXECUTIVE AUTHORITY

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

The Superintendent shall prepare regulations for the administration of the school district that are not inconsistent with statutes or rules of the State Board of Education and are dictated by the policies of this Board. Administrative regulations shall be binding on the employees of this district and the pupils in the schools of this district when issued and shall be provided to the Board for the information of Board members except where Board approval is required by law.

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

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

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

Adopted: 14 March 2012



## 0133 ADJUDICATION OF DISPUTES

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

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

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

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

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

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

Adopted: 14 March 2012



## 0134 BOARD SELF EVALUATION

The Board of Education is committed to the belief that every part of the school system in this district should be accountable to the public and that performance evaluation is essential to that accountability. The Board further believes that the improvement and growth of any institution depends upon an honest appraisal of its strengths and weaknesses. The Board accepts, therefore, responsibility for the conduct of a systematic program of self-evaluation and appraisal. The standards against which the Board will evaluate itself will be the educational goals, bylaws, and policies duly adopted by this Board.

The Board will use the New Jersey School Boards Association evaluation instrument that permits individual Board members to record their assessments of the conduct of Board meetings, the fiscal management of the district, the conduct of the instructional program, and the relationship of the Board with the Superintendent, other district staff members, and the community.

The assessments of Board members will be tabulated and presented for discussion at the December regular meeting of the Board in which the Superintendent will be invited to participate. The Board will formulate, as appropriate, goals and priorities that will serve to guide the Board in the ensuing school year.

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

Adopted: March 14, 2012

Revised: April 9, 2014



## 0141 BOARD MEMBER NUMBER AND TERM

The Board of Education shall consist of nine (9) members.

The term of a Board member shall be three years.

The term of a Board member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election. Any vacancy for the remainder of the term shall be filled at the next annual school election, except that

1. A Board member appointed to fill a vacancy occurring within sixty days immediately preceding an annual election occurring in April, to fill a term extending beyond the next election, shall serve until the organizational meeting following the second annual election next succeeding the occurrence of the vacancy; or
2. A Board member appointed to fill a vacancy occurring after the third Monday in July for an annual election occurring in November, to fill a term extending beyond the next election, shall serve until the organizational meeting following the second annual election next succeeding the occurrence of the vacancy.

Any vacancy for the remainder of a term shall be filled at the annual election or the second annual election next succeeding the occurrence of a vacancy, as the case may be.

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

Adopted: March 14, 2012

Revised: June 25, 2014



0142 BOARD MEMBER QUALIFICATIONS, PROHIBITED ACTS,  
AND CODE OF ETHICS

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

#### Qualification of Office

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

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

A Board member must be able to read and write.

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

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

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

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





## Prohibited Acts

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

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

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

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

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

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

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

No Board member or member of his/her immediate family or business organization in which he/she has an interest shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him/her, directly or indirectly, in the discharge of his/her official duties, except that the member may have solicited or accepted contributions to his/her campaign for



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

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

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

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

No elected Board member shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward, or other thing of value is promised to or given to or accepted by the member or a member of his/her immediate family, whether directly or indirectly, in return for the information so requested.

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

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



## Ineligibility for District Employment

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

## Code of Ethics

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

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



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8. Vote to appoint the best-qualified personnel available after consideration of the recommendation of the chief administrative officer.
9. Support and protect school personnel in proper performance of their duties.
10. Refer all complaints to the chief administrative officer and act on the complaints at public meetings only after failure of an administrative solution.

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

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

### Oath of Office

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

N.J.S.A. 18A:12-1; 18A:12-1.1; 18A:12-2;  
18A:12-2.1; 18A:12-21 through 18A:12-34 N.J.S.A. 41:1-3  
School Ethics Commission Policy Guideline 1

Adopted: 12 October 2011  
Revised: 14 March 2012



## 0142.1 NEPOTISM

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

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

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

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

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

The Superintendent of Schools shall not recommend to the Board of Education pursuant to N.J.S.A. 18A:27-4.1 any relative of a Board member or the Superintendent. However, in accordance with N.J.A.C. 6A:23A-6.2(a)2, the district may employ a relative of a Board member or Superintendent of Schools provided the district obtains the approval from the Executive County Superintendent of Schools. Such approval shall be granted only upon demonstration by the school district that it conducted a thorough search for candidates and that the proposed candidate is the only qualified and available person for the position.

In accordance with N.J.A.C. 6A:23A-6.2(a)6.(b), per diem substitutes and student employees who are relatives of a Board member or the Superintendent of Schools shall be excluded from the provisions of this Policy and N.J.A.C. 6A:23A-6.2.

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



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

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

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

Adopted: 14 March 2012



## 0142.9 BOARD MEMBER/PUPIL RELATIONS

The Board of Education recognizes its responsibility to protect the health, safety, and welfare of its pupils. The Board also recognizes that all members of the school community share in this responsibility, including individual Board members, professional and support staff, volunteers, and contract Board members, who are Trustees of the school district, must ensure that their individual interactions with pupils remain clearly within the confines of a professional and appropriate relationship. Board members are encouraged to take an interest in all pupils; however, excessive or inappropriate informal and social involvement with individual pupils may give rise to charges of inappropriate personal involvement. Personal relationships which extend beyond a professional and appropriate relationship are not compatible with professional ethics, are potentially damaging to the ability to perform trustee duties, exploit the dependency of a pupil, and shall be grounds for discipline, up to and including removal.

Board members hold a trustee position in relationship to all pupils in the district (including adult pupils); therefore, Board members' conduct shall be appropriate at all times. Parents and pupils regard the Board members as an exemplar whose conduct might be followed by pupils. The relationship between a pupil and Board members is such that the character of the Board member must be above reproach and the Board member shall not engage in conduct that would betray the trust of the pupil/Board member relationship. Board member/pupil interactions that transgress the boundaries of a professional relationship and/or have the appearance of impropriety are prohibited by this Policy.

### Obligation to Report

Any person who has reason to believe that a Board member has violated this Policy must promptly report the matter to the Superintendent or, if the report alleges a violation by that person, directly to the Board Attorney. Reports may be made verbally and may be requested to follow in writing or by e-mail.

### Discipline

A Board member found to have engaged in an inappropriate Board member/pupil relationship, or to have made a knowingly false report of such conduct, or to have failed to report such conduct despite having reasonable grounds to do so, shall be subject to discipline, up to and including removal.

The Superintendent shall cause this Policy to be distributed to all Board members.

Adopted: 14 March 2012



## 0143 BOARD MEMBER ELECTION AND APPOINTMENT

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

A vacancy in the membership of a Board of Education shall be filled as follows:

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

The Board Secretary shall promptly notify the President of a vacancy to be filled by the Board.





# BYLAWS

## TEANECK BOARD OF EDUCATION

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Board Member Election and Appointment

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

In considering candidates who have expressed an interest in a vacancy, the Board of Education may interview candidates in public or executive session. The Board must vote to appoint a candidate to a vacancy in public session and there shall be no decisions made in executive session. In the event interviews are conducted in executive session, Board members, in the public session nomination and voting process, shall express their opinion in support of their vote so the public can witness any deliberations, policy formulation, and the decision making process of the Board.

