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ROLE OF THE BOARD

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

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

A. Policy oversight

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

B. Educational planning

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

C. Provision of financial resources

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

D. Interpretation

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

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

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

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

DATE: July 2003

REVISED: November 19, 2013

REVISED: March 19, 2018

Legal References:

N.J.S.A. 18A:10-1	Constitution of boards of education; conduct of schools; state-operated school district
N.J.S.A. 18A:11-1	General mandatory powers and duties
N.J.S.A. 18A:12-21 et seq.	School Ethics Act
N.J.S.A. 18A:17-15	Appointment of superintendents; terms; apportionment of expense
N.J.S.A. 18A:33-1	District to furnish suitable facilities; adoption of courses of study
N.J.S.A. 18A:34-1	Textbooks; selection; furnished free with supplies; appropriations
N.J.S.A. 18A:36-2	Time when schools are open; determination
N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
N.J.A.C. 6A:4-1.1 et seq.	Appeals
N.J.A.C. 6A:8-1.1 et seq.	Standards and Assessment
N.J.A.C. 6A:28-1.1 et seq.	School Ethics Commission
N.J.A.C. 6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-1.1 et seq.	School District Operations
N.J.A.C. 6A:32-3.2	Requirements for the Code of Ethics for school board members and charter school board of trustees members

ROLE OF THE MEMBER

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

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

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

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

DATE: July 2003

REVISED: November 19, 2013

REVISED: March 19, 2018

Legal References:

N.J.S.A. 18A 11-1: General mandatory powers and duties

N.J.S.A. 18A 12-21 et seq School Ethics Act

N.J.S.A. 18A 54-20: Powers of board

N.J.A.C. 6A 28-1.1 et seq Scope and purpose

PUBLIC STATEMENTS

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

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

DATE: December 1985

REVISED: July 2003

November 19, 2013

March 19, 2018

Legal References:

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

General mandatory powers and duties

N.J.S.A. 18A:42-4

Distribution of literature to candidacy, board issues, or other public question to be submitted at election; prohibited

N.J.S.A. 18A:54-20

Powers of board (county vocational schools)

QUALIFICATIONS AND REQUIREMENTS OF BOARD MEMBERS

Qualifications for member of the Garwood Board of Education are as follows:

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

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

DATE: September 20, 2011
REVISED: November 19, 2013
REVISED: March 19, 2018

Legal References:

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

FILLING VACANCIES

Vacancies Filled by the Garwood Board of Education

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

Procedures by which to select the persons to fill such vacancies may include advertisement of the vacancy in suitable local media, and interviews with interested parties conducted in public by the board acting as a committee of the whole.

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

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

Vacancies Filled by the Executive County Superintendent

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

DATE: July 2003

REVISED: November 19, 2013

REVISED: March 19, 2018

Legal References: N.J.S.A. 18A:6-56 Election of members of representative assembly;
N.J.S.A. 18A:12-1 Qualifications of board members
N.J.S.A. 18A:12-3 Removal of members
N.J.S.A. 18A:12-7 Boards; appointments; vacancies (Type I district)
N.J.S.A. 18A:12-15 Vacancies (Type II district)
N.J.S.A. 18A:13-11 Vacancies in membership of board; filling
(regional)
N.J.S.A. 18A:38-8.1 Additional member on board of education in each
sending district
N.J.S.A. 19:27A-1 et seq Uniform Recall Election Law

ELECTION AND DUTIES OF PRESIDENT

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

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

As presiding officer at all meetings of the Garwood Board of Education, the president shall:

- A. Call the meeting to order at the appointed time;
- B. Announce the business to come before the board in its proper order;
- C. Enforce the Garwood Board of Education's policies relating to the order of business and the conduct of meetings;
- D. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
- E. Explain what the effect of a motion would be if it is not clear to every member;
- F. Restrict discussion to the question when a motion is before the Garwood Board of Education;
- G. Answer all parliamentary inquiries, referring questions of law to the Garwood Board of Education's attorney;
- H. Put motions to a vote, stating definitely and clearly the vote and result thereof.

The president shall have the right, as other Garwood Board of Education's members have, to offer resolutions, to discuss questions, and to vote.

DATE: December 1985
REVISED: September 19, 1995
REVISED: July 2003
REVISED: December 2013
REVISED: March 19, 2018

Legal References: N.J.S.A. 18A:6-20 The right to testify; counsel; witnesses; compulsory process

N.J.S.A. 18A:6-54 Representative assembly; organization; election of board of directors and officers (educational services commission)

N.J.S.A. 18A:13-12 Election of officers

N.J.S.A. 18A:15-1 President and vice president; election or failure to elect

N.J.S.A. 18A:15-2 Removal of president or vice president; vacancies

N.J.S.A. 18A:19-1 Expenditure of funds on warrant only; requisites

N.J.S.A. 18A:19-9 Compensation of teachers, etc., payrolls

N.J.S.A. 18A:54-18 Organization of boards of education (county vocational schools)

N.J.A.C. 6A:32-3.1 Special meetings of district boards of education

BOARD SECRETARY

The Garwood School District operates under the unit control system. The Garwood Board of Education's Secretary reports directly to the Chief School Administrator. The Garwood Board of Education Secretary's duties shall include all those specified by law, and such other appropriate duties as the Garwood Board of Education may require pursuant to the Garwood Board of Education approved job description.

The Garwood Board of Education shall pass resolution to fix his/her salary annually. He/she shall be bonded for not less than that as prescribed by law. The Garwood Board of Education shall pay the bond expense.

ADOPTED: December 1985
REVISED: July 2003
REVISED: December 2013
REVISED: April 17, 2018

Legal Reference:

N.J.S.A. 18A:17-5 Every Board of Education must have a Secretary to perform the duties and functions assigned to him by law and which only he can perform. The Secretary is appointed by a majority roll call vote of the full membership of the Board for a term to expire not later than June 30 of the calendar year next succeeding that in which the Board was organized; his compensation while holding both offices. A vacancy in the office of the Secretary must be filled by the Board within 60 days or, if not, the County Superintendent appoints a Secretary.

TREASURER OF SCHOOL MONEYS

The term of office of the Treasurer of School Money shall expire annually on June 30 each year. He/she shall be reappointed at the Garwood Board of Education's annual organization meeting from July 1 for the succeeding school year.

The Treasurer of School Moneys shall be bonded, as the Garwood Board of Education shall direct. When determining the amount, the Garwood Board of Education shall be guided by a schedule of minimum limits to be promulgated by the State Board of Education.

The duties of this position shall be in accordance with the Garwood Board of Education's approved job description.

The Treasurer shall pay over to his/her successor in office the balance of school funds.

