BYLAW GUIDE

0141 BOARD MEMBER NUMBER AND TERM

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

The term of a Board member shall be three (3) years.

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

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

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

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

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15
N.J.S.A. 18A:13-8 et seq. **[regional districts]**
N.J.S.A. 18A:54-16 et seq. **[vocational districts]**

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0143 BOARD MEMBER ELECTION AND APPOINTMENT

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

Applicable for Type II Districts with an elected Board of Education and Regional School District

A vacancy in the membership of a regional Board of Education shall be filled in accordance with N.J.S.A. 18A:13-11. A vacancy shall be filled from the constituent districts represented by the former incumbents in the same manner as vacancies in the membership of Boards of Education of Type II districts having elected Boards of Education are filled.

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

1. By the Executive County Superintendent, if the vacancy is caused by:

    a. The absence of candidates for election to the school Board; or

    b. The removal of a member because of lack of qualifications; or

    c. The failure of the Board to appoint a person to a vacancy within sixty-five days following its occurrence; or

    d. Two or more candidates qualified by law for membership on the Board receiving an equal number of votes in a special runoff election.

2. By the Executive County Superintendent, to a number sufficient to make up a quorum of the Board if, by reason of vacancies, a quorum is lacking;

3. By special election within sixty days of the annual school election, if:

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a. Two or more candidates qualified by law for membership on the school Board receive an equal number of votes in the annual school election; or

b. The annual election is disqualified due to improper election procedures.

4. By the Commissioner of Education if there is a failure to elect a member at the annual school election due to improper campaign practices; or

5. By a majority vote of the remaining members of the Board of Education after the vacancy occurs in all other cases.

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

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

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

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Required for Vocational School Districts

A vacancy on the Board of Education of a county vocational school district shall be filled in accordance with N.J.S.A. 18A:54-16 et seq.

N.J.S.A. 18A:12-11; 18A:12-15
N.J.S.A. 18A:13-5; 18A:13-10; 18A:13-11 **[regional district]**
N.J.S.A. 18A:54-16 **[vocational district]**

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3230 OUTSIDE ACTIVITIES

The Board of Education recognizes that teaching staff members enjoy a private life outside their job responsibilities in the school district. The Board believes the role of the teaching profession is such that teachers exert a continuing influence away from the school district. Accordingly, the Board reserves the right to determine if activities outside the teaching staff member's job responsibilities interfere with their professional performance and the discharge of the member's responsibilities to the students of this district.

The Board directs that all teaching staff members be governed in the conduct of personal activities by the following guidelines:

1. Teaching staff members are advised to refrain from conduct, associations, and offensive speech that, if given publicity, would tend to have an adverse or harmful effect upon students or the school community;

2. Teaching staff members shall not devote time during their workday to an outside private enterprise, business, or business organization. They shall not solicit or accept customers for a private enterprise, business, and/or business organization on school grounds during their workday without the express permission of the Superintendent;

3. The Board does not endorse, support, or assume liability in any way for any staff member of this district who takes students on trips not approved by the Board or Superintendent, and shall not be liable for the welfare of students who travel on such trips. Any staff member who takes students of this district on a trip not approved by the Board or Superintendent shall clearly and concisely inform the parent(s) of any students solicited and/or attending such a trip that the trip is not endorsed, supported, approved, or authorized by the Board of Education. A staff member shall not solicit students of this district for trips not approved by the Board or Superintendent on school grounds of the district without permission of the Superintendent;

4. The Board does not endorse, support, or assume liability in any way for any teaching staff member of this district who conducts a private activity in which students or employees of this district participate;

5. Teaching staff members shall not campaign on school grounds during their work day, send campaign literature home with pupils, or request, direct, or have pupils distribute campaign literature on behalf of any candidate for local, State, or

national office or for any bond issue, proposal, or any public question submitted at any general, municipal, or school election. No student shall be requested, directed or encouraged by any teaching staff member to engage in any activity which tends to promote, favor or oppose any such candidacy, bond issue, proposal, or public question;

6. Teaching staff members shall not privately tutor students for compensation who are currently enrolled in their classes and shall not privately tutor for compensation on school property;

7. The Board of Education assumes no responsibility, liability, or obligations for the selection of the private tutor, the conduct of the tutor, or the quality of the tutoring services; and

8. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by teaching staff members in the performance of their professional duties reside with and may be claimed by the Board.

N.J.S.A. 18A:42-4
N.J.S.A. 19:1.1 et seq.

Adopted: 24 January 2006
Revised: 23 April 2013
Revised: 12 November 2013

3240 PROFESSIONAL DEVELOPMENT FOR TEACHERS AND SCHOOL LEADERS

The Board of Education encourages all teaching staff members to pursue a program of continuing professional development by course work or matriculation in institutions of higher learning, participation in workshops and conferences, membership in professional organizations, and/or independent scholarship.