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

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

Adopted: March 14, 2012

Revised: June 25, 2014



## 0143.2 PUPIL REPRESENTATIVES TO THE BOARD OF EDUCATION

The Board of Education, in its continuing effort to provide channels of communication with pupils, hereby identifies the position of pupil representative to the Board of Education, with the following implementation guidelines:

- A. The Teaneck High School senior pupil representative elected the first year will serve a one-year term expiring April 15 of his/her senior year. The junior representative selected will serve a two-year term expiring on April 15 of his/her senior year. After the initial year, a junior will be selected every year after to serve a two-year term with terms expiring on April 15 of his/her senior year.
- B. The pupil representatives shall serve as liaison between the Teaneck High School Student Council and the Board of Education. He or she shall regularly report to the Council the results of Board action and shall, after consultation with the Superintendent of Schools, or the Superintendent's designee, bring to the Board a written report about the activities and concerns of the Council.
- C. The pupil representatives shall attend all workshops, regular and special Board of Education meetings, and shall be seated at the Board of Education table.
- D. The pupil representatives will have the opportunity to have items included on the Board of Education agenda. These items should be presented to the high school Building Principal and Superintendent of Schools seven working days before the Board meeting, when the agenda is normally established.
- E. The pupil representatives shall participate in Board discussions and deliberations at the discretion of the Board.
- F. The pupil representative is a nonvoting Board member.
- G. The pupil representatives shall receive the agenda and appropriate enclosures in advance of each regular and special meeting of the Board of Education. Although the agenda is a matter of public record, enclosures to the agenda will be treated as confidential.
- H. The pupil representatives shall receive a copy of the minutes of Board meetings. Information in the minutes is a matter of public record and not confidential.
- I. Questions about confidentiality should be referred to the Superintendent of Schools or the Superintendent's designee.



# BYLAWS

## TEANECK BOARD OF EDUCATION

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Pupil Representatives to the Board of Education

- J. Pupil representatives shall be excluded from executive sessions of the Board of Education.
- K. Pupil representatives shall be excluded from sensitive and confidential discussions and communications (e.g. matters involving personnel, grievances, negotiations, litigation, real property purchase/sale and other sensitive matters).
- L. The high school academic eligibility policy shall apply to the pupil representatives. Ineligibility during any marking period shall cause the pupil representative's appointment to be terminated.
- M. If unable to attend any meeting of the Board of Education, the pupil representatives should so notify the Board Secretary's office as soon as possible.
- N. The privileges hereby accorded to the pupil representatives shall not be construed as permitting the presentation of personal pupil grievances or grievances for which other channels are required.
- O. The Board of Education has the right to release a pupil representative whose conduct as a member of the school community warrants dismissal, and to request that the high school Principal in conjunction with the Student Council appoint a new pupil representative.
- P. If a pupil needs to resign as representative to the Board of Education, it is the responsibility of the high school Principal and Student Council to appoint a replacement.

Pupil representatives are expected to adhere to all bylaws, policies and regulations of the Board in their role. The Board in no way relinquishes any of its authority, powers, prerogatives or responsibilities but rather adds to its membership a non-voting pupil representative(s) for the mutual benefit of the Board, student body, and the school district.

Adopted: 14 March 2012



## 0144 BOARD MEMBER ORIENTATION AND TRAINING

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

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

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

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

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

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

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

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



# BYLAWS

## TEANECK BOARD OF EDUCATION

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Board Member Orientation and Training

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

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

Adopted: 14 March 2012



## 0145 BOARD MEMBER RESIGNATION AND REMOVAL

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

1. The cessation of the member's bona fide residency in the school district the member represents; or
2. The member's election or appointment to the office of mayor or member of the governing body of Teaneck; or
3. The member's disqualification from voting pursuant to N.J.S.A. 19:4-1; or
4. The member's conviction for false swearing for having falsely affirmed or declared that he/she is qualified to vote;
5. The removal of the member by the Commissioner of Education; or
6. Recall of a Board member pursuant to N.J.S.A. 19:27A-1 et seq.

The Board recognizes that pursuant to law, any Board member who fails to attend three consecutive meetings of the Board without good cause may be removed by the Board. In order to effectuate this process, the Board maintains the following:

1. The regular Board meeting agenda shall include a year-to-date record of each individual member's attendance at regular Board meetings including workshop meetings. This shall be a responsibility of the School Business Administrator/Board Secretary.
2. As a matter of course, whenever, any Board member misses two consecutive regular meetings (including workshop meetings), the School Business Administrator/Board Secretary will transmit a copy of this Bylaw to such member within two business days (with a copy to all other members.)
3. Whenever reasonably possible, every Board member shall provide the Board President with advance written notice of planned absence and the reason therefore. If advance notice is not possible, the member shall provide the President with the reason for absences within two days of same.



# BYLAWS

## TEANECK BOARD OF EDUCATION

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Board Member Resignation and Removal

4. It shall be the prerogative of the President to determine whether or not an absence will be countable towards the three-absence predicate for removal. The President shall be guided by the stated reason for absences, whether or not the absences span multiple months or not, and whether, in total, the member has missed more than thirty percent of all scheduled meetings (including workshops and regardless of excuse.)
5. Any Board member may raise the issue of removal of another Board member pursuant to law and this Bylaw. However, no vote on removal shall be taken without public proposal of the vote at a regular action meeting, followed by prompt written notice of such proposal to the affected member, as well as at least three days advance notice of the meeting at which the vote will be taken (which meeting must be immediately subsequent to the earlier meeting when the proposal to remove was initially raised unless the President finds good cause to relax the requirement that the meetings be sequenced one after the other due to extraordinary circumstances). In any event, should the affected Board member seek an adjournment, the presumption shall be that such request will be granted and only once, subject to modification by the President due to extraordinary circumstances.

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

N.J.S.A. 19:27A-1 et seq.

Adopted: 14 March 2012



## 0146 BOARD MEMBER AUTHORITY

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

### Release of Information

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

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

### Public Expressions

Board members are entitled to express themselves publicly on any matter, including issues involving the Board and the school district. Individual Board members cannot, however, express the position of the Board except as expressly authorized, in accordance with Board Policy No. 9120. A Board member shall not represent his/her personal opinion as the position of the Board and shall include in all formal expressions in which his/her Board affiliation is likely to be recognized, such as letters to government officials or newspapers, speeches to organizations, and the like, a statement that the opinions expressed do not necessarily represent those of the Board.

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

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

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

Adopted: 14 March 2012





## 0148 BOARD MEMBER INDEMNIFICATION

The Board of Education will indemnify Board members in accordance with law whenever a civil, administrative, criminal or quasi-criminal action or other legal proceeding is brought against a Board member for any act or omission arising out of and in the course of the performance of his/her duties as Board member. In the case of a criminal or quasi-criminal action which results in a final disposition in favor of the Board member, the Board will defray all costs of defending the action, including reasonable counsel fees and expenses, together with costs of appeal, and will save harmless and protect the Board member from any financial loss resulting from the action. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4.

The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

N.J.S.A. 18A:11.1; 18A:12-20; 18A:16-6;  
18A:16-6.1; 18A:18A-46; 18A:18A-47

Adopted: 14 March 2012



## 0149 RETIRING BOARD MEMBERS

As a token of appreciation for services rendered to the school district and Board, a framed resolution recognizing such service will be presented to those duly elected members of the Board who either retire or resign from serving on the Board.

Adopted: 14 March 2012



## 0151 ORGANIZATION MEETING

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

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

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

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

N.J.S.A. 18A:10-3; 18A:10-5  
N.J.S.A. 41:1-1; 41:1-3

Adopted:      October 10, 2012



## 0152 BOARD OFFICERS

The Board of Education shall organize by electing one of its members as President and another as Vice President.

Any member may place a member's name in nomination; a second is not required. Election for each office will be conducted by roll call vote when the nominations for that office are closed. The candidate receiving the votes of a majority of Board members present and voting will be elected to office. In the event no candidate receives a majority of the votes cast, a second election shall be conducted between the two candidates receiving the highest number of votes.

Voting shall take place by verbal roll call.

Officers shall serve for one year and until their respective successors are elected and shall qualify, but if the Board shall fail to hold the organization meeting or to elect Board officers as prescribed by N.J.S.A. 18A:15-1, the County Superintendent shall appoint from among the members of the Board a President and/or Vice-President.

A President or Vice-President who refuses to perform a duty imposed upon him/her by law may be removed by a majority vote of all of the members of the Board. In the event the office of President or Vice-President shall become vacant the Board shall, within thirty days thereafter fill the vacancy for the unexpired term. If the Board fails to fill the vacancy within such time, the County Superintendent shall fill the vacancy for the unexpired term.