DATE: December 1985

REVISED: September 19, 1995

REVISED: July 2003

REVISED: December 2013

REVIDED: April 17, 2018

Legal References: N.J.S.A. 18A:13-14 Treasurer of school moneys, appointment;
term; bond
N.J.S.A. 18A:16-1 Officers and employees in general
N.J.S.A. 18A:17-31 Treasurer of school moneys; who to act
N.J.S.A. 18A:17-32 Bond of treasurer
N.J.S.A. 18A:17-33 Compensation
N.J.S.A. 18A:17-34 Receipt and disposition of moneys
N.J.S.A. 18A:17-35 Records and receipts and payments
N.J.S.A. 18A:17-36 Accounting; monthly and annual reports
N.J.S.A. 18A:19 Expenditure of funds; audit and payment of
claims
N.J.S.A. 18A:24-59 Payment of principal and interest
N.J.A.C. 6A:23-2.5 Minimum bond requirements for treasurer of
school moneys

LEGAL SERVICES

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

The attorney of the Garwood Board of Education shall be the legal advisor of the Garwood Board of Education and its officers in questions related to their official duties. He/she shall be appointed by resolution at the annual reorganization meeting by a majority of those present and voting. The attorney shall be compensated for service rendered in accordance with a Garwood Board of Education's approved fee schedule.

The Garwood Board of Education authorizes the Garwood Board of Education President, Superintendent of Schools, School Business Administrator/Board Secretary as the designated contact person(s) to request services of advice from contracted legal counsel.

The Garwood Board of Education authorizes the establishment of the following procedures to guide such solicitation of legal advice:

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 Garwood Board of Education 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(s) shall determine whether the request warrants legal advice or if legal advice is necessary. The designated contact person(s) shall refer the request to the appropriate school/department administrator in the event the designated contact person(s) deems legal advice is unwarranted or unnecessary.
3. The designated contact person(s) shall maintain a log of all legal counsel contact including the name of the legal counsel contacted, date of the contact, issue discussed, and length of contact.
4. All written requests for legal advice and logs of legal counsel contacts shall be forwarded to the School Business Administrator who shall be responsible to compare all legal bills to the contact logs and to investigate and resolve any variances.

Any professional service 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.

The Garwood 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 Garwood Board of Education an increase in the maximum dollar amount. Any increase in the maximum dollar amount shall require formal Garwood Board of Education action.

DATE: December 1985
REVISED: September 19, 1995
REVISED: July 2003
REVISED: January 20, 2009
REVISED: December 2013
REVISED: April 17, 2018

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

AUDITOR

The Garwood Board of Education shall appoint by resolution, at its annual organization meeting, an auditor qualified as a public school accountant in New Jersey to make an annual audit of the district's accounts and financial transactions. Such audit shall be completed for the preceding fiscal year prior to the date established by law. The auditor shall be paid for services rendered at a Garwood Board of Education approved fee.

The auditor's report, together with his/her recommendations, shall be reviewed by the Garwood Board of Education at a public meeting within thirty (30) days of receipt, and shall then within five (5) days, be filed by the auditor with the commissioner of education.

It shall be the policy of the Garwood Board of Education to consider the auditor's report carefully and strive to bring the district's accounting procedures into line with the auditor's recommendations.

The retained auditor shall receive the Superintendent's recommendation within a reasonable time prior to the time set for a full Garwood Board of Education review to facilitate constructive dialogue between the retained professional and the Superintendent. The Garwood Board of Education and/or the retained professional may request of each other that the professional be allowed to attend the Garwood Board of Education meeting when the annual recommendation is scheduled to be discussed.

The duties of this position shall be in accordance with the Garwood Board of Education approved job description.

DATE: December 1985
REVISED: September 19, 1995
REVISED: July 2003
REVISED: December 2013
REVISED: April 17, 2018

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

COMMITTEES

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

Standing Committees

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

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

Special Committees

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

Committee of the Whole

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

DATE: December 1985
REVISED: September 19, 1995
REVISED: August 28, 2003
REVISED: March 18, 2014
REVISED: April 17, 2018

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

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A33-95

School Ethics Commission, Advisory Opinion, A02-00

School Ethics Commission, Advisory Opinion, A14-00

STAFF RELATIONSHIPS

In accordance with the chain of command as established by the policies and regulations of the Garwood Board of Education, the Administration and the Garwood Education Association (GEA) shall establish a Faculty and Administration Concerns Team (F.A.C.T.) designed to address concerns of members of the faculty and administration.

1. Membership: Two (2) members designated by the Garwood Education Association (one of whom may be the GEA President), along with the Superintendent of Schools, the Lincoln School Principal, and (1) Garwood Board of Education member as appointed at the discretion of the Board President, will serve on the team without monetary compensation or compensation in terms of release time.
2. Purpose: To establish a communication route for the administration and staff to explore areas of concern that are non-negotiable and related to educational programs, as well as to explore areas of mutual concern. Topics for discussion may include: curriculum improvements, instructional methods, co-curricular programs, concerns related to the general student population, general concerns of the staff, philosophy of the district, educational and program goals, health and safety concerns, and daily operations of the school day.
3. Procedure: The Superintendent, in cooperation with the GEA President, shall have an annual F.A.C.T. meeting and additional meetings may be scheduled as needed. The GEA President shall appoint or serve as a chairperson of the F.A.C.T. and shall be responsible for establishing an agenda for all meetings after consulting with its membership and the Superintendent. The chairperson shall be responsible for distributing the agenda for the meeting no later than 24 hours prior to the start of the meeting. The conclusions and recommendations of the F.A.C.T., which are non-binding, shall be presented to the GEA membership and to the two administrators on the team within 10 school days following the meeting. A written summary of the meeting shall be distributed to all members of the Garwood Board of Education. The individual responsible for establishing the agenda shall take steps to ensure that the appropriate chain of command has been completed, up to the level of the Superintendent, before placing items on the agenda.

Nothing contained in this policy shall in any way impair, impede or restrict the authority of the administration including those areas of responsibility vested in the Superintendent of Schools to achieve state educational goals and requirements as established by the New Jersey State Board of Education and set forth in N.J.A.C. 6:8-1 et. seq. Thorough and Efficient System of Free Public Schools.

ADOPTED: September 1989
REVISED: April 2002
REVISED: August 28, 2003
REVISED: April 2004
REVISED: March 18, 2014
REVISED: April 17, 2018

BOARD REPRESENTATIVES/LIAISONS

The Garwood Board of Education believes that to serve the best interests of the community's youth, it must consult with the staff, the community in general, including parents/guardians and where appropriate the students themselves.

LIAISON ASSIGNMENTS:

- Clark Board of Education
- New Jersey School Board Association
- P.T.A.
- Representative to the Borough Council
- School Technology Committee
- Students/Staff Commendations
- Union County Educational Services Commission
- Union County School Boards Association
- E.F.G.

DATE: August 28, 2003

REVISED: April 22, 2014

REVISED: April 18, 2018

BOARD CONSULTANTS

The Garwood Board of Education will consider hiring expert consultants when it feels its own resources are too limited to conduct a complete study of an important topic for decision or to supply a required service such as:

1. Conducting fact-finding studies, surveys, and research;
2. Providing counsel or services requiring special expertise;
3. Assisting the Garwood Board of Education in developing policy and program recommendations.

The fees shall require Garwood Board of Education approval.

Before engaging any consultant, the Garwood Board of Education will require submission of a written proposal, which can be incorporated into a contract or purchase order if it satisfies the wishes of the Garwood Board of Education. Proposals will detail:

1. Specific objectives to be accomplished by consultant;
2. Specific tasks to be performed;
3. Procedures to be used in carrying out the tasks;
4. Target dates for the completion of tasks;
5. Method to be used to report results to the Garwood Board of Education and/or to deliver any "product" (e.g., long range plans, codified policy manual, etc.) to the Garwood Board of Education.