Teaching staff members may be permitted to: visit other schools and classrooms; attend local, regional, or national conferences; participate in committees, workshops, and panels, both within and outside the district. Requests for participation in such professional development activities must be submitted in writing to the Superintendent or designee for approval. In addition, the Board of Education must approve all travel expenditures in accordance with N.J.S.A. 18A:11-12 and the State of New Jersey Department of the Treasury, Office of Management and Budget Circulars 08-19-OMB and 06-14-OMB (OMB Circulars) and any superseding circulars and any additional requirements set forth in N.J.A.C. 6A:23A-7 et seq.

A teaching staff member who has been granted time off and/or approved to be reimbursed for a professional development activity shall submit to the Superintendent or designee, with a copy to the School Business Administrator/Board Secretary, within ten working days, a brief written report that includes the primary purpose of the travel, the key issues addressed at the event, and their relevance to improving instruction or the operations of the school district.

All active teachers, defined as staff whose positions require possession of the instructional or educational services certificates in accordance with N.J.A.C. 6A:9-8, 10, 11, and 13 and all active school leaders serving on a permanent or interim basis whose positions require possession of the Chief School Administrator, Principal, or Supervisor endorsement in accordance with N.J.A.C. 6A:9-12 shall comply with the professional development requirements as outlined in N.J.A.C. 6A:9-15.1 et seq.

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To meet the professional development requirement, each teacher shall be guided by an individual Professional Development Plan (PDP), which shall include at least twenty hours per year of qualifying activities as outlined in N.J.A.C. 6A:9-15.4. The PDP shall be developed by each teacher's supervisor in consultation with the teacher and shall align with the Professional Standards for Teachers in N.J.A.C. 6A:9-3 and the Standards for Professional Learning in N.J.A.C. 6A:9-15.3. The PDP shall be effective for one year and shall include, at least the minimum requirements outlined in N.J.A.C. 6A:9-15.4(c).

School-level professional development planning and implementation shall be in accordance with the requirements of N.J.A.C. 6A:9-15.5. District-level professional development planning and implementation shall be in accordance with N.J.A.C. 6A:9-15.6.

Implementation of the professional development requirement for school leaders shall be in accordance with N.J.A.C. 6A:9-15.7 and 15.8.

The Board of Education shall comply with the monitoring and assistance requirements as outlined in N.J.A.C. 6A:9-15.9.

The Board shall monitor and enforce the professional development requirements for teachers and school leaders set forth in N.J.A.C. 6A:9-15 et seq. and shall actively assist and support the provision of opportunities and resources, and the efforts by teachers and school leaders to meet the professional development requirements.

N.J.S.A. 18A:31-2; 18A:6-111
N.J.A.C. 6A:9-3.3; 6A:13-2.1; 6A:9-15.1 et seq.

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4230 OUTSIDE ACTIVITIES

The Board of Education recognizes that support staff members enjoy a private life outside their job responsibilities in the school district. The Board believes that school employees exert a continuing influence away from the school district. Accordingly, the Board reserves the right to determine if activities outside the support staff member's job responsibilities interfere with their performance and the discharge of the support staff member's responsibilities to this district.

The Board directs that all support staff members be governed in their activities outside the school by the following guidelines:

1. Support staff members are advised to refrain from conduct, associations, and offensive speech that, if given publicity, would tend to have an adverse or harmful effect upon students or the school community;

2. Support staff members shall not devote time during their workday to an outside private enterprise, business, or business organization. They shall not solicit or accept customers for a private enterprises, business, and/or business organization on school grounds during their workday without the express permission of the Superintendent;

3. The Board does not endorse, support, or assume liability in any way for any staff member of this district who conducts a private activity in which or employees of this district participate;

4. The Board does not endorse, support, or assume liability in any way for any support staff member of this district who conducts a private activity in which students or employees of this district participate;

5. Support staff members shall not campaign on school grounds during their work day, send campaign literature home with pupils, or request, direct or have pupils distribute campaign literature on behalf of any candidate for local, State, or national office or for any bond issue, proposal, or any public question submitted at any general, municipal, or school election. No student shall be requested, directed or encouraged by any support staff member to engage in any activity which tends to promote, favor or oppose any such candidacy, bond issue, proposal, or public question; and

6. Copyrights and patents to materials or equipment developed, written, prepared, processed, or tested by support staff members in the performance of their school district duties reside with and may be claimed by the Board.

Adopted: 24 January 2006
Revised: 23 April 2013

4440 TRAVEL EXPENSES

The Board of Education will reimburse support staff members for travel expenses in accordance with applicable New Jersey Statutes.

For the purpose of this Policy:

1. Travel Expenditures - means those costs paid by the school district using local, State, or Federal funds, whether paid directly by the school district or by employee reimbursement, for travel by school district employees and/or Board of Education members to training and seminars, conventions and conferences, regular school district business, and retreats.

2. Training and Seminars - means all regularly scheduled, formal residential or non-residential training functions conducted at a hotel, motel, convention center, residential facility, or any educational institution or facility.

3. Conventions and Conferences - means general programs, sponsored by professional associations on a regular basis, which address subjects of particular interest to a school district or are convened to conduct association business. The primary purpose of employee attendance at conferences and conventions is the development of new skills and knowledge or the reinforcement of those skills and knowledge in a particular field related to school district operations. These are distinct from formal staff training and seminars although some training may take place at such events.