N.J.S.A. 18A:15-1; 18A:15-2

Adopted: 14 March 2012



## 0153 ANNUAL APPOINTMENTS

The Board of Education may annually appoint the following positions:

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

Adopted: October 10, 2012



0154 ANNUAL MOTIONS AND DESIGNATIONS

The Board of Education shall at the organizational meeting:

1. Designate one or more depositories for school funds, N.J.S.A. 18A:17-34;
2. Designate those persons authorized to sign school warrants, N.J.S.A. 18A:19-1;
3. Designate the official newspaper, N.J.S.A. 18A:22-11; 18A:39-3;
4. Designate a second newspaper for the publication of Board meetings, N.J.S.A. 10:4-8;
5. Designate the day, place, and time for regular meetings of the Board;
6. Approve the curriculum for all grades; and
7. Readopt existing bylaws and policies for the Board's operation and the operation of the school system.

Adopted: 14 March 2012



## 0155 BOARD COMMITTEES

It is the policy of the Board of Education to operate as a Committee of the Whole. The Board may authorize the establishment of such standing committees from among its membership as it finds necessary and to explore and present options for Board action.

The Board recognizes that Board committees can divide the labor of governing into manageable categories, enabling Board members to delve into governing matters in greater detail than is possible at the full Board level. Board members are better prepared for full Board meetings. This ultimately improves the quality of Board decision making.

Standing committee work builds governing expertise amongst Board members, while it also strengthens a sense of ownership and commitment. Board decisions that are supported by detailed committee work are sounder because of the ownership that is built at the committee level.

Each committee shall be charged by the President at the time of its appointment. Committees are not authorized to take action on behalf of the Board. Formal action may only be taken by the Board as Committee of the Whole.

In creating committees as well as in other Board action, the Board recognizes that the law requires that each individual Board member must confine his/her Board action "to policy making, planning, appraisal, and other requirements by law. The law specifically prohibits Board members from administering the schools.

### Standing Committees

As it finds necessary or appropriate to review district operations in specific areas and to present options for Board action, the Board may authorize the establishment of standing committees comprised solely of Board members. The following rules will govern the appointment and function of such committees:

- A. The committee shall be established only through Board action.
- B. The committee chairperson and member(s) shall be appointed by the Board President.
- C. No committee shall meet if such meeting will result in the existence of a quorum of Board members. Quorum shall consist of no fewer than "one half plus one" of the total number of Board members sitting on the full Board. All committees shall have a minimum of two members and a maximum of four members.



- D. Upon appointment, the committee members shall be informed of their responsibilities and committee meetings shall be limited to discussion related to such responsibilities.
- E. The committee may not act for the Board action nor the Superintendent.
- F. The Superintendent shall be an ex officio member of all committees. The Superintendent will determine which administrator(s) and/or other staff members will attend committee meetings in order to provide information to the committee.
- G. All standing committees shall be dissolved automatically at the end of the Board's year at the annual reorganization meeting. Standing committees may also be dissolved at any time by Board motion.

The following standing committees are recommended:

1. Finance

Finance is a standing committee of the Board, which convenes to direct the preparation of the district budgets for full Board review; to conduct long-range fiscal planning; to review the annual audit; and to recommend bonding for capital improvements as needed. Additional responsibilities include checking and approving all payment of claims, excesses and credits in accordance with law prior to their release. A compilation of all approved Finance Sheets (as defined hereafter) shall be submitted to the Board for consideration and formal action at the next regularly scheduled meeting. The terms "Finance Sheets" is defined in Board Regulation as follows: "Finance Sheets" (a list of bills prepared for payment indicating the vendor, amount, and warrant number). The regulation provides that the Finance Sheets "are to be prepared by the Business office periodically during the month."

2. Facilities: Long Term Planning

The Facilities Committee is a standing committee of the Board, which convenes to conduct long-range planning including monitoring enrollment trends; to review facilities maintenance plans; and to review capital improvement plans and implementation for full Board approval.





3. Curriculum, Guidance and Student Affairs

Review all Pre-Kindergarten through twelve curriculum guides and/or curricular revisions or modifications, and review other program proposals. Review curriculum adoption and implementation to ensure that the district is acting in accordance with the necessary cycle for periodic review and to ensure that the curriculum aligns with the current Core Curriculum Content Standards.

4. Policy

As part of an on-going process, in consultation with the Board attorney, shall develop, review, and revise as appropriate and proposed policy. The Policy Committee reviews and updates all of the district's policies relating to the school Board, district administration, business operations, personnel, pupils, instruction, and community relations. The committee also monitors changes and trends affecting public education and considers new policies to deal with those changes. The committee makes policy recommendations to the full school Board.

5. Personnel and Program

In consultation with the Superintendent, the Personnel and Program Committee reviews creation and elimination of programs, reviews staffing needs/issues, and discusses increases or reductions in the work force.

6. Negotiations

Negotiations is a standing committee of the Board, which convenes to prepare for negotiations with groups both affiliated and unaffiliated with unions; to develop short- and long-range plans for negotiations; to oversee contract proposals submitted to the district bargaining units; and to recommend contracts for full Board approval. The committee will meet with the administration and the Board's labor attorney to discuss pending contract negotiations.

7. Community Relations

The mission of the Community Relations Committee is to provide the Teaneck communities with information on the activities of the Board, as well as important district initiatives, events and activities. The committee provides regular updates through the district website as well as special communications to provide constituents with information on the annual budget and other important district initiatives. Committee members formulate new and innovative ways that the district can improve communication with residents.



## 8. Special Committees

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

### Committee Meetings

Committee meetings shall not be open to the public nor shall any individual be invited to any meeting by any committee member except by majority vote of the committee. No quorum shall be allowed to exist by the presence of more than four Board members at any committee meeting.

### 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 after appropriate adequate notice of such meeting is provided to the public. No official action shall be taken at these meetings, unless so advertised.

### Committee Guidelines

#### 1. Scheduling: Meeting notice, time and place

Meetings shall be scheduled by the chairperson, after consulting with the other committee members, and confirming the acceptability of the time and date with the Superintendent/designee.

#### 2. Transmittal of Notice

Prior to every committee meeting, notice of agenda items shall be sent to the committee and the full Board.

#### 3. Record keeping

Each committee shall perform standard record-keeping functions such as timely creating and maintaining minutes of each meeting (which shall include the time, date, and location of each meeting, a summary of the topics discussed, as well as a list of persons present.) The minutes shall be initially disseminated for review to the Superintendent and the committee member. Prior to every Board meeting, finalized minutes shall be provided to the full Board.



# BYLAWS

## TEANECK BOARD OF EDUCATION

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Board Committees

4. Appointment of Chairperson and Committee Members

Unless otherwise acted upon by the Board or specified in Board approved Bylaws, the committee chairperson shall be appointed by the Board President.

5. Conduct of Meetings

In general, meetings should be limited to discussion of agenda items only. Committee meetings shall be conducted in a manner that is respectful of individual opinions and of individual time commitments.

6. Communications with Board

The chairperson of each committee shall provide an update of committee work to the Board at the regularly scheduled monthly Board meeting.

7. Committee Activities

No public actions, statements, or events by or on behalf of the committee or individual committee members shall be made without prior approval of the Board.

Adopted: 14 March 2012



## 0155.1 FINANCE COMMITTEE

The President will appoint a Finance Committee of any two, three or four members. The President may appoint himself/herself to the Finance Committee provided there is at least one other appointee.

The Committee and/or the Board President will be responsible for checking and approving all payment of claims, excesses and credits in accordance with prevailing statute prior to their release. A summary of all approved finance sheets will be submitted to the Board for formal approval at the next regularly scheduled public meeting.

In carrying out the duties of the Finance Committee, the following regulations will be observed.

### Payment Of Claims

It is the purpose of the Board to effect the prompt payment of bills, but at the same time ensure that due care has been taken in the review of such bills.

Each bill or obligation of this Board must be fully itemized and verified before a warrant can be drawn for its payment, except that the Secretary is directed to make payment of interest on bonds as it becomes due and warrants to cover payrolls and agency account deposits.

