

STEPHEN T. WISNIEWSKI, Ed.D.
Superintendent/Principal

SUSAN MONROE, PhD
President

DAVID TONZOLA, CPA
Business Administrator/Board Secretary

BOARD OF EDUCATION

515 BRINLEY AVENUE
BRADLEY BEACH, NEW JERSEY 07720
TELEPHONE: (732) 775-4413
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January 2, 2019

ITEMS TO THE BOARD FROM THE SUPERINTENDENT/BUSINESS OFFICES

1. Agenda: Reorganization Meeting – January 3, 2019
2. Agenda Attachments

BRADLEY BEACH BOARD OF EDUCATION
515 Brinley Avenue
Bradley Beach, NJ 07720

AGENDA

Reorganization Meeting
January 3, 2019

- I. Call To Order
- II. Open Public Meetings Act

In accordance with the Open Public Meetings Act, notice of this meeting has been given to the designated newspapers, *The Asbury Park Press* and *the Coast Star*, and posted in the school in a place reserved for this kind of notice.

- III. Roll Call and Flag Salute
- IV. Administration of Oath of Office to Newly Elected Board Members
- V. Roll Call
- VI. Business Administrator/Board Secretary's Report

(Mr. Tonzola) As President, pro-tem, I state that nominations are now in order for the position of President of the Bradley Beach Board of Education.

A. Nomination and Election of Board President

Resolved: I nominate as President of the Bradley Beach Board of Education:

- | | |
|----------|---------------|
| 1. _____ | MOTION: _____ |
| 2. _____ | MOTION: _____ |
| 3. _____ | MOTION: _____ |

(Title 18A:15.1)

Resolved: That all nominations be closed and roll call vote be taken on the election of the Board President

Discussion: including statements by nominees and questions from other Board Members

MOTION: _____ SECOND: _____ VOTE: _____

AGENDA
Reorganization Meeting
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Roll call vote results:

- | | |
|------------------|---------------|
| 1. Nominee _____ | # Votes _____ |
| 2. Nominee _____ | # Votes _____ |
| 3. Nominee _____ | # Votes _____ |

_____ has received a majority of the votes and is hereby declared to be duly elected as President of Bradley Beach Board of Education.

(Mr. Tonzola) As President, pro-tem, I turn over the conduct of the remainder of this meeting to the duly elected President.

B. Nomination and Election of Board Vice President

Resolved: I nominate as Vice President of the Bradley Beach Board of Education:

- | | |
|----------|---------------|
| 1. _____ | MOTION: _____ |
| 2. _____ | MOTION: _____ |
| 3. _____ | MOTION: _____ |

(Title 18A:15.1)

Resolved: That all nominations be closed and roll call vote be taken on the election of the Board Vice President

Discussion: including statements by nominees and questions from other Board Members

MOTION: _____ SECOND: _____ VOTE: _____

Roll call vote results:

- | | |
|------------------|---------------|
| 1. Nominee _____ | # Votes _____ |
| 2. Nominee _____ | # Votes _____ |
| 3. Nominee _____ | # Votes _____ |

_____ has received a majority of the votes and is hereby declared to be duly elected as Vice President of Bradley Beach Board of Education.

AGENDA
Reorganization Meeting
January 3, 2019

C. Designation of Advertising Media

Resolved: That the following resolution is hereby adopted:

WHEREAS, The Open Public Meetings Act (Chapter 231, P.L. 1975) N.J.S.A. 10:4.6 et seq. requires that certain notice of meetings be submitted to two newspapers, one of which shall be the official newspaper, and

WHEREAS, The second newspaper designated by this Board must be one which has the greatest likelihood of informing the public within the jurisdictional boundaries of the Board of Education of such meetings, and

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF EDUCATION OF THE BOROUGH OF BRADLEY BEACH, AS FOLLOWS:

1. *The Asbury Park Press* is hereby designated as the official newspaper to receive all notices of meetings.
2. Either *The Coast Star* or *The New Coaster* is hereby designated as the second newspaper having the greatest likelihood of informing the public within the jurisdictional area of the Board of Education of notice of meetings designated to receive all notices of meetings as required by the Open Public Meetings Act.
3. *The Asbury Park Press*, *The Coast Star* and/or *The New Coaster* are hereby designated as the newspapers for legal advertisements.

