

BOARD BASICS

The Bernards Township Board of Education is comprised of nine members, elected at-large every three years. Each April, an election is conducted for three of the nine seats along with a vote on the budget. Elections are strictly non-partisan. Candidates, who must be residents of Bernards Township, are required to file petitions with signatures of ten registered voters in order to run. Petitions are available in January and must be filed in February. First term board members are required to attend annual training sessions conducted by the New Jersey School Boards Association.

The New Jersey Constitution puts responsibility for public education on the state legislature. The legislature may neither delegate nor abdicate its function to make laws affecting public schools. Many believe that “local control” means the educational function of government is controlled exclusively at the local level. This notion of home rule is a myth. New Jersey’s educational system is based on the concept of lay control, not local control, and the exercise of that power is shared among officials at all levels of government, including board of education members. State laws and regulations govern nearly all areas of public education, including curriculum, transportation, personnel policies, and finances.

Boards of education are created by statute to perform a state function at a local level. Their powers are derived from the legislature and not from the people in their local community. Boards of education may only perform those acts for which express or implied authority exists in state law or in the rules and regulations of the state board of education.

All boards of education have four main functions.

1. The board provides guidance through policy development in the areas of instruction, personnel, general administration, fiscal and business management, physical plant, and community relations.
2. The board provides a program of quality instruction by adopting state mandated curriculum standards as academic goals for students, assesses district and personnel needs to ensure student achievement of the standards, supports training of staff, and requires reports on the results of student assessment.
3. The board provides for the effective management of the district by employing and evaluating the superintendent, establishes policies for monitoring district finances, curriculum, buildings and grounds, and personnel and requires reports on the results of policy implementation.
4. The board provides for two-way communication between the community and school board by informing the public about the schools, promoting parents’ presence in schools and at school functions, and working to secure public support for the schools and public understanding of district goals.

Typically, the Bernards Township Board of Education meets twice monthly. One meeting is devoted to regular business, e.g., policy, personnel, and finance matters. The other meeting is devoted to presentations by staff on various topics and to status reports by committee chairpersons on the workings of their respective committees. All board meetings must be publicly advertised. No business may be conducted unless a quorum is present and five members constitute a quorum. Most action items require a simple majority of the members present. In certain instances, a majority of the board (5 members) must approve an item for it to pass.

Certain matters require the board to meet in private. These include litigation, contract negotiations, and personnel matters. Typically, when closed session issues are resolved, they are reported in meeting minutes.

The Bernards Township Board of Education operates on a committee system. The five standing committees include the following: policy, curriculum, finance, personnel, and community relations. Ad hoc committees may be appointed from time to time. The board president appoints committee members. Committees are comprised of no more than four members and are not required to meet in public. All matters considered by committees must be brought to the full board at a public meeting for approval.

Individual board members have no special legal status except when sitting with the rest of the board in a legally constituted meeting. Outside of such meetings, board members may neither speak for other board members nor can they represent the board as a whole. Board members have a variety of past experiences, desires, beliefs, and personalities.

Public Comment

The Bernards Township Board of Education welcomes public comment at its meetings. There are two opportunities for the public to express their views. One is early in the meeting when the president will ask for comment on any items on the current agenda. The other is toward the end of the meeting when any type of public comment is solicited. While no time limit is imposed, the public is asked to be succinct. For the most part, the board does not respond to public comment. Questions may be answered and clarifications may be provided but the board does not engage the public in debate. The board may refer items from the public to the administration for further review.

Chain of Command

The goal of chain of command is to have a problem solved by the person closest to the situation. The normal chain runs from the classroom teacher, through the principals, to the central office administrators and the superintendent, and finally, to the board of education. At times, residents present problems to an individual board member first. Board members singularly have no power or authority to take any action in response to concerns or complaints. If the matter concerns a student or teacher, the board member will refer the resident to the appropriate teacher or administrator. If the matter policy and governance issues, the board member will ask the board president to place the item on a future meeting agenda for discussion by the full board.

Superintendent

The superintendent of schools is the only employee in the school district who has a direct reporting relationship to the board of education. While the board statutorily approves all hiring, it does not typically participate in the selection (or dismissal) process for teachers and support staff. Members of the board's personnel committee do sit on the screening process for principals and administrators.

A superintendent has three main responsibilities. They include the following: first, to serve as the board's chief executive officer and advisor in all efforts of the board to fulfill its governance role; second, to serve as the primary educational leader for the school system and chief administrative officer of the entire district's professional and support staff; and third, to serve as a catalyst for the district's administrative leadership team in proposing and implementing policy changes. Although the board is not bound to accept the superintendent's advice, a prudent board never establishes policy without first consulting the superintendent. In the same vein, a wise superintendent never institutes major administrative procedures without first providing the board an opportunity to review proposed rules for adherence to established policy. Legislative mandates often allow no latitude for anyone in the school district to alter rule implementing new laws or mandated curricula. Similarly, the superintendent sometimes must establish de facto policy by taking necessary action to meet unanticipated but pressing circumstances, thereby creating precedent in an area where the board has no formal written policy.

The board, by law, generally is responsible for all school programs and operations. All boards, however, delegate some portion of that authority to the superintendent. Without sufficient authority from the board, the superintendent's ability to discharge responsibility is diminished. Where to draw the line is a matter each board and superintendent must determine individually and should review periodically. In general, the board must give the professional administrators and staff authority to carry out designated responsibilities, and the administrator must give the board assurances that duties assigned to the job are carried out.

Board Secretary

By law, all boards of education are required by law to have a board secretary. In most districts, including Bernards Township, the Business Administrator serves in a dual capacity as board secretary; he/she reports directly to the board as board secretary and to the superintendent as the business administrator.

The board secretary is responsible for noticing meetings and ensuring compliance with the Sunshine Law, and issuing official minutes. He/she keeps accounts of the district's financial transactions and is responsible for providing such information to the board. The board secretary may administer oaths and swear in all new and returning board members.

Contacting the Board

The Bernards Township Board of Education welcomes suggestions, comments, and criticism from the community. Members of the public who are unable to attend board meetings are encouraged to write or e-mail the board with their concerns. The district's website, www.bernardsboe.com, allows residents to e-mail the board.