It will be the responsibility of the School Business Administrator/Board Secretary, upon receipt of an invoice to verify that the voucher is in order, that proper receipt has been obtained showing that the goods were received in acceptable condition or services were satisfactorily rendered, funds are available to cover the payment, and the invoice is for the amount contracted or is otherwise in order to be paid.

The routine review and approval of bills will be conducted as follows:

1. Finance sheets (a list of bills prepared for payment indicating the vendor, amount, and warrant number) are to be prepared by the Business Officer periodically during the month and submitted to the Finance Committee.
2. At least one member of the Finance Committee will assume responsibility for checking and approving all finance sheets and accompanying bills. Members of the Finance Committee shall assume this responsibility each week on a rotating basis whenever possible.
3. Copies of finance sheets and copies of purchase order approval sheets will be examined by Board members who request receipt of said documents.



4. If no payments are questioned, a member of the finance committee or the Board President will approve the original finance sheet by signing and dating the sheet.
5. Unless the committee specifically directs the withholding of a payment in accordance with paragraphs 6, 7, and 8 following, the School Business Administrator/Board Secretary is authorized to release warrants for all payments approved by the Finance Committee.
6. If, a payment is questioned, the Finance Committee member will request the School Business Administrator/Board Secretary to supply within one business day, additional documentation and/or information supporting the payment(s) in question.
7. If the Finance Committee member requests that a payment be withheld, the subject item(s) will be deleted from the finance sheet and the remaining items will be approved in accordance with paragraph 4.
8. The School Business Administrator/Board Secretary will present the withheld payment and supporting documents and/or information to the Board at its next session for its consideration and decision.
9. A copy of all approved finance sheets will be submitted to the Board upon their approval by the Finance Committee prior to the summary being submitted for formal approval at a public meeting as outlined in the policy.
10. All warrants will be signed by the President, School Business Administrator/Board Secretary and Treasurer of School Moneys and may be facsimile signatures. At least one signature shall not be a facsimile signature on every warrant.

### Issuance of Purchase Orders

It is the intention of the Board that the purchase of supplies, equipment, and services for the efficient operation of the Teaneck Public Schools be done expeditiously, in accordance with New Jersey Statutes and in keeping with the most prudent use of public funds.

Each purchase order must be fully itemized, must state the account to be charged, and must be signed by the person(s) authorized to make such purchase and must indicate the bid number and date.



Purchase orders prepared, or changes made in these orders as the result of formal Board actions, actions of law, or the terms of Board approved contracts with employee bargaining units, do not have to be submitted to the Finance Committee for approval. Such orders shall include payroll, agency accounts, employee fringes, and debt service, which will be prepared and processed by the School Business Administrator/Board Secretary in accordance with the action of the Board, applicable statute, or contract conditions.

It will be the responsibility of the School Business Administrator/Board Secretary upon receipt of a purchase order to verify that the order has been properly prepared, that it bears the necessary signature(s) or has been approved through the electronic on-line approval process, and that funds are available to cover the purchase.

It also will be the responsibility of the School Business Administrator/Board Secretary to notify persons authorized to make purchases of the time required to complete the routine purchasing process so that the efficient operation of the schools will not be hampered by failure to receive purchases in a timely manner.

The routine review and approval of purchase orders, in accordance with the action of the Board, applicable policy, statute or contract conditions, will be conducted by the School Business Administrator/Board Secretary or his or her designee, as follows:

1. Purchase requisitions, including vendor, goods or services to be purchased, account and cost, are to be submitted to the School Business Administrator/Board Secretary. These submissions shall be through the electronic, on-line system.
2. The School Business Administrator/Board Secretary or designee will check all purchase requisitions.
3. If a purchase is questioned, the district administrator requisitioning the purchase will supply, within one business day whenever possible, additional documentation and/or information supporting the purchase(s) in question.
4. The School Business Administrator/Board Secretary will electronically approve the purchase requisition and sign and release the approved, printed purchase order.

#### Purchasing Conditions

1. Confirmation orders (i.e., orders issued after a purchase has been effectively made) will not be permitted except in the case of an emergency as provided for under New Jersey Statutes.



2. Changes in purchase orders – If in filling an approved purchase order, there are changes in the dollar amounts of the order, quantity of items ordered, or type of item ordered, the changes in the order must be resubmitted for approval by the School Business Administrator/Board Secretary.

Resubmission is not required if:

- a. The difference is the result of shipping charges added;
- b. The dollar amount of the order is increased by less than ten percent or less than \$10.00 and there are sufficient funds in the account to cover the increase;
- c. A change in quantity and resulting price necessitated by packing provided there are sufficient funds in the account to cover the increase;
- d. A change in the specified item is a minor change such as a new model in place of a former model no longer available,

In these cases, purchase orders will be considered to come within the parameters of the original approval.

#### Policy Implementation

It will be the responsibility of the School Business Administrator/Board Secretary to prepare, disseminate and enforce the regulations and procedures to effect the purpose of this policy and New Jersey Statutes.

Adopted: 14 March 2012



## 0155.2 ADVISORY COMMITTEES

### Citizens Advisory Committee

The success of the school system depends, to a large extent, on open channels of communication between the school community and the community at large. Citizens' advisory committees are particularly useful in this respect, both in keeping the Board and administration informed with regard to community opinion and in representing the community in the study of specific areas of school interest.

Citizens advisory groups will be appointed when a special problem should be studied or when the need arises. Any designated group will be responsible to and will report its findings to the Board of Education. It will be the Board of Education's responsibility to consider all recommendations as presented and take whatever action it deems advisable.

When the need for such a committee is decided by the Board as a whole, the charge is to be defined and widely advertised along with solicitation for community membership. Committee members should be selected by a majority vote of the Board.

### Board Advisory Committee Membership

Eligible members shall be residents of Teaneck or members of the Teaneck Public School staff. The committee may include no more than twenty percent staff employed by the Teaneck Board of Education, and all staff members shall be approved after Board consultation with the Superintendent.

Adopted: 14 March 2012





## 0157 BOARD OF EDUCATION WEBSITE

For the purposes of keeping the community informed, the Board authorizes the Superintendent or designee to coordinate and oversee a school district website to be maintained on the Internet. All items to be posted on the website shall be approved by the Superintendent or designee, prior to posting. In the event the Superintendent or designee finds certain material that is submitted to be posted, should not be posted, the Superintendent or designee shall seek approval of the Board President prior to posting such material. In the event the Board President, upon review of the material from the Superintendent or designee, believes the material should not be posted on the website, the material shall not be posted.

The types of information that may be posted on the website include, but are not limited to:

Board Meeting public agendas

Board Meeting approved minutes

Board of Education policies

Board of Education regulations

Board of Education meeting dates

School District Newsletter Information

Information regarding school times, closings, procedures, schedules

Frequently asked questions as they relate to Board functions

School Administration Information

Curriculum updates

Job postings

Test score information from the School Report Card

School E-Mail information

And any other information the Superintendent determines appropriate for posting on the website.



# BYLAWS

## TEANECK BOARD OF EDUCATION

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Board of Education Website

Materials containing political or editorial points of view shall be prohibited from the website.

The Board and Superintendent shall periodically evaluate the effectiveness of the school district website and this Policy.

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

Adopted: 14 March 2012



## 0161 CALL, ADJOURNMENT AND CANCELLATION

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

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

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

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

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

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

N.J.A.C. 6A:32-3.1

Adopted: 14 March 2012



## 0162 NOTICE OF BOARD MEETINGS

### Preparation, Form and Distribution of Meeting Notices

- A. It will be the responsibility of the School Business Administrator/Board Secretary to have all meeting notices prepared, posted, and mailed in accordance with this policy.
- B. All meeting notices will be prepared, posted, and mailed at least forty-eight hours prior to the date of the meeting called for in the notice.
- C. Meeting notices will contain at least the following information:
  - 1. Day of meeting;
  - 2. Date of meeting;
  - 3. Local time of meeting;
  - 4. Location of meeting by name and address; and
  - 5. Insofar as known, a brief general description of the meeting purpose.
- D. Meeting notices will be mailed or delivered in accordance with statute and this policy, and will be sent to at least the following:
  - 1. All Board of Education members;
  - 2. Superintendent of Schools;
  - 3. School Business Administrator/Board Secretary;
  - 4. Township of Teaneck clerk;
  - 5. Two designated "official" newspapers;
  - 6. Individuals requested by the Board of Education to attend the meeting; and
  - 7. All citizens of Teaneck who have requested such notices in accordance with this policy.