The Garwood Board of Education will not contract for vague services such as undefined "management studies," and all proposals will be submitted to the Garwood Board of Education attorney for review before a contract is executed. The Superintendent will establish procedures necessary to affect an efficient working relationship between the consultant and the Garwood Board of Education and/or staff members. Consultants, whether they are temporary, part-time, or full-time workers, shall exercise no administrative authority over the work of employees of the Garwood Board of Education except where specifically authorized by the Garwood Board of Education and shall act as advisers in those fields in which they are qualified to offer expert assistance. All administrative supervision of employees shall be in the hands of those to whom such responsibility has been specifically delegated.

DATE: September 19, 1995
REVISED: August 28, 2003
REVISED: March 18, 2014
REVISED: April 17, 2018

ORIENTATION AND TRAINING OF BOARD MEMBERS

Orientation of New Board Members

The chief school administrator shall prepare materials to introduce new Garwood Board of Education members to the operating procedures of the district and the details of the curriculum.

Sufficient funds shall be allocated to reimburse new Garwood Board of Education members for attending NJSBA training in superintendent evaluation within the first six months after taking office, and an NJSBA new board member orientation within the first year of taking office.

Administrative code defines "newly elected or appointed board member" as any Garwood Board of Education member who has never served as a member of either an elected or appointed school board.

Code of Ethics Training

The Garwood Board of Education shall ensure that all members of the board receive and review a copy of the Code of Ethics for School Board Members. Each Garwood Board of Education member shall sign an acknowledgement that he/she has received and read it. Training as required by the administrative code shall be scheduled to familiarize board members with the contents and requirements of the Code of Ethics.

Mandated Training

The Garwood Board of Education shall ensure that each newly elected or appointed board member receive training in their first year of service regarding skills and knowledge necessary to serve as a school Garwood Board of Education member. This training shall be offered by the NJSBA, in consultation with New Jersey Association of School Administrators, the New Jersey Principals and Supervisors Association, and the Department of Education, and shall include information regarding the New Jersey Quality Single Accountability Continuum, and the five key components of school district effectiveness on which the school district is monitored: operations; instruction and program; governance; fiscal management and personnel.

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

Each Garwood Board of Education member and charter school trustee shall, in both the second and third year of service on the Garwood Board of Education, complete the NJSBA training on school district governance.

The NJSBA advanced training program shall be completed by Garwood Board of Education members or trustees within one year of re-election or reappointment to the Garwood Board of Education or charter school board of trustees.

Inservice Development

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

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

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

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

DATE: August 28, 2003
REVISED: March 18, 2014
REVISED: April 18, 2018

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

EXPENSES AND REIMBURSEMENTS

Garwood Board of Education members receive no payment for their services. With Garwood Board of Education approval, they may be reimbursed for out-of-pocket expenses incurred on Garwood Board of Education business.

Travel and Related Expenses

Travel reimbursement will be paid only upon compliance with the Garwood Board of Education's policy provisions and approval requirements. Garwood Board of Education members, trustees and employees shall only be reimbursed for work-related travel that is directly related to and within the scope of the Garwood Board of Education member's, trustee's and employee's current work responsibilities. Garwood Board of Education members, trustees and employees shall only be reimbursed for travel that:

- A. Promotes the delivery of instruction and is critical to the instructional needs of the school district or furthers the efficient operation of the school district,
- B. Is educationally necessary and fiscally prudent, and
- C. Is directly related to and within the scope of the Garwood Board of Education member's current responsibilities, and for school district employees, the school district's professional development plan.

As described in this policy, school district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and for the travel event. School district travel expenditures include costs for all required training and all travel authorized in existing school district employee contracts and Garwood school board policies. This includes, but is not limited to, required professional development and other staff training, required training for new school Garwood Board of Education members, and attendance at specific conferences authorized in existing employee contracts.

Travel Payments

Travel payments will be paid only upon compliance with the Garwood school board's policy provisions and approval requirements. The Garwood school board will not ratify or approve payments or reimbursements for travel after completion of the travel event. All Garwood Board of Education members, trustees and employees shall adhere to the following specifications to be considered for reimbursement:

- A. Reimbursement may not exceed State travel reimbursement guidelines as established by the NJ Department of Treasury in NJOMB circular letters, including but not limited to the types of travel, methods of transportation, mileage allowance, meal allowance, overnight travel and supporting documentation.
- B. Reimbursement must also be in compliance with OMB Circular 16-11-OMB (found at <http://www.state.nj.us/infobank/circular/circindx.htm>);

- C. No reimbursement will be issued without submission of written documentation such as receipts, checks and vouchers detailing the amount of each expenditure. Such documentation must be submitted within a timeframe to be established by the Garwood Board of Education.
- D. Travel expenditures must be in compliance with state travel payment guidelines as established by the Department of the Treasury and with guidelines established by the federal Office of Management and Budget; except that those guidelines that conflict with the provisions of Title 18A of the New Jersey Statutes shall not be applicable, including, but not limited to, the authority to issue travel charge cards. The Garwood Board of Education shall comply with the applicable restrictions and requirements set forth in the State and federal guidelines including, but not limited to, types of travel, methods of transportation, mileage allowance, subsistence allowance, and submission of supporting documentation including receipts, checks or vouchers.
- E. Garwood Board of Education members, trustees and employees shall provide within one week, a brief report that includes, as appropriate, but may not be limited to, a description of the primary purpose for the travel, and a summary of the goals and key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district. This report will be submitted to the Garwood board secretary or other appropriate party designated by the Garwood Board of Education.
- D. Pursuant to N.J.A.C. 6A:23A-5.9 concerning out-of-state and high-cost travel events, out-of-state travel shall be limited to the fewest number of Garwood Board of Education members or employees needed to present the content at the conclusion of the event. Lodging may only be provided if the event occurs on two or more consecutive days and where home-to-event commute exceeds 50 miles. Prior written approval of the executive county superintendent may be required when the travel event has a total cost that exceeds \$5000.

In addition to the requirements above, employee travel, to be reimbursable, must be directly related to the employee's professional development. No district employee shall be reimbursed for travel and related expenses without prior written approval of the chief school administrator and prior approval by a majority of the full voting membership of the Garwood Board of Education (as set forth below).

Prior Approval is Required

Garwood Board of Education members shall only be reimbursed for travel and related expenses that have received prior approval by a majority of the full voting membership of the Garwood Board of Education, and are in compliance with N.J.S.A. 18A:12-24 and 24.1 of the School Ethics Act.

- A. Specifically, a Garwood Board of Education member must recuse himself from voting on travel if the Garwood Board of Education member, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that may reasonably be expected to impair his objectivity or independence of judgment.

- B. Also, a Garwood Board of Education member shall not: act in his official capacity in any matter in which he or a member of his immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his independence of judgment in the execution of his official duties.
- C. For employees, the Garwood Board of Education requires that travel occur only upon prior written approval of the chief school administrator and prior approval by a majority of the full voting membership of the Garwood Board of Education.
- D. For Garwood Board of Education members, travel may occur only upon prior approval by a majority of the full voting membership of the Garwood Board of Education and that the travel be in compliance with section 4 of P.L.1991, c.393 (C.18A:12-24) and section 5 of P.L.2001, c.178 (C.18A:12-24.1).