4. Regular School District Business - means all regular official business travel, including attendance at meetings, conferences, and any other gatherings which are not covered by the definitions for training and seminars and convention and conferences above.

5. Retreats - means meetings with school district employees and Board members held away from the normal work environment at which organizational goals and objectives are discussed. If available, school district facilities shall be utilized for this type of event.

School district travel expenditures include, but are not limited to, all costs for transportation, meals, lodging, and registration or conference fees to and from the travel event. School district travel expenditures include costs for all required training and travel authorized in existing school district employee contracts and school Board policies. This includes, but is not

limited to, required professional development and other staff training, and attendance at specific conferences authorized in existing employee contracts.

The school district shall not bear costs for car rentals, limousine services, and/or chauffeuring costs to or during the event, as well as costs for employee attendance for coordinating other attendees' accommodations at the travel event.

All travel by district support staff members shall be educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the support staff member's current responsibilities and the school district's professional development plan. All travel expenditures must be for travel that is critical to the instructional needs of the school district or furthers the efficient operation of the school district and is 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.

A support staff member shall submit to the Business Administrator/Board Secretary within 30 calendar days of incurring the travel expense(s) a brief report that includes the primary purpose for the travel and the key issues that were addressed at the event and their relevance to improving instruction or the operation of the school district.

The detailed documentation that demonstrates compliance with the school Board's travel policy including travel approvals, reports, and receipts for all school district funded expenditures, as appropriate, shall be maintained in the Business Office.

Travel for support staff members may occur only upon prior written approval of the Superintendent of Schools and prior approval by a majority of the full voting membership of the Board.

For regular school district business travel only, the Board authorizes an annual maximum amount per employee for regular business travel in the amount of $1500 for which Board approval is not required.

The Board may approve, at any time prior to the event, travel for multiple months as long as the Board approval, detailed in Board Meeting minutes, itemizes the approval by event, total cost, and number of employees and/or school Board members attending the event. General or blanket pre-approval for travel is not authorized. Approval shall be itemized by event, event total cost, and number of employees and school Board members attending the event.

Travel payments will be paid only upon compliance with P.L. 2007, c. 53 and this Policy's provisions and approval requirements.

The Board will not ratify or approve payments or reimbursements for travel after completion of the travel event. An employee or organization shall not receive an amount for travel and/or travel-related expenses in advance of the travel pursuant to N.J.S.A. 18A:19-1 et seq.

A Board member shall recuse himself/herself from voting on travel if the Board member, 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 may reasonably be expected to impair his/her objectivity or independence of judgment. A Board member shall not act in his/her official capacity in any matter in which 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; or undertake any employment or service, whether compensated or not, which may reasonably be expected to prejudice his/her independence of judgment in the execution of his/her official duties.

The Board shall exclude from the requirements of prior Board approval any travel caused by or subject to contractual provisions, other statutory requirements, or Federal regulatory requirements. The Board may not exclude such travel from the subsistence requirements and annual maximum travel expenditure pursuant to P.L. 2007 c. 53.

One-day trips that do not involve overnight lodging are not eligible for a subsistence payment or reimbursement except in limited circumstances authorized in the Department of the Treasury guidelines. 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 provisions:

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 rate. 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;

4. In any case in which the total per diem reimbursement is greater than the Federal per diem rate, except as stated in 2. above, the costs will be considered to be excessive and shall not be paid by school district funds;

5. The school district 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 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.

Annually in the prebudget year, the Board shall establish by Board resolution, a maximum travel expenditure amount for the budget year, which the school district shall not exceed in that budget year. The Board resolution shall also include the maximum amount established for the prebudget year and the amount spent to date. The maximum school district travel expenditure amount shall include all travel in accordance with P.L. 2007 c. 53 supported by local and State funds.

The Board may elect by Board resolution to exclude travel expenditures to be supported by Federal funds in the maximum travel expenditure amount. The Board resolution shall include the total amount of travel supported by Federal funds from the prior year, prebudget year, and projected for the budget year.

The school district shall maintain separate accounting for school district travel expenditures as necessary to ensure compliance with the school district's maximum travel expenditure amount. This may include, but need not be limited to, a separate or offline accounting of such expenditures or expanding the school district's accounting system. The tracking system shall be sufficient to demonstrate compliance with the Board's policy and P.L. 2007 c. 53, and shall provide auditable information.

Any Board of Education that violates its established maximum travel expenditure as set forth in P.L. 2007 c. 53, or that otherwise is not in compliance with the travel limitations set forth in P.L. 2007 c. 53 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.

A person who approves any travel in violation of the P.L. 2007 c. 53 or this Policy shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event. An employee or Board member who travels in violation of the Board's

policy or P.L. 2007 c. 53 shall be required to reimburse the school district in an amount equal to three times the cost associated with attending the event.

P.L. 2007 c. 53

Adopted: 11 September 2007