- E. The School Business Administrator/Board Secretary will provide a bulletin board approximately 24" x 36" in size for the official posting of the annual schedule and all meeting notices. This board will be located in the public area of the Board of Education Central Administration Offices.
- F. Citizens of Teaneck, upon payment of a \$10.00 annual fee or pro-rata amount, may request to receive by mail a copy of the annual schedule of regular public meetings, other meeting schedules adopted by the Board, and all meeting notices. In accordance with statute, such request will terminate annually on December 31 and may be renewed upon payment of the aforementioned fee.

#### Failure To Supply Meeting Notice

- A. Meetings of the Board may be called and held without prior notice under the following conditions:
  - 1. Three-fourths of the Board members present at the meeting waive the notice requirement;
  - 2. The meeting is called only to deal with a matter(s) of urgency and importance and which cannot be delayed for a regularly scheduled meeting; and
  - 3. There is entered into the minutes of the meeting, the presiding officer's public statement as to the purpose of the meeting, the reason for failure to provide proper notices and when such notice was provided.
- B. The School Business Administrator/Board Secretary will, immediately upon being instructed to call a special meeting for which proper notice cannot be given, carry out the requirements of this policy, except that he/she will expedite the notification of the meeting by the use of telephone, telegram, or messenger delivery.
- C. Upon the affirmative vote of three-quarters of the members present, the Board may meet in the absence of adequate notice, provided that discussion and action is limited to specific and unforeseen or unforeseeable matters of such urgency and importance that delay for the provision of notice would be likely to result in substantial harm to the public interest and that notice is given as soon as possible after the call of the meeting in accordance with the provisions of law and this bylaw.

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

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

N.J.A.C. 6A:32-3.1

Adopted: 14 March 2012



## 0163 QUORUM

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

In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time not later than 9:00 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.

The Board of Education recognizes that there may be matters that come before the Board or acts required of Board members in their official capacity where the Board member may have a conflict of interest or the act would be in violation of N.J.S.A. 18A:12-24. In these matters, the Board member(s) will remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter. The Board will consider this matter without the Board member(s) who has the conflict.

In the event a matter comes before the Board or an act is required of a Board member in his/her official capacity that is a conflict or would be in violation of N.J.S.A. 18A:12-24, the Board would still be required to have a quorum to consider the matter. However, the New Jersey Department of Education and the School Ethics Commission has envisioned this prohibition could create a situation in which so many Board members have a conflict, that the Board would be unable to take action on a matter. Therefore, when more than a quorum of the Board members must abstain from voting on a matter, the Board will invoke the Doctrine of Necessity consistent with the New Jersey Department of Education and School Ethics Commission guidelines as follows:

### A. Board Member(s) in Conflict - Less Than a Majority of The Board

1. In the event a Board member(s) has a conflict of interest where the Board member will act in his/her official capacity, the Board member must remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.
2. In the event a Board member is unsure whether he/she or any other Board member has a conflict of interest or whether the matter, if acted upon by a Board member(s) is in violation of N.J.S.A. 18A:12-24 - Prohibited Acts, the School Board Attorney will make a determination.
3. The School Board Attorney will provide the Board of Education an opinion on whether the matter is a conflict of interest or act prohibited by N.J.S.A. 18A:12-24 - Prohibited Acts.



4. If the Board member(s) believes he/she has a conflict of interest where he/she will act in his/her official capacity or if the School Board Attorney renders an opinion that the Board member has a conflict of interest where the Board member will act in his/her official capacity, the Board member will remove himself/herself from any discussions, meetings (informal or formal), committee meetings, and/or a vote regarding the matter.
- B. A Majority of Board Members in Conflict
1. In the event:
    - a. A Board member(s) believes he/she has a conflict of interest where he/she will act in his/her official capacity; or
    - b. If the School Board Attorney renders an opinion that the Board member(s) has a conflict of interest where the Board member will act in his/her official capacity; and
    - c. The number of Board members that have a conflict would make it so the Board would be unable to take action on the matter, then the Board may invoke the “Rule [or Doctrine] of Necessity.” (Citing *U.S. v. Will*, 449 *U.S.* 200 (1980)).
- C. Rule [Or Doctrine] Of Necessity
1. The Doctrine of Necessity may be invoked when more than a quorum of the Board must abstain from voting on a matter.
  2. There are three prerequisites necessary for a Board to invoke the Doctrine of Necessity:
    - a. The Board must be unable to act without the members in conflict taking part;
    - b. There must be a pressing need for action, i.e. the matter cannot be laid aside until another date; and
    - c. There can be no alternative forum that can grant the same relief. (*Allen v. Toms River Regional Board of Education*, 233 *N.J. Super* 651 (Law Division 1989).
  3. When the School Board Attorney advises the Board the Doctrine of Necessity must be invoked in order to obtain a quorum on a vote, the Board must announce that it is invoking the Doctrine.



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## TEANECK BOARD OF EDUCATION

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Quorum

- a. The announcement must include the reason the Board must invoke the Doctrine of Necessity including stating the nature of each Board members conflict.
  - b. The announcement will be in writing and should be recorded in the minutes of the meeting by the Board Secretary at the point when the vote takes place.
  - c. It is enough for the Board to announce it is invoking the Doctrine and a Board Resolution is not required.
4. When the Board announces the Doctrine of Necessity is being invoked, the details, parameters and/or other pertinent facts of the matter to be voted should be revealed on an agenda for the public meeting in which the matter is to be voted upon.
5. The Board members who have a conflict in the matter are prohibited from:
  - a. Participating in any discussions on the matter prior to the announcement and public meeting; and
  - b. From entering an executive session in order to discuss the merits of the matter or contract; and
  - c. From offering their opinions on the matter at any time prior to the announcement and public meeting.
6. The Board members who have a conflict in the matter may only participate to the extent they may vote after the motion to approve and/or ratify the matter has been made and seconded and the Doctrine of Necessity has been thoroughly explained to the public.
7. Board members in conflict may only ask questions regarding the matter to be voted on in public and after the Board has invoked the Doctrine of Necessity.
8. Board members in conflict may explain their reasons for not voting just before the vote.

N.J.S.A. 18A:12-24  
New Jersey School Ethics Commission Advisory Opinion  
A10-93(b) and A07-94

Adopted: 14 March 2012





## 0164 CONDUCT OF BOARD MEETINGS

### Parliamentary Authority

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

### Presiding Officer

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

### Announcement of Adequate Notice

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

### Agenda

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

The order of business shall be as follows:

1. Call to order;
2. Flag salute;
3. Presiding officer's meeting notice statement;
4. Roll call;
5. Superintendent's report;
6. Petitions or communications;
7. Public participation on business agenda motions;
8. Board discussion of business agenda before voting begins and formal action on business agenda;
9. Public participation on other than business agenda actions;