Regular Business Travel Authorization and Approval

Regular business travel, such as NJDOE meetings and association events, is authorized by the Garwood Board of Education not to exceed \$1,500 per employee, pursuant to N.J.A.C. 6A:23A-7.3(b). Approval by the chief school administrator or designee is required, including justification for the travel. Regular business travel is authorized for regularly scheduled in-state professional development activities for which the registration fee does not exceed \$150 per employee or Garwood Board of Education member.

School District Travel Advances are Banned

An employee of the Garwood school board, a school Garwood Board of Education member, or organization, shall not receive an amount for travel and travel-related expenses in advance of the travel, pursuant to N.J.S.A.18A:19-1 et seq.

Annual Maximum Travel Expenditure Amount

The Garwood Board of Education shall:

- A. Allot in its annual budget a maximum travel expenditure amount and annually review its policy to assure that it properly reflects the amount budgeted.
- B. Vote to authorize each reimbursement; specifying the way in which it promotes the delivery of instruction or furthers the efficient operation of the school district, within the maximum annual amount.
- C. Annually in the pre-budget year, establish by Garwood school board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Garwood school board resolution shall also include the maximum amount established for the pre-budget year and the amount spent to date.
- D. Provide that the maximum school district travel expenditure amount shall include all travel in accordance with this policy supported by local and State funds.

Additional Detailed Accounting Requirements which Demonstrate Compliance

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

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

- A. "Retreats" will be held at school district facilities, if available. A retreat is a meeting of school district employees and Garwood school board members, held away from the normal work environment, at which organizational goals and objectives are discussed.
- B. Garwood school district shall not bear costs for car rentals, limousine services, and chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendee accommodations at the travel event.
- C. One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in Department of the Treasury guidelines.
- D. Overnight travel is eligible for a subsistence payment or reimbursement as authorized in Department of the Treasury guidelines, except as otherwise superseded by the following:
 1. Per diem payment or reimbursement for lodging and meals will be actual reasonable costs, not to exceed the federal per diem rates as established in the federal register for the current year;
 2. Lodging expenses may exceed the federal per diem rates if the hotel is the site of the convention, conference, seminar or meeting and the going rate of the hotel is in excess of the federal per diem rates. If the hotel at the site of the convention, conference, seminar, or meeting is no longer available, lodging may be paid for similar accommodations at a rate not to exceed the hotel rate for the event;
 3. Receipts are required for hotel expenses. Meal expenses under the federal per diem allowance limits do not require receipts;
 4. In any case in which the total per diem reimbursement is greater than the federal per diem rate, except when the going rate for lodging at the site of the convention or meeting exceeds federal per diem rates, the costs will be considered to be excessive and shall not be paid by school district funds;
 5. School districts shall patronize hotels and motels that offer special rates to government employees unless alternative lodging offers greater cost benefits; and
 6. Payment or reimbursement is approved for the full cost of an official convention meal that the employee or Garwood school board member attends, when the meal is scheduled as an integral part of the convention or conference proceedings. If a meal is included in the registration fee, the allowance for the meal is not eligible for reimbursement.

7. Air and rail tickets shall be purchased via the internet, if possible, using online travel services such as Travelocity, Expedia or Hotwire.

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

Types of Expenditures Not Eligible for Reimbursement

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

Penalties

The Garwood Board of Education by this policy informs its members and staff that the penalties for violating this policy based on state law includes:

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

The chief school administrator may develop regulations to implement this policy.

Legal References:	N.J.S.A. 18A:2-1	Power to effectuate action
	N.J.S.A. 18A:4-23	Supervision of schools; enforcement of rules and 24 Determining efficiency of schools; report to state board
	N.J.S.A. 18A:11-1	General mandatory powers and duties
	N.J.S.A. 18A: 11-12	Travel and expenditures; definitions; policies and procedures; application to charter schools
	N.J.S.A. 18A:12-4	Compensation of members
	N.J.S.A. 18A:12-24	School Ethics Act (conflict of interest) and 24.1 Code of Ethics
	N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
	N.J.S.A. 18A:55-3	School districts, conditions for receipt of State aid.
	N.J.S.A. 6A:23A-5.9	Out of state and high cost travel
	N.J.S.A. 6A:23A-7.1	Travel policies and procedures et seq.

Date: December 1985
 Revised: August 28, 2003
 Revised: November 2003
 Revised: January 17, 2006
 Revised: September 19, 2006
 Revised: June 16, 2009
 Revised: March 18, 2014
 Revised: August 16, 2016
 Revised: May 15, 2018

CONFLICT OF INTEREST

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

Therefore, in addition to complying with all statutory requirements:

- A. No Garwood Board of Education member shall hold any form of paid employment with the district while he/she is serving, nor for six months after leaving office;
- B. No Garwood Board of Education member shall have an interest directly or indirectly in any contract with or claim against the Garwood Board of Education;
- C. No Garwood Board of Education member shall serve as mayor or as a member of the municipal or county level governing body of the district;
- D. Garwood Board of Education members shall be in compliance with policy 4112.8/4212.8 Nepotism;

Prohibited Activities

In accordance with the N.J.S.A. 18A:12-21 et seq. no Garwood Board of Education member shall:

1. Have an interest nor shall his/her immediate family have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;
2. Use or attempt to use his/her official position to secure unwarranted privileges, advantages or employment for himself/herself, members of his/her immediate family or others;
3. Act in his official capacity in any matter where he/she, a member of his/her immediate family, or a business organization in which he/she has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair his/her objectivity or independence of judgment. No school official shall act in his/her official capacity in any matter where he/she or a member of his/her immediate family has a personal involvement that is or creates some benefit to the school official or member of his/her immediate family;
4. Undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his/her independence of judgment in the exercise of his/her official duties;

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

DATE: December 1985

REVISED: September 19, 1995

REVISED: November 2003

REVISED: May 15, 2018

Legal References:	N.J.S.A. 18A:6-8	Interest of school officers, etc., in sale of textbooks or supplies; royalties
	N.J.S.A. 18A:6-8.4	Right to hold elective or appointive state, county or municipal office
	N.J.S.A. 18A:12-1.1	Ineligibility for appointment to paid office or position filled by board
	N.J.S.A. 18A:12-2	Inconsistent interests or office prohibited
	N.J.S.A. 18A:12-21 et seq.	
	N.J.S.A. 52:13D-12 et seq.	Legislative findings (regarding conflict of interest)
	N.J.A.C. 6A:4-1.1 et seq.	Appeals
	N.J.A.C. 6A:23A-1.2 et seq.	Fiscal accountability; definitions
	N.J.A.C. 6A:23A-6.2 et seq.	Fiscal accountability; nepotism
	N.J.A.C. 6A:28-1.1 et seq.	School Ethics Commission
	N.J.A.C. 6A:32-3.2	Requirements for the Code of Ethics for school board members and charter school board of trustee members