This resolution shall take effect immediately.

MOTION: _____ SECOND: _____ VOTE: _____

D. Designation of Board Meeting Nights

Resolved: That the following resolution is hereby adopted:

RESOLVED: That the Board of Education of the Borough of Bradley Beach, in accordance with the Schedule of Meetings, shall hold its Workshop/Regular Meetings on the third Tuesday of each month, except as noted and during holiday periods.
Formal action will be taken at all meetings.

All meetings will commence at 7:00 p.m., prevailing time, in the Bradley Beach Elementary School, 515 Brinley Avenue, Bradley Beach, N. J.

BE IT FURTHER RESOLVED, that in accordance with provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975, Annual Notice of said Workshop/Regular Meetings be given in the form as required by said Open Public Meetings Act.

AGENDA
Reorganization Meeting
January 3, 2019

BE IT FURTHER RESOLVED, that the Annual Notice of the Board's Workshop/Regular Meetings Schedule be posted publicly on the bulletin board at the Bradley Beach Elementary School, 515 Brinley Avenue, Bradley Beach, County of Monmouth, State of New Jersey, and said notice be sent to *The Asbury Park Press* and the Clerk of the Borough of Bradley Beach within seven days of the date of this resolution.
(Schedule of Board Meetings 2019-Attachment VI-D)

MOTION: _____ SECOND: _____ VOTE: _____

E. Approval of New Jersey School Boards Association "Code of Ethics"

Resolved: That the New Jersey School Boards Association "Code of Ethics" shall be considered the official Code of Ethics of the Bradley Beach Board of Education:

CODE OF ETHICS

1. 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.
2. 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.
3. I will confine my Board action to policy-making, planning, and appraisal and I will help to frame policies and plans only after the Board has consulted those who will be affected by them.
4. I will carry out my responsibility, not to administer the schools, but together with my fellow Board Members, to see that they are well run.
5. I will recognize that authority rests with the Board of Education and will make no personal promises, nor take any private action, which may compromise the Board.
6. 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.
7. 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.
8. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
9. I will support and protect school personnel in proper performance of their duties.

AGENDA
Reorganization Meeting
January 3, 2019

10. I will refer all complaints to the chief administrative officer and will act on such complaints at public meetings only after failure of an administrative solution.

MOTION: _____ SECOND: _____ VOTE: _____

F. Approval of Code of Ethics Training

Resolved: That the Board of Education Members receive the required Code of Ethics PowerPoint Training as required under N.J.A.C. 6:3-1.3 and N.J.A.C.6A:30 and that signatures from each Board Member be obtained by the Board Secretary. (Attachment VI-F)

MOTION: _____ SECOND: _____ VOTE: _____

VII. Public Comments (Agenda Items Only)

VIII. Public Comments (Other Items Only)

IX. Executive Session (if required)

X. Adjournment

Attachment VI-D

BRADLEY BEACH BOARD OF EDUCATION
515 BRINLEY AVENUE
BRADLEY BEACH, NJ 07720

2019
MEETING SCHEDULE

Public monthly meetings of the Bradley Beach Board of Education will be held at the Bradley Beach Elementary School, 515 Brinley Avenue, Bradley Beach, NJ, on the **third Tuesday** of each month, except for the May 7th, June 25th and January 2020 meetings. Workshop sessions will commence at 7:00 p.m. and the regular meeting, at which action will be taken, will begin immediately following the workshop session. Any changes in meeting dates will be advertised. The following are dates for these meetings:

January	15, 2019
February	19, 2019
March	19, 2019 Tentative Budget Adoption
April	16, 2019
May	07, 2019 Budget Adoption (First Tuesday)
May	21, 2019
June	25, 2019 (Fourth Tuesday)
July	16, 2019
August	20, 2019
September	17, 2019
October	15, 2019
November	19, 2019
December	17, 2019
January	07, 2020 Reorganization (First Tuesday)

BRADLEY BEACH BOARD OFFICE

MEMORANDUM

TO: All Board Members
FROM: David Tonzola
DATE: January 3, 2019
RE: Code of Ethics Power Point Training Materials

Attached is the Code of Ethics Training power-point that is to be reviewed by each member of the board of education prior to the annual organization meeting. Please review this document. You will be required to sign this form indicating that you have received the Code of Ethics and training. Your signature will be done as part of the agenda.