# BYLAWS

## TEANECK BOARD OF EDUCATION

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Conduct of Board Meetings

10. Legal counsel report (quarterly);
11. Committee reports
12. Unfinished business;
13. New business;
14. Adjournment.

N.J.S.A. 10:4-10  
N.J.S.A. 18A:16-1.1

Adopted: 14 March 2012



## 0165 VOTING

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

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

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

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



- c. Determine that it is necessary, in a Type II school district having a Board of School Estimate, to sell bonds to raise money for any capital project, N.J.S.A. 18A:22-27; and
  - d. Sell bonds of a Type II district without further advertisement at private sale if no legally acceptable bid is received for the bonds pursuant to N.J.S.A. 18A:24-45.
3. A majority vote of the full membership of the Board is required for:
- a. Admission after October 1 of a pupil who has never attended school, N.J.S.A. 18A:38-6;
  - b. Adoption or alteration of a course of study, N.J.S.A. 18A:33-1;
  - c. Application for membership in an established county audiovisual aid center, N.J.S.A. 18A:51-11;
  - d. Appointment of a Superintendent, N.J.S.A. 18A:17-15; School Business Administrator, N.J.S.A. 18A:17-14.1; Board Secretary, N.J.S.A. 18A:17-5; Assistant Board Secretary, N.J.S.A. 18A:17-13; Administrative Principals, N.J.S.A. 18A:17-20.5; and Shared Superintendent or School Business Administrator, N.J.S.A. 18A:17-24.3. Appointment and removal of Assistant Superintendent(s), N.J.S.A. 18A:17-16 and appointment, salary, and removal of Business Manager in Type I school district, N.J.S.A. 18A:17-25.
  - e. Appointment, transfer, removal and/or renewal of teaching/certificated and/or non-certificated staff members, N.J.S.A. 18A:25-1, 27-1;
  - f. Fix and determine, in a Type II district having no Board of School Estimate, the amount of money to be raised for budgets and capital construction, N.J.S.A. 18A:22-32, 22-39;
  - g. Approval of employee salary deductions for hospital and insurance plans and government bonds, N.J.S.A. 18A:16-8;
  - h. Authorization, in Type II school districts, of school bonds, N.J.S.A. 18A:24-10;



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- i. Decision to establish with other school districts a county audiovisual educational aid center, N.J.S.A. 18A:51-1;
  - j. Determination of sufficiency of charges warranting dismissal or reduction in salary of a tenured employee, N.J.S.A. 18A:6-11;
  - k. Disposition or exchange of lands owned by the Board, N.J.S.A. 18A:20-5, 20-8;
  - l. Purchase of bonds or other obligations as investments, N.J.S.A. 18A:20-37;
  - m. Removal of the President or Vice President of the Board, N.J.S.A. 18A:15-2;
  - n. Restoration or removal following suspension of an Assistant Superintendent, Principal, or teacher, N.J.S.A. 18A:25-6;
  - o. Selection of textbooks, N.J.S.A. 18A:34-1;
  - p. Withholding a salary increment, N.J.S.A. 18A:29-14;
  - q. Direct the Secretary of the Board to deduct salaries of employees to participate in any plan for the purchase of bonds of the United States government, N.J.S.A. 18A:16-8;
  - r. Appointment and salary of Executive Superintendent in district in city of the first class with a population over 325,000 have a unit control organizational structure.
4. A roll call vote of the Board is required for the following actions with the necessary vote is indicated:

Issue	Required Vote
a. Salary deductions for government bonds N.J.S.A. 18A:16-8	Majority of full Board



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Issue	Required Vote
b. Appointment of a secretary of Board of Education; terms; compensation; vacancy N.J.S.A. 18A-17-5	Majority of full Board
c. Assistant and acting secretaries; appointment, powers and duties N.J.S.A. 18A:17-13	Majority of full Board
d. Appointment of Superintendents; terms; apportionment of expense N.J.S.A. 18A:17-15	Majority of full Board
e. Appointment and removal of Assistant Superintendents N.J.S.A. 18A:17-16	Majority of full Board
f. Appointment of Administrative Principals N.J.S.A. 18A:17-20.5	Majority of full Board
g. Appointment of shared Superintendent, School Business Administrator; terms N.J.S.A. 18A:17-24.3	Majority of the membership of each Board
h. Appointment; salary; removal of Business Managers N.J.S.A. 18A:17-25	Majority of full Board
i. Unit control organizational structure; Executive Superintendent N.J.S.A. 18A:17A-1	Majority of full Board
j. Disposition of property N.J.S.A. 18A:20-5	Majority of full Board
k. Exchange of lands N.J.S.A. 18A:20-8	Majority of full Board



# BYLAWS

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Issue	Required Vote
l. Type II districts with Board of School Estimate; determination; certification and raising of appropriations; notice of appeal N.J.S.A. 18A:22-26	Majority of full Board
m. Type II districts with Boards of School Estimate; estimate by Board of Education; certification of estimate N.J.S.A. 18A:22-27	Two thirds of full membership of Board
n. Determination of amounts by Board of School Estimate N.J.S.A. 18A:22-31	Board of School Estimate majority of full Board
o. Type II districts without Board of School Estimate; determination and certification of appropriation N.J.S.A. 18A:22-32	Majority of full Board
p. Type II districts without Board of School Estimate; submission of capital projects N.J.S.A. 18A:22-39	Majority of full Board
q. School bonds, when deemed to be authorized Type II. N.J.S.A 18A:24-10	Majority of full Board
r. Private sale if no bids at public sale N.J.S.A. 18A:24-45	Two thirds of full membership of Board
s. Transfer of teaching staff member N.J.S.A. 18A:25-1	Majority of full Board
t. Suspension of Assistant Superintendents, Principals and teaching staff members N.J.S.A. 18A:25-6	Majority of membership



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	Issue	Required Vote
u.	Appointment of teaching staff members; vote required N.J.S.A. 18A:27-1	Majority of full Board
v.	Board of Education, procedure for certain personnel actions; recommendation of Chief School Administrator N.J.S.A. 18A:27-4.1	Majority of full Board
w.	Renewal of personnel N.J.S.A. 18A:27-4.1	Majority of full Board
x.	Withholding increments; causes notice of appeals N.J.S.A. 18A:29-14	Majority of full Board
y.	District to furnish suitable facilities; adoption of courses of study N.J.S.A. 18A:33-1	Majority of full Board
z.	Textbooks; selection; furnished free with supplies; appropriations N.J.S.A. 18A:34-1	Majority of full Board
aa.	Single county educational audiovisual aids center in county N.J.S.A. 18A:51-11	Majority of full membership

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

Adopted: 14 March 2012





## 0166 EXECUTIVE SESSIONS

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

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

1. Any matter that has been rendered confidential by express provision of Federal or State law or rule of court;
2. Any matter in which the release of information would impair a right to receive funds from the Government of the United States;
3. Any material the disclosure of which constitutes an unwarranted invasion of a pupil's privacy, including but not limited to records, data, reports, or recommendations relative to the pupil's personal and family circumstances, treatment, progress or condition, unless the adult pupil or the pupil's parent(s) or legal guardian(s) requests in writing that the same be disclosed publicly;
4. Any Collective Bargaining Agreement, or the terms and conditions that are proposed for inclusion in any Collective Bargaining Agreement, including the negotiation of the agreement with school district employees or representatives of employees;
5. Any matter involving the purchase, lease, or acquisition of real property with public funds or the investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed;
6. Any tactics and techniques utilized in protecting the safety and property of the public when their disclosure could impair such protection and any investigations of violations or possible violations of the law;
7. Any pending or anticipated litigation or contract negotiation other than as stated in #4 in which the Board is or may become a party and any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his/her ethical duties as a lawyer;



# BYLAWS

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8. Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the Board, unless the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting, except that, regardless of the employee's request, the consideration and actions of the Board as to any tenure charge shall be conducted in private session;
9. Any deliberations occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of the responding party's certification as a result of an act or omission for which the responding party bears responsibility.