Visotcky v. City Council of Garfield, 113 N.J. Super. 263 (App. Div. 1971)
Vittoria v. West Orange Board of Education, 122 N.J. Super. 340 (App. Div. 1973)

Elms v. Mt. Olive Board of Education, 1977 S.L.D. 713

Scola v. Ringwood Board of Education, 1978 S.L.D. 41

Salerno v. Old Bridge Township Board of Education, 1984 S.L.D. (April 23)

Scannella v. Scudillo, School Ethics Decision, Complaint No. C-14-93

In the Matter of Frank Pannucci, 2000 S.L.D. March 1, State Board Rev'g
Commissioner 97

School Ethics Commission, Advisory Opinion, A01-93

School Ethics Commission, Advisory Opinion, A10-93

School Ethics Commission, Advisory Opinion, A021-93

School Ethics Commission, Advisory Opinion, A07-94

School Ethics Commission, Advisory Opinion, A33-95

School Ethics Commission, Advisory Opinion, A02-00

School Ethics Commission, Advisory Opinion, A14-00

CODE OF ETHICS

The members of the Garwood Board of Education recognize that they hold authority not as individuals but as members of the board. In order to make a clear public statement of its philosophy of service to the pupils of the district, the Garwood Board of Education adopts this code of ethics.

- A. I will uphold and enforce all laws, state board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.
- B. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex or social standing.
- C. I will confine my board action to policymaking, planning and appraisal and I will help to frame policies and plans only after the Garwood Board of Education has consulted those who will be affected by them.
- D. I will behave toward my fellow Garwood Board of Education members with the respect due their office--demonstrating courtesy, decorum and fair play at all public meetings and in all public statements.
- E. I will refrain from inappropriate conduct in public meetings and in making public statements, refraining from any disparagement of my fellow board members or others on a personal, social, racial or religious basis.
- F. I will carry out my responsibility, not to administer the schools, but, together with my fellow Garwood Board of Education members, to see that they are well run.
- G. I will recognize that authority rests with the Garwood Board of Education and will make no personal promises nor take any private action which may compromise the Garwood Board of Education.
- H. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- I. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its schools.
- J. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief school administrator.
- K. I will support and protect school personnel in proper performance of their duties.
- L. I will refer all complaints to the chief school administrator and will act on such complaints at public meetings only after failure of an administrative solution.

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

DATE: December 1985
REVISED: September 19, 1995
REVISED: November 2003
REVISED: April 22, 2014
REVISED: May 15, 2018

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited
N.J.S.A. 18A:12-21 et seq. School Ethics Act
See particularly:
N.J.S.A. 18A:12-24, -24.1
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:4-1.1 et seq. Appeals
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission
N.J.A.C. 6A:32-3.2 Requirements for the Code of Ethics for
school board members and charter school
board of trustee members

GOVERNANCE

All actions of the Garwood Board of Education shall be taken only in official Garwood Board of Education meetings called, scheduled and conducted according to these bylaws and the statutes of the state.

The Garwood Board of Education reserves to itself the functions of planning, policymaking and providing the financial means for their execution. It selects a Chief School Administrator and delegates to him/her the responsibility for devising ways and means for efficiently implementing planning and policy decisions of the Garwood Board of Education.

DATE: September 19, 1995

REVIEWED: November 2003

REVISED: February 18, 2014

REVISED: May 15, 2018

DEVELOPMENT, DISTRIBUTION AND MAINTENANCE OF
POLICY MANUAL

Board policy is an ever changing statement of district educational, operational and managerial needs. New policies will be necessary and existing policies will require revision.

The manual of bylaws and policies is a public record and shall be open for inspection in the School Business Administrator/Board Secretary's office where the district's official copy is housed.

Policy manual maintenance shall be the responsibility of the Chief School Administrator. He/she shall ensure that copies of the manual are distributed to the Garwood Board of Education members, the Board office, the attorney and building principals. The School Business Administrator/Board Secretary shall develop procedures for distributing copies of new or amended policies as they are adopted, and shall arrange to have all policy manuals brought up to date periodically.

Each holder of a policy manual shall return it to the School Business Administrator/Board Secretary upon the termination of his/her service with the district.

DATE: October 18, 1994
REVISED: September 19, 1995
REVISED: November 2003
REVISED: February 18, 2014
REVISED: May 15, 2018

FORMULATION, ADOPTION, AMENDMENT OF POLICIES

The governance of the district through policies directed toward providing a thorough and efficient education for its pupils is one of the most important functions of the Garwood Board of Education. Therefore, the Garwood Board of Education shall establish a careful process to ensure:

- A. Development of clear, workable, legal policies that reflect mature consideration of the will and needs of the community, and
- B. Timely, accurate evaluation of the effectiveness of the policies in the achievement of district objectives and progress toward goals.

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

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

The policy coordinator shall ascertain any conflicts between proposed and existing policies and bring them to the attention of the Garwood Board of Education at the first reading of the draft. Policies may be adopted on second reading by a majority vote of the members of the Garwood Board of Education present and voting or may be further revised until consensus is reached. NOTE: FIRST READING MEANS THE FIRST TIME THE POLICY IS PRESENTED, NOT THE FIRST TIME A POLICY IS APPROVED IN ITS FINAL FORM.

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

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

ADOPTED: December, 1985
REVISED: October 18, 1994
REVISED: October 20, 1997
REVISED: November 2003
REVISED: April 22, 2014
REVISED: May 15, 2018

Legal References: N.J.S.A. 10:4-6 et seq. Open Public Meetings Act
N.J.S.A. 18A:10-6 Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:17-20 Tenured and nontenured superintendents; general powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.S.A. 47:1A-1 et seq. Public Records; Examination and Copies (Open Public Records Act)
N.J.S.A. 15:3-2.1 Records retention

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

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

FORMULATION, ADOPTION, AMENDMENT OF BYLAWS

The Garwood Board of Education's bylaws are rules designed to organize and control its internal operations. Some bylaws are set by statute. Others may be formulated and adopted at its option by the Garwood Board of Education itself as long as they are in harmony with the intent and specifics of the statutes.

In its deliberations leading to the establishment or amendment of its bylaws, the Garwood Board of Education's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

Proposed new bylaws and suggested amendments to or revisions of existing bylaws shall be adopted by a majority vote of the members of the Garwood Board of Education present and voting during the second of two regularly or specially scheduled meetings of the Garwood Board of Education. The proposed additions, amendments or revisions shall have been described in writing in the calls for these meetings.

DATE: September 19, 1995
REVISED: November 2003
REVISED: April 22, 2014
REVISED: May 15, 2018

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

FORMULATION, ADOPTION, AMENDMENT OF ADMINISTRATIVE
REGULATIONS

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

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

In the development of rules, regulations, and procedures for the operation of the school system, the chief school administrator shall include at the planning stage, whenever appropriate, those employees who will be affected by such provisions.

Such rules and regulations shall be binding on all employees unless or until the Garwood Board of Education should vote to change or rescind any such rule or regulation following its presentation at a public meeting of the Garwood Board of Education. The Garwood Board of Education itself will adopt administrative regulations when specific state laws require Garwood Board of Education adoption, and may do so when the chief school administrator recommends Garwood Board of Education adoption. The Garwood Board of Education reserves the right to review and cause revisions of administrative regulations should they, in the Garwood Board of Education judgment, be inconsistent with the policies adopted by the Garwood Board of Education.