Sign and Return to Board Office

Signature

Date

New Jersey School Boards Association

BOARD ETHICS TRAINING

New Jersey School Boards Association

BOARD ETHICS TRAINING



Board Ethics Training

- This training is to be used as an aid in satisfying the board's annual ethics training requirements under *N.J.A.C. 6A:32-3.2*.



DISCLAIMER

- THIS PRESENTATION DOES NOT REPLACE THE INDIVIDUAL ETHICS TRAINING REQUIRED FOR ALL SCHOOL BOARD MEMBERS/TRUSTEES.
- THIS INFORMATION IS INTENDED AS AN AID FOR THE BOARD TO MEET ITS ANNUAL TRAINING REQUIREMENT ONLY AND IS NOT TO BE CONSTRUED AS LEGAL ADVICE.
- FOR SPECIFIC ADVICE, CONSULT YOUR BOARD ATTORNEY.



Each school board shall:

- Discuss the School Ethics Act and the Code of Ethics for School Board Members, at a regularly scheduled public meeting annually;
- Adopt policies and procedures regarding the training of district board members/ charter school trustees members in understanding the Code of Ethics; and
- Provide documentation that each member of the district board of education or board of trustees has received and reviewed the Code of Ethics.



Code of Ethics

N.J.S.A. 18A:12-24.1

- a. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.**
- b. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.**



Code of Ethics (continued)

N.J.S.A. 18A:12-24.1

- c. I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.**
- d. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.**



Code of Ethics (continued)

N.J.S.A. 18A:12-24.1

- e. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.**
- f. 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.**



Code of Ethics (continued)

N.J.S.A. 18A:12-24.1

- g. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. 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 school.**
- h. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.**



Code of Ethics (continued)

N.J.S.A. 18A:12-24.1

- i. I will support and protect school personnel in proper performance of their duties.**
- j. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.**



School Ethics Act N.J.S.A. 18A:12-24

- a. No school official or member of his immediate family shall 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;**
- b. No school official shall use or attempt to use his official position to secure unwarranted privileges, advantages or employment for himself, members of his immediate family or others.**



School Ethics Act N.J.S.A. 18A:12-24

(continued)

- c. No school official shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair his objectivity or independence of judgment. No school official shall act in his official capacity in any matter where 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;



School Ethics Act N.J.S.A. 18A:12-24

(continued)

- d. No school official shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;**



School Ethics Act N.J.S.A. 18A:12-24

(continued)

e. No school official, or member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his 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 official duties;



School Ethics Act N.J.S.A. 18A:12-24

(continued)

- f. No school official shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he 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 immediate family, or any business organization with which he is associated;**



School Ethics Act N.J.S.A. 18A:12-24

(continued)

g. No school official or business organization in which he has an interest shall represent any person or party other than the school board or school district in connection with any cause, proceeding, application or other matter pending before the school district in which he serves or in any proceeding involving the school district in which he serves.... This provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities;



School Ethics Act N.J.S.A. 18A:12-24

(continued)

h. No school official shall be deemed in conflict with these provisions if, by reason of his participation in any matter required to be voted upon, no material or monetary gain accrues to him 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;



School Ethics Act N.J.S.A. 18A:12-24

(continued)

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



School Ethics Act N.J.S.A. 18A:12-24

(continued)

- j. Nothing shall prohibit any school official, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests.**



Ethics—Common Areas of Concern

- Financial Involvement—Recuse (excuse) yourself when your immediate family’s financial involvement might reasonably be expected to impair your objectivity. Do not discuss or vote on that matter being considered by the board.
 - Immediate family is defined as spouse or dependent child residing in same household as the board member.