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

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

Adopted: 14 March 2012



## 0167 PUBLIC PARTICIPATION IN BOARD MEETINGS

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

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

Public participation shall be governed by the following rules:

1. A participant must be recognized by the presiding officer and must preface comments by an announcement of his/her name, municipality, residence, and group affiliation, if applicable;
2. Each statement made by a participant shall be limited to (not less than three) 3 minutes' duration;
3. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard;
4. All statements, questions, or inquiries shall be directed to the presiding officer; and any questions or inquiries directed by a participant to another Board member shall be redirected to the presiding officer who shall determine if such statement, question, or inquiry shall be addressed by the presiding officer on behalf of the Board or by the individual Board member
5. The presiding officer may:
  - a. Interrupt, warn, and/or terminate a participant's statement, question, or inquiry when it is too lengthy;
  - b. Interrupt and/or warn a participant when the statement, question, or inquiry is abusive, obscene, or may be defamatory;



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- c. Request any person to leave the meeting when that person does not observe reasonable decorum;
- d. Request the assistance of law enforcement officers in the removal of a disorderly person when that person prevents or disrupts a meeting with an act that obstructs or interferes with a meeting;
- e. Call for a recess or an adjournment to another time when the lack of public decorum interferes with the orderly conduct of the meeting; and
- f. Waive these rules when necessary for the protection of privacy or to maintain an orderly operation of the Board meeting

N.J.S.A. 2C:33-8  
N.J.S.A. 10:4-12

Adopted: October 10, 2012

Revised: May 11, 2016



## 0168 RECORDING BOARD MEETINGS

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

### Minutes

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

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

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

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

The Teaneck Board of Education shall make a video tape recording of each Board meeting.

### Recording by the Public

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

The Board will permit the use of audio or video recording devices by members of the public to record public meetings.

Prior notice to audio or video record a public meeting is not required provided the person operates the recording device while sitting in the area designated by the Board for public seating.



The recording of a meeting from this area shall not obstruct or distract any member of the public from observing and listening to the proceedings of the meeting. If the recording is obstructing the view or is distracting to members of the public, the presiding officer or designee will require the person recording the meeting to relocate to another area of the meeting room.

In the event a member of the public wants or needs to audio or video record a public meeting from an area other than the area designated for public seating, the person shall provide notice of such request to the Board Secretary in advance of the meeting. The Board Secretary or designee shall review the recording guidelines outlined in this Bylaw with the person requesting to record the meeting.

Any member of the public wanting to use a recording device from an area other than the area designated for public seating must be located and operated from inconspicuous locations in the meeting room as determined by the presiding officer or designee. Prior to the meeting, the presiding officer or designee will determine the location of each recording device so each video recording device can record the meeting with an unobstructed view and each audio recording device can record a meeting so the speakers and meeting proceedings can be properly recorded. The location of any recording device operated from an area other than the area designated for public seating will be in an area of the meeting room that is not distracting or obtrusive to Board members, members of the public, or the orderly operation of the meeting. Any recording device used outside the area designated for public seating shall be located within a similar distance from the Board as the public seating area. The presiding officer or designee shall determine when the number of recording devices used outside the area designated for public seating interferes with the conduct of a Board meeting and may order that an interfering recording device be removed or relocated.

Additional lighting shall not be used unless approved by the presiding officer or designee prior to the meeting. All recording devices and any related equipment must be battery operated or operational without the use of district electricity as the district will not permit such equipment to be connected to the school district's electrical service.

The presiding officer or designee shall determine if a recording device interferes with the conduct of a Board meeting and may order that an interfering device be relocated.

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

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

Adopted: February 08, 2012

Revised: March 14, 2012

Revised: May 11, 2016



## 0168.1 VIDEO AND AUDIO TAPING OF BOARD OF EDUCATION MEETINGS

### Broadcasting and Taping of School Board Meetings

The Board has authorized the live televising of its regularly scheduled public meetings over the available public cable television access channel.

The members of the Teaneck Board of Education recognize that current law requires it to allow audio taping and videotaping of Board of Education meetings, but that the law also permits the Board to formulate reasonable guidelines for such taping so as to minimize intrusiveness, preserve confidentiality where required, and maintain the dignity of the Board's meetings. Therefore, the attached regulations shall be followed in the event any attendees (including residents, media, and any other persons) wish to record the Board's meetings or any part thereof.

### Live TV/Video Recording By The Board

The Board of Education has authorized live and recorded cable television broadcasts of regular public meetings and establishes the following parameters for the recording and broadcast of such meetings:

1. Regular public meetings will be filmed by professionals or trained volunteers and broadcast on local cable television station(s).
2. A copy of the video tape will be kept on file in the central office for the duration of the school year. Video recordings of the public meetings will not be the official public record/minutes of Board of Education meetings.
3. The audience is not to be photographed unless an individual is recognized. The individual filming the meeting is prohibited from "panning" the audience or filming any individuals who call out during the meeting, disrupt meetings or approach the lectern without being recognized by the Board of Education and requested to approach.
4. All Board-directed recording for the purpose of cable television broadcasting and video recording is to cease at 11:00 p.m. even if the meeting is still in session.
5. Basic tenets of journalism are to be adhered to; that is, Board members are to be covered fairly, with equal time spent on each person. No one person is to monopolize camera time. If there is a long speech, the audio recording will continue, if the speaker has been recognized, but the camera will not remain on the speaker the entire time that he/she is speaking.



## Recording By The Public

1. The Board will permit the recording of the proceedings of a public meeting of the Board in a manner that does not interrupt the proceedings, inhibit the conduct of the meeting or distract Board members or other observers present at the meeting. Those meetings or portions of meetings which are permitted by law to be closed to the public shall not be audio or video recorded.
2. The Board will permit the use of a still or movie camera, or video camera only when written notice of such intended use has been given to the Board Secretary two days in advance of the meeting. No more than one movie or video camera may be in use by the public at any time, and permission will be given on a first-come, first-served basis. The President of the Board reserves the right to permit more than one camera at any one time, provided the equipment does not interfere with the orderly function of the Board. Cameras (video or movie) must be operated in an inconspicuous location in the meeting room, subject to Board approval. No additional lighting shall be permitted.
3. The presiding officer shall determine when any recording device interferes with the conduct of a Board meeting and may order that an interfering device be removed.
4. Any audio or video record of a Board meeting that is made available to persons other than the maker of the record must be open to inspection by the Board and may be copied by the Board at the Board's expense.
5. Any parent(s) or legal guardian(s) who wishes to discuss a personal matter pertaining to a pupil who resides, or attends school, in the district may request, at a Board meeting, that the Board temporarily suspend all video and/or audio recording of the meeting for the period during which such personal matter is discussed. The Board may grant the parent(s)' or legal guardian(s)' request if it finds that video and/or audio recording of such discussion might be embarrassing or in violation of the pupil's privacy rights. The Board may make general inquiry regarding the nature of the personal matter in order to determine whether such recording should be temporarily suspended.





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Video and Audio Taping of Board of Education Meetings

6. The Board shall bear absolutely no liability for any damaged, lost or stolen recording equipment or for any damage or injury caused by any person recording Board proceedings. All persons recording Board proceedings shall hold the Board harmless from and indemnify the Board against all damage, injury, and all other claims, whether to themselves or others, arising out of the recording of any Board proceeding.

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

Adopted: 14 March 2012



## 0169 BOARD MEMBER USE OF ELECTRONIC MAIL/INTERNET

The Board of Education is a public body as defined in the New Jersey Open Public Meetings Act, N.J.A.C. 10:4-6 et seq., and the Board and its members are required to comply with the provisions of this Act. It is the right of the public to be present at meetings of public bodies and to witness in full all phases of the deliberations, policy formulation, and decision-making. Board members acknowledge certain discussions between Board members, other than during a Board meeting, may be subject to the provisions of the Open Public Meetings Act.

The Board of Education is also subject to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. The Open Public Records Act requires public agencies/School Boards to make certain governmental records subject to public access. Board members may, by written and/or electronic mail (e-mail), communicate with each other and with certain school staff regarding the school district's public business. "Public business" means and includes all matters that relate in any way, directly or indirectly, to the performance of the public body's functions or the conduct of its business. Board members acknowledge these written communications may be classified as a governmental record and may be subject to public access pursuant to the Open Public Records Act.