DATE: November 2003

REVISED: April 22, 2014

REVISED: May 15, 2018

Legal References:	N.J.S.A. 18A: 11-1	General mandatory powers and duties
	N.J.S.A. 18A:17-20	Superintendent; general powers and duties
	N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
	N.J.A.C. 6A:10-8.1	Evaluation of chief school administrators
	N.J.A.C. 6A:32-2.1	Definitions (chief school administrator and administrative principal)

SUSPENSION OF POLICIES, BYLAWS AND REGULATIONS

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

Therefore:

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

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

DATE: December 1985
REVISED: October 1997
REVIEWED: November 2003
REVISED: May 20, 2014
REVISED: May 15, 2018

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

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

MEETINGS OF THE BOARD

Regular meetings of the Garwood Board of Education shall be held on dates and at times and places determined by the Garwood Board of Education at its annual organization meeting. Special meetings shall be called by the Garwood Board of Education secretary at the request of the president or upon a petition signed by a majority of the Garwood Board of Education members, and shall commence no later than 8 p.m.

Adequate Notice

Adequate notice shall be given for all regular and special meetings. Adequate notice for regular meetings shall be in accordance with the annual notice provisions set forth below. Adequate notice for special meetings generally means written advance notice of at least 48 hours, giving the time, date and location, and, to the extent known, the agenda of the meeting. The notice must state whether formal action may or may not be taken at the meeting. The notice must be:

- A. Prominently posted in at least one public place reserved for such announcements;
- B. Communicated to at least two newspapers designated by the Garwood Board of Education because they have the greatest likelihood of informing the board's public; and
- C. Filed with the clerk of the municipality.

The Garwood Board of Education may hold an emergency meeting without providing adequate public notice if:

- A. Three-quarters of the members present vote to do so; and
- B. The meeting is required to deal with matters of such urgency and importance that delay would be likely to result in substantial harm to the public interest; and
- C. The meeting will be limited to discussion of and action on these matters; and
- D. Adequate notice of such meeting is provided as soon as possible following the calling of such meeting; and
- E. One of the following:
 - 1. Either the Garwood Board of Education could not reasonably have foreseen the need for such meeting at a time when adequate notice could have been provided; or
 - 2. The need could have been foreseen in time but the board failed to give adequate notice.

Announcement of Adequate Notice/Statement of Compliance

At the beginning of every meeting, the presiding officer must announce that adequate notice of the meeting was provided and must specify the time, place and manner in which the notice was provided. However, if adequate notice was not provided, the presiding officer must say so, and in addition, must state:

- A. The nature of the matter of urgency or importance for which the meeting without adequate notice was called; and
- B. The nature of the substantial harm to the public interest likely to result from a delay in holding the meeting; and
- C. That the meeting will be limited to discussion of and action on such matters of urgency and importance; and
- D. The time, place, and manner in which some notice of the meeting was provided; and
- E. Either of the following:
 - 1. That the need for such meeting could not reasonably have been foreseen at a time when adequate notice could have been provided, and why this was so; or
 - 2. That such need could reasonably have been foreseen in time for adequate notice, but nevertheless such notice was not provided, and the reasons why.

Annual Notice

Annual notice of the year's regular meeting schedule must be posted publicly and sent to at least two newspapers and the municipal clerk within seven days following the annual organization meeting. This notice should contain the location of each meeting to the extent it is known as well as the time and date.

If the schedule is revised at all, notice must be given within seven days of the revision.

The annual schedule serves as sufficient notice of any regularly scheduled meeting as long as it contains the proper date and location. If most meetings are on a regularly scheduled basis, whether they are formal sessions or study sessions, the notice requirement can be largely met through the once-a-year schedule.

Both the annual schedule of meetings, any revisions to that schedule, and notices of any additional meetings must be sent to any person upon request and upon prepayment of a sum set by the Garwood Board of Education. Requests to be on the mailing list for notices can be made on an annual basis and are renewable each reorganization meeting.

Adjournment

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

DATE: December 1985
REVISED: October 23, 1995
REVISED: January 20, 2004
REVISED: May 20, 2014
REVISED: June 12, 2018

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

PUBLIC AND EXECUTIVE SESSIONS

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

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

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

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

The Garwood Board of Education may invite staff members or others to attend executive sessions at its discretion.

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

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

Public Participation

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

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

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

Grievances or complaints that have not previously been considered through administrative channels shall not be acted upon by the Garwood Board of Education.

Electronic Communication Among Garwood Board of Education Members

The Garwood Board of Education believes that electronic communication among its members and the administration is an efficient and convenient way to exchange information, but must not be misused to deliberate issues that are appropriately discussed only in a public meeting. Therefore, Garwood Board of Education members and administrators shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to email, internet web forums and internet chat rooms. They should understand at all times that these communications may be considered school district records that are subject to public disclosure.

Electronic messaging communication shall conform to the same standards of judgment, propriety and ethics as other forms of Garwood Board of Education related communication (committee meetings, telephone calls, etc.). Garwood Board of Education members shall adhere to the following guidelines when communicating electronically:

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

Electronic “Surveying” Communications

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

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

- A. The Garwood Board of Education shall maintain and provide access to all electronic communications pursuant to the New Jersey Open Public Records Act.

- B. The Garwood Board of Education shall maintain and provide access to all electronic communications pursuant to the New Jersey Open Public Records Act.
- C. Surveying is a type of electronic messaging communication, and shall conform to the same standards of judgment, propriety and ethics as other forms of Garwood Board of Education related communications (committee meetings, telephone calls, etc.).
- D. Garwood Board of Education members shall not use surveys, email or any other electronic messaging service as a substitute for deliberations at Garwood Board of Education meetings. The Open Public Meetings Act defines a “meeting” as any gathering, whether corporeal or by means of communication equipment, attended by or open to all of the members of a public body, held with the intent to discuss or act as a unit upon the specific public business of that body.
- E. Surveying will not be used for topics referring to confidential information about employees, students or others in email communications because of the risk or improper disclosure.
- F. The district will avoid the appearance of conducting Garwood Board of Education discussion or actions, in which opinions are exchanged among a quorum of Garwood Board of Education members through repeated survey questions and answers, outside an open public meeting.
- G. The Garwood Board of Education shall annually review its electronic communication policy and practices with the board attorney.

Date: December, 1985

Revised: October 20, 1997

Reviewed: November 2003

Revised: April 16, 2007

Revised: May 20, 2014

Revised: June 12, 2018

Legal References: N.J.S.A. 2C:33-8 Disrupting meetings and processions

N.J.S.A. 10:4-6 et seq. Open Public Meetings Act

See particularly:

N.J.S.A. 10:4-12(a)

N.J.S.A. 18A:10-6 Board meetings public; frequency; hours
of commencement; adjournment, etc., for lack of quorum

N.J.S.A. 18A:11-1 General mandatory powers and duties

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

N.J.S.A. 18A:54-20 Powers of board (county vocational
schools)

N.J.S.A. 47:1A-1 et seq. Public Records; Examination and
Copies (Open Public Records Act)

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

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

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

ORGANIZATIONAL MEETING

The Garwood Board of Education shall organize annually at a regular meeting held not later than 8:00 p.m. on any day appointed by statute.