Ethics—Common Areas of Concern

- **Personal Involvement—Recuse yourself when you or members of your immediate family have a personal involvement that creates some benefit to you or to an immediate family member.**



Ethics—Common Areas of Concern

- Personnel Appointments
 - Relatives- NO participation, recuse yourself.
 - Related to School Official by Marriage(l.e. in-laws)—get advisory opinion.
 - Professional Services (lawyer, accountant, etc.)—NO participation, if currently receiving services from that professional; otherwise seek advisory opinion.



Ethics—Common Areas of Concern

- Personnel Appointments (continued)
 - Political Involvement—If job candidate provided services (example: campaign manager or treasurer) to your campaign, must recuse yourself. If job candidate was merely contributor (and contribution was not given in exchange for appointment), you may participate in appointment.



Ethics—Common Areas of Concern

- Personnel Appointments (continued)
 - Appointment of CSA's and other administrators—Where person is internal candidate, board member with immediate family member employed in district, cannot participate or vote on appointment if candidate is in supervisory chain of command of immediate family member. If external candidate, can only participate and vote on initial appointment, absent other conflicts.



Collective Negotiations-In District

No Participation

- Immediate Family
- Emancipated Child
- Siblings
- Parents

Seek Advisory Opinion

- Son/daughter-in-law
- Sister/brother-in-law
- Mother/father-in-law



Collective Negotiations-Out of District

- Immediate Family Member- Same Statewide Union affiliation
 - Once tentative agreement has been signed, then you may participate and vote on the contract.



Collective Negotiations-- Endorsements

- Board members who have been endorsed by the bargaining unit in the year in which negotiations are beginning or ongoing, may not participate in negotiations or vote on the contract.
- Board members endorsed in years prior to start of collective bargaining, may be able to participate in negotiations.



Other ethics considerations

- Gifts or favors
 - Board members may not accept offers of meals, entertainment or hospitality limited to the clients or customers of the individuals providing the service.
- Exception: Hospitality suites or receptions at conferences or conventions, provided it is open to all in attendance at the conference or convention.



Ethics—Advisory Opinions

- Issued by the School Ethics Commission, on request.
- Used for future or proposed conduct.
- Based on the specific facts of your situation.
- Issued to the individual; Some opinions are made public when it concerns an issue of importance to all. If made public, individual names are redacted.
- Does not penalize individual because concerns proposed conduct, not action already taken.



Doctrine of Necessity

- Where so many board members have ethical conflicts that the board cannot function, then a board may use the Doctrine of Necessity which will allow the board to function as if no member had a conflict.
 - Board must pass a resolution invoking doctrine, reasons for it, and the nature of the conflicts.
 - Doctrine allows voting and, in limited circumstances, participation in negotiations.
 - Board must consult with attorney before using Doctrine of Necessity.

Indemnification N.J.S.A. 18A:12-20

- Boards must cover costs related to defending a board member for an act or omission arising out of his/her official duties as a member of the board.
 - Covers civil and administrative proceedings, win or lose. (example: ethics complaints)
 - Covers criminal or quasi-criminal actions where the result is favorable to the board member.



Ethics Summary

- How do ethics affect board members?
 - Questions to think about:
 - Do you have any conflicts that would prevent you from voting or participating in a matter?
 - Have you sought an advisory opinion from the School Ethics Commission?
 - Have you consulted with the board attorney?
 - Are there any matters where the board will have to use the Doctrine of Necessity?
- **PLAN AHEAD!**



Where to Get Ethics Help

- Your Board Attorney
- N.J. School Ethics Commission
609-984-6941 or
www.nj.gov/njded/ethics/commission.htm
(for information on advisory opinions or complaints)



Where to Get Ethics Help (Continued)

- **N.J. School Boards Association**
 - **Legal --(for information on past rulings and advisory opinions) 1-888-886-5722 x. 5254**
 - **Policy --(for information on ethics policies) 1-888-886-5722 x. 5222**
 - **Field Services --(for direct assistance) 1-888-886-5722 x. 5255**