In order to ensure the Board and/or individual Board members comply with the requirements of the Open Public Meetings Act and the Open Public Records Act, the following guidance is provided regarding certain discussions and written communications regarding the public business:

1. Written letters, e-mails, and supporting documents regarding school district matters written by Board members to other Board members or written by Board members to school staff, unless the subject matter is specifically exempt under the Open Public Records Law, are governmental records and are subject to public access. Based on the potential for improper/inappropriate disclosure and/or breach of confidentiality that may compromise the Board or Board member, these communications should not involve confidential matters, especially any matter the Board may discuss in executive/private session outside the presence of the public pursuant to the Open Public Meetings Act.
2. Written letters, internet (chat) discussions, e-mails, and supporting documents regarding the school district's public business written by Board members to other Board members shall not replace deliberations that would prevent the public from witnessing in full detail all phases of the Board's deliberations, policy formulation, and decision-making process in accordance with the intent of the Open Public Meetings Act.



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Board Member Use of Electronic Mail/Internet

3. Internet (chat) discussions between Board members regarding the school district's public business shall not include multiple Board members with the potential that a quorum of the Board may be involved, or become involved, in such discussion.

In the event a Board member(s) fails to comply with the guidance of this Policy, the matter shall be referred to the Board President, who will meet and/or discuss the matter and this Policy with the Board member(s). The Board President may request the Board Attorney participate in this meeting and/or discussion.

N.J.S.A. 10:6-4 et seq.

N.J.S.A. 47:1A-1 et seq.

Adopted: 14 March 2012



## 0171 DUTIES OF BOARD PRESIDENT AND VICE PRESIDENT

The President of the Board of Education shall:

1. Preside at all meetings of the Board;
2. Require the Board Secretary to call special meetings of the Board, N.J.A.C. 6A:32-3.1;
3. Sign all school district warrants, N.J.S.A. 18A:19-1;
4. Certify to all payrolls, N.J.S.A. 18A:19-9;
5. Subscribe bonds, notes, contracts, and other legal instruments for which the signature of the President is required, N.J.S.A. 18A:24-32;
6. Issue subpoenas to compel attendance of witnesses and production of documents, N.J.S.A. 18A:6-20;
7. Appoint all committees of the Board;
8. Serve as committee member ex-officio in accordance with Board Bylaw 0155; and
9. Assist in the preparation of the Board agenda.

The Vice President shall assume and discharge the duties of the President in the President's absence, disability, or disqualification. N.J.S.A. 18A:16-1.1

Adopted: 14 March 2012



## 0172 DUTIES OF TREASURER OF SCHOOL MONIES

The Treasurer of School Monies shall:

1. Receive and hold in trust all school monies, except monies from athletic events and pupil organization activities, and deposit them in the bank or banks designated by the Board, N.J.S.A. 18A:17-34;
2. Pay out school monies only on warrants made payable to the person entitled to receive payment and specifying the object for which it is issued and signed by the President, Secretary and Treasurer, N.J.S.A. 18A:19-1;
3. Receive school employee payrolls and a warrant for the full amount of each payroll certified by the President and Secretary, deposit the warrants in a separate payroll account, and issue individual checks drawn on such account to each employee, N.J.S.A. 18A:19-9, 19-10;
4. Give public notice when funds are on hand for payment of interest bearing warrants issued for which no funds were available, N.J.S.A. 18A:19-12;
5. Keep a record of monies received and paid out in books provided for that purpose and in accordance with a bookkeeping system prescribed by the State Board, N.J.S.A. 18A:17-35;
6. Pay over the balance of school funds on hand to his/her successor, N.J.S.A. 18A:17-35;
7. Render a monthly report to the Board giving a detailed account of all receipts, the amounts of all warrants issued, the accounts from which they were drawn and the balance in each account, N.J.S.A. 18A:17-36;
8. Render an annual report showing the amounts received and disbursed by him/her during the school year and file a copy with the County Superintendent, N.J.S.A. 18A:17-36; and
9. Receive the proceeds of any bond sale and disburse them only to pay the expenses of issuing and selling the bonds, the purpose for which the bonds were issued, and the temporary investment of the funds, N.J.S.A. 18A:24-47.

Adopted: 14 March 2012



## 0173 DUTIES OF PUBLIC SCHOOL ACCOUNTANT

The Board will engage only a licensed public school accountant to conduct the annual audit in accordance with N.J.S.A. 18A:23-1 et seq. The accountant must have an external peer/quality report performed in accordance with N.J.A.C. 6A:23A-16.2(i)1, unless the accountant or firm can show good cause as to why there was a delay completing such report within the required timelines established by Government Auditing Standards issued by the Comptroller General of the United States. The Board will require the submission of the most recent external peer/quality report for review and evaluation prior to the appointment of the licensed public school accountant. The Board will acknowledge the receipt, review, and evaluation of the external peer/quality report in the public session and Board minutes in which the accountant or firm to perform the audit is engaged.

The Board will require the submission of an updated external peer/quality report of the accountant within thirty days after the issuance date of the external peer/quality report if the report is issued prior to the date of the audit opinion for the most recent fiscal year.

In accordance with NJOMB Circular Letter 98-07, the public school accountant will provide a copy of the most recent external peer/quality report to the Department of Education, within thirty days after the initial engagement by the Board and within thirty days after the issuance of a subsequent peer/quality report.

The Board shall engage a public school accountant during the audit engagement period for non-auditing, management, or other consulting services only if such services comply with the independent standards as established in Government Auditing Standards (Yellow Book) by the Comptroller General of the United States.

The Board may be prohibited for good cause by the Commissioner of Education from engaging a particular licensed public school accountant, or may be directed by the Commissioner on a process to be used in the appointment of a licensed public school accountant pursuant to N.J.A.C. 6A:23A-16.2(i)4.

The public school accountant will complete the annual audit as required by the Department of Education and N.J.S.A. 18A:23-2. Each annual audit shall include an audit of the books, accounts and moneys, and verification of all cash and bank balances of the Board and of any officer or employee and of moneys derived from athletic events or other activities of any organization of pupils conducted under the auspices of the Board, from the date of the last annual audit to the date of the current audit. The audit will also include a determination of the extent to



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Duties of Public School Accountant

which the district used contracts entered into by the State Division of Purchase and Property pursuant to P.L. 1969 c. 104 (C. 52:25-16.1 et seq.) in the purchase of materials, supplies or equipment for the district. The report of each audit will be completed in accordance with the time requirements of N.J.S.A. 18A:23-1 and will be filed by the public school accountant in accordance with N.J.S.A. 18A:23-2.3.

Within thirty days following receipt of the report the Board, at a regularly scheduled public meeting, will cause the recommendations of the accountant to be read and discussed and the discussion will be duly noted in the Board meeting minutes in accordance with N.J.S.A. 18A:23-5. The Board Secretary will prepare or have prepared a summary of the annual audit for this Board meeting in accordance with N.J.S.A. 18A:23-4.

N.J.S.A. 18A:23-1 et seq.  
N.J.A.C. 6A:23A-16.2

Adopted: 14 March 2012



## 0174 LEGAL SERVICES

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

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

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

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

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

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





Any professional services contract(s) for legal services shall prohibit advance payments. Services to be provided shall be described in detail in the contract and invoices for payment shall itemize the services provided for the billing period. Payments to legal counsel(s) shall only be for services actually provided.

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

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

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

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

Adopted: 14 March 2012



## 0175 CONTRACTS WITH INDEPENDENT CONSULTANTS

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

Wherever possible, the Board will seek proposals from multiple sources before a contract with an independent consultant is entered. The Board will not contract with a Board member or the spouse, child, parent(s) or legal guardian(s), or sibling, in fact or in law, of a Board member as an independent consultant.

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

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

Materials and reports generated and created by the independent consultant in the performance of his/her contract with the Board are and will remain the property of the Board and are subject to Board Policy No. 8310 on public records.

Adopted: 14 March 2012



## 0176 COLLECTIVE BARGAINING AND CONTRACT APPROVAL/RATIFICATION

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

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

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

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

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

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

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

New Jersey State Board of Education Decision - In the Matter of Frank Pannucci, Board of Education of Brick Township, Ocean County - March 3, 2000

Adopted: 14 March 2012



## 0177 PROFESSIONAL SERVICES

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

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

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

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

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

Adopted: 14 March 2012