The meeting shall be called to order by the School Business Administrator/Board Secretary who will call the roll and establish that a quorum is present.

The School Business Administrator/Board Secretary shall administer the oath of office to the Garwood Board of Education members-elect and shall preside until a Garwood Board of Education President is elected.

Nominations made shall not require a second. A nominee must receive a majority roll call vote to be elected. The election shall be declared null and void and nominations reopened when a nominee does not receive a majority roll call vote.

The President shall preside during the Vice-President's election. This election shall proceed as described above.

Any office vacated between organizational meetings shall be filled in a manner consistent with the provisions stated above and set forth in Bylaw No. 9113.

The Garwood Board of Education shall act upon these items as appropriate:

- Adopt Robert's Rules of Order to govern all official deliberations of the Garwood Board of Education, except when they conflict with any of the established rules under N.J.S.A. Title 18A and N.J.A.C. Title 6
- Adopt the regular meetings schedule
- Designate the official district depositories
- Designate official newspaper(s)
- Approve authorized signatures to sign checks drawn on district funds
- Readopt the Board's current policies
- Readopt the New Jersey School Board Member Code of Ethics promulgated by the New Jersey School Boards Association
- Readopt the district's curriculum, G&T program, guidance program
- Address committee assignments for coming year
- Appoint the Treasurer of School Monies, attorney, auditor, medical inspector, insurance agent, public agency compliance officer, attendance officer, Right-to-Know officer, affirmative action officer and team, 504 compliance officer, and any other designation as required by code.

- Adopt five-year curriculum plan and five-year policy review plan
- Alert new Garwood Board of Education members as to the mandated orientation training requirements.

The Garwood Board of Education shall then proceed with the regular business on the agenda.

DATE: December 1985
REVISED: September 19, 1995
REVISED: June 15, 2004
REVISED: February 18, 2014
REVISED: June 12, 2018

AGENDA PREPARATION/ADVANCE DELIVERY OF MEETING MATERIAL

The chief school administrator and the Garwood Board of Education president shall prepare the agenda for all meetings of the Garwood Board of Education. In doing so, they shall consult the Garwood Board of Education secretary.

Items of business suggested by any Garwood Board of Education member, staff member, or citizen of the district may be included at the discretion of the chief school administrator and Garwood Board of Education president. When appropriate, the agenda shall allow time for the remarks of citizens, staff members, or pupils who wish to speak briefly before the Garwood Board of Education.

The agenda shall be published pursuant to provisions of the Open Public Meetings Act. The Garwood Board of Education shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present and voting. At a regularly scheduled meeting for which an advance agenda has been provided to the public, items of business not anticipated at the time the agenda was prepared may be discussed and acted upon if a majority of the Garwood Board of Education present and voting agrees to consider them. However, existing Garwood Board of Education policies and bylaws may not be revised or new ones adopted unless the proposals are on the written agenda.

The agenda, together with supporting materials, shall be distributed to Garwood Board of Education members sufficiently prior to the Garwood Board of Education meeting to permit them to give items of business careful consideration. The agenda shall also be made available to the press, representatives of community and staff groups, and others, upon request.

Date: December 2003
Revised: June 24, 2014
Revised: June 12, 2018

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
Crifasi v. Governing Body of the Borough of Oakland, 156 N.J. Super. 182
(App. Div. 1978)
N.J.S.A. 10:4-6, Open Public Meetings Act

VOTING METHOD

Official actions may be taken only at a regular monthly or specially called meeting at which a quorum is present. All motions shall require for adoption a majority vote of those present and voting (minimally, a majority of the quorum), except as provided by code or statute.

A vote can be conducted by voice, show of hands or roll call, provided that the vote of each member is recorded, except where a recorded roll call majority is required by code or statute. Proxy voting is prohibited. Any member may request that the Garwood Board of Education be polled.

Abstentions

A member may abstain from voting. An abstention shall be so recorded and shall not be counted as either an affirmative or a negative vote. Abstentions are to be so recorded, regardless of whether a person speaks for or against a motion prior to stating his/her wish to abstain. The silence of a member on any vote shall be recorded as an abstention.

DATE: December 1985
REVISED: December 2003
REVISED: June 24, 2014
REVISED: June 12, 2018

Legal References:

- N.J.S.A. 18A:38-8.1 Representation of board of education of sending district;
matters covered
- Aurentz v. Little Egg Harbor Township Planning Board, 171 N.J. Super.
(Law Div. 1979)
- King v. Asbury Park Board of Education, 1939-49 S.L.D. 20
- Matawan Teachers' Assn. v. Board of Education, 223 N.J. Super.
504(App. Div. 1988)
- Lincoln Park Bd. of Ed. v. Boonton Bd. of Ed., 97 N.J.A.R. 2d (EDU)
(May 30)
- Little Ferry Bd. of Ed. v. Ridgefield Park Bd. of Ed., 97 N.J.A.R. 2d
(EDU) (July 24)
- Green Twp. Bd. of Ed. v. Newton Bd. of Ed., 97 N.J.A.R. 2d (EDU) (August 5)

MINUTES

The minutes of all meetings of the Garwood Board of Education shall be sufficiently detailed to serve as documentation of Garwood Board of Education compliance with New Jersey statutes and administrative code.

The minutes of the meetings of the Garwood Board of Education shall include:

- A. The classification (regular, adjourned or special), date, and place of meeting;
- B. The call to order stating time, person presiding and his/her office;
- C. The record of the roll call of Garwood Board of Education members;
- D. A notation of the presence of the chief school administrator, school business administrator, board secretary, administrators and the public;
- E. Announcement of notification listing the newspapers by name;
- F. A record of any corrections to the minutes of the previous meetings and the action approving them;
- G. A record of all communications presented to the Garwood Board of Education;
- H. A record of each motion placed before the Garwood Board of Education, the result of the vote, and the vote of each member.

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

The minutes shall be filed permanently for reference purposes.

All reports requiring Garwood Board of Education action, resolutions, agreements and other written documents shall be placed in the files of the board secretary and/or the chief school administrator as a permanent record.

Minutes of Closed Meetings

The minutes of closed meetings must be made available to the public as soon as the reason for confidentiality no longer applies. When a closed meeting deals with more than one privileged matter, the minutes shall be prepared in such a way that each matter can be separated and disclosed in a timely manner.

Public Access to Minutes

Minutes of all regular meetings shall be available to the public for inspection within two weeks of the meeting.

The Garwood board secretary (or other person deemed to be the custodian of public records) shall permit the minutes to be inspected, examined and copied by any person during regular business hours. However, for a board of education having a total district enrollment of 500 pupils or fewer, minutes shall be available during not less than six regular business hours over not less than three business days per week or the board's regularly-scheduled business hours, whichever is less. The Garwood Board of Education may charge a fee for copies of the minutes as provided by law.

Official Tapes of Public Meetings

The Garwood Board of Education secretary may make video or audio recordings of public meetings of the Garwood Board of Education in order to assure proper documentation of occurrences and the preparation or transcription of minutes. All video or audio recordings are the sole property of the Garwood Board of Education, and any individual requesting access to these materials must do so in writing five working days in advance. The video or audio recordings shall not be removed from the Garwood Board of Education office and must be played in the presence of the Garwood board secretary/designee. All video or audio recordings shall be stored in a locked cabinet located in the Garwood Board of Education office and shall be retained under the NJDARM schedule for 45 days or until official transcripts or minutes are prepared and adopted, whichever is longer.

Video and Audio Recordings by Members of the Public

Any member of the public is entitled to make an audio or video recording of a Garwood Board of Education meeting, subject to reasonable restrictions including that the taping will minimize intrusiveness and not interrupt the proceedings. Any person wishing to make an audio or video recording of a meeting shall provide written notice of their name, address and telephone number and will consent to the Garwood Board of Education, at its own expense and upon request, to make a reproduction of the recording. Absent prior Garwood Board of Education approval, no additional artificial lighting shall be permitted. No electrical or other wiring is allowed due to the danger of entanglement and tripping. All persons recording Garwood Board of Education proceedings shall hold the Garwood Board of Education harmless against all damage or injury whether to equipment, to themselves or to others. To protect privacy, there shall be no recording of closed executive sessions and no audio pick-up of private conversations occurring in the audience or between the Garwood Board of Education and its attorney. Persons making video or audio recordings of public meetings shall not move around the room while meetings are in session and equipment, once positioned, shall not be moved during the Garwood Board of Education meeting. Unless waived by the Garwood Board of Education, no more than two portable video cameras, operated by not more than two persons, shall be allowed, on a first-come, first-served basis. Following the adjournment of the Garwood Board of Education's meeting, any persons responsible for recording shall immediately remove all equipment and restore the facility to the same condition it was in immediately prior to the recording equipment being set up.

DATE: December 1985
REVISED: September 19, 1995
REVISED: July 13, 2000
REVISED: December 2003
REVISED: April 16, 2007
REVISED: April 7, 2009
REVISED: June 24, 2014
REVISED: June 12, 2018

Legal References: N.J.S.A. 10:4-6 et seq. Open Public Meetings Act
See particularly:
N.J.S.A. 10:4-10, -14
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:17-7 Secretary to give notices and keep minutes, etc.
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.S.A. 47:1A-1 et seq. Examination and copies of public records (Open
Public Records Act)
N.J.A.C. 6A:8-4.3 Accountability

N.J.A.C. 6A:30-2.1 et seq. NJQSAC components of school district
effectiveness and indicators

Executive Order No. 9, September 30, 1963; modified by Executive
Order No. 11, November 15, 1974
Maurice River Board of Education v. Maurice River Teachers Assn. 193
N.J. Super. 488 (App. Div. 1984). Boards must allow video and
audio taping of meetings, subject to reasonable restrictions.
Matawan Ed. Ass'n. v. Matawan-Aberdeen Ed. Bd., 212 N.J. Super. 328
Liebeskind v. Mayor & Mun. Coun. of Bayonne, 265 N.J. Super. 389,
400-401 (App. Div. 1993)
Atlantic City Convention Center Authority v. South Jersey Publishing
Co., Inc., 35 N.J. 53 (1994). Tapes made during closed
government meetings are common law public limited to those
portions records, subject to the removal of any confidential or
privileged information before
New Jersey Department of State, Division of Archives and Records
Management, School District Records Retention Schedule
Robert Wayne Tarus v. Borough of Pine Hill, et al., NJ Supreme Court
(A-93-2005, decided March 7, 2007). The public's right of access
to governmental proceedings includes the right to videotape

MEMBERSHIP IN ASSOCIATIONS

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

DATE: December 1985

REVISED: December 2003

REVISED: June 24, 2014

REVISED: June 12, 2018

Legal References: N.J.S.A. 18A:6-45 New Jersey School Boards Association established
N.J.S.A. 18A:6-46 Delegates to State Association
N.J.S.A. 18A:6-50 Expenses of Delegates, Dues

LEGISLATIVE PROGRAM

To ensure that the Garwood Board of Education has the opportunity to make its views known to the elected representatives of the district at the local, state and national level, the Superintendent and/or School Business Administrator/Board Secretary is directed to route all legislative news and advisories concerning public education to the appropriate elected official. The Superintendent and/or School Business Administrator/Board Secretary and Board attorney are to notify the Garwood Board of Education of any pending legislation which might affect the district.

It shall be the practice of this Garwood Board of Education to send Garwood Board of Education approved special resolutions to the governor, members of the legislature and any other appropriate officials of the state or federal government expressing the Garwood Board of Education's concern on matters affecting public education. The School Business Administrator/Board Secretary shall forward such resolutions.

DATE: September 19, 1995
REVISED: December 2003
REVISED: August 19, 2014
REVISED: June 12, 2018

Legal References: N.J.S.A. 18A:11-1 General Mandatory Powers and Duties of the
Board

BOARD SELF-EVALUATION

The members of the Garwood Board of Education shall conduct an annual self-evaluation to determine the degree to which they are meeting their responsibilities as Garwood Board of Education Members and the needs of their educational community. This self-evaluation shall be positive, frank and honest, and shall be used to establish priorities for action and specific goals and objectives to strengthen the operation of the Garwood Board of Education.

The Garwood Board of Education shall use a multifaceted self-evaluation instrument.

DATE: December 1985
REVISED: December 2003
REVISED: August 19, 2014
REVISED: June 12, 2018

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)

SEND/RECEIVE RELATIONSHIPS

The Garwood Board of Education recognizes that there may be a need for the formation of formal send/receive relationships between Garwood and other school districts that provide programs, training, and services not otherwise available to children residing in Garwood as well as with districts whose resident students are enrolled in programs in the Garwood Public Schools.

The Garwood Board of Education acknowledges that responsibility for the education and conduct of the pupil reposes in the school district in which he or she is enrolled.

In order to maintain a cordial and constructive relationship, the sending Board of Education shall elect their representative(s) to serve on the receiving district's Board of Education, in accordance with statute, on an annual basis and both boards will make every effort to meet and exchange information periodically.

The Chief School Administrator shall implement procedures to insure that--

1. articulation activities between the districts are initiated and maintained on an on-going basis
2. resident pupils are properly prepared to enter the schools of the receiving district
3. resident pupils attending the sending school are fully integrated into said school and accorded the same educational opportunities that the receiving district provides to their resident pupils
4. the progress of pupils during their careers in the receiving school is carefully monitored
5. the Garwood Board of Education is informed of any planning activities and/or concerns relative to the send/receive agreement or the pupils' educational progress.

ADOPTED: February 25, 1998

REVISED: August 19, 2014

REVISED: June 12, 2018

Legal References: N.J.S.A. 18A:46-19.1 et seq.
 N.J.S.A. 18A:46A-1 et seq.
 N.J.S.A. 18A:58-37.1 et seq.
 N.J.A.C. 6:20-6.1 et seq.
 N.J.A.C. 6:28-5.1 et seq.
 N.J.A.C. 6:28-6.1 et seq.