

TOWNSHIP OF UNION BOARD OF EDUCATION
SPECIAL MEETING MINUTES – ETHICS TRAINING
FEBRUARY 18, 2021 – 5:30 p.m.

NOTICE OF MEETING:

TO ALL BOARD OF EDUCATION MEMBERS:

The special meeting of the Board of Education of the Township of Union was held on Thursday, February 18, 2021 at 5:30 p.m. via Zoom pursuant to the notice sent to each member.

Mr. McDowell called the meeting to order at 5:34 p.m.

PRESENT AT ROLL CALL:

Mrs. Yocasta Brens-Watson, Mr. Ronnie McDowell, Mrs. Nancy Minneci, Dr. Kalisha Morgan, Mrs. Nellis Regis-Darby, Mrs. Kim Ruiz, Mrs. Mary Lynn Williams

ABSENT AT ROLL CALL:

Dr. Guy Francis, Mr. John O’Shea

ADMINISTRATORS PRESENT:

Mr. Gerald Benaquista, Mrs. Yolanda Koon, Mrs. Ann Hart, Mr. Craig Wojcik, Mrs. Maureen Guilfoyle, Mrs. Sandra Paul

ALSO PRESENT:

Mr. Lester Taylor, Esq.

Mrs. Brens led the Board in the Pledge of Allegiance.

Mrs. Koon read the statement required under the “Open Public Meetings Act”, a copy of which is on file in the office of the Board Secretary.

Mrs. Regis-Darby read the District’s mission statement.

[Ethics Training – NJSBA Representative](#)

Mr. McDowell stated Mrs. Thornton is our district representative from NJSBA will be doing our ethics training tonight and she is carrying out our superintendent search. We contracted with NJSBA and she has done training with us.

Mrs. Thornton stated school ethics training is required. The School Ethics Act lays out the minimum expectations of behavior for Board members to avoid perception or impression that anything happens would be violative of the public trust and it is designed to encourage the Board and the respect and confidence of the people that they serve.

The outline of the presentation is below; the presentation is appended to the minutes:

- School Ethics Act

- NJQSAC – Governance Indicator – annually file a completed financial/personal disclosure statement
- School Ethics Commission – 9 members – appointed by Governor for a 3-year term
- Required Training to be provided by NJSBA – Governance I, II, III and IV
- SEC Jurisdiction – Request Advisory Opinion – only school official may request an advisory opinion
- Ethics Complaint – can be filed by anyone alleging a violation of the Ethics Act or Code of Ethics
- 2020 Cases Considered by SEC
- Advisory Opinion A13-20
- Penalties issued by SEC – Violation of the Act – SEC may recommend to the Commissioner to reprimand, censure, suspension, removal.
- Code of Ethics - the role of the board member is policy making, planning and appraisal – oversight of budget and superintendent evaluation and communication with your community; only the full board can bind the district to action and direct the superintendent to take action; you must uphold confidentiality; provide accurate information and interpret the communities aspirations; refuse to surrender independent judgment; required to vote for most qualified personnel after consideration of your CSA recommendation; you can only hire people with an affirmative recommendation of the superintendent – you can vote no as long as the rationale is not arbitrary or capricious; must support school personnel – if you have a concern, refer all complaints to CSA. If you involve yourself at a beginning of an issue, if and when it would get to the board, you would not be able to participate because you would have involved yourself early on and you would be conflicted out of that process
- 2020 SEC/Commissioner Decisions
- Conflicts of Interest (NJSA 18A:12-24) – recuse yourself if there is a benefit to you as a school official or your immediate family due to business interest, financial involvement, gift/favor, personal involvement that creates a benefit, service or employment that may prejudice independent judgment.
- Who Qualifies as a Relative? (NJAC 6A:23A-1.2); Accountability Regulation Definition – spouse/civil union or domestic partner; parent/stepparent; child/stepchild and son/daughter-in-law; grandparent, grandchild; siblings, stepbrother/sister, half-brother/sister; aunt/uncle, niece/nephew
- Hiring/Personnel – may not hire a relative of a board member or chief school administrator
- Collective Bargaining (A24-17) – participating in and voting on the bargaining agreement; (A10-18) - endorsement of a candidate by a local or statewide union does not create a per se future conflict unless a financial contribution is given and is intended to influence the member
- Doctrine of Necessity – is only to be invoked when the Board is required to vote on a matter requiring the majority vote of the full membership
- Volunteerism – school board members are not “banned” from volunteering in the schools in their district, but there are important considerations to make; refrain from certain activity, based on degree of involvement with students and/or staff and the agree to which

board member has authority to give or receive directions to/from students and/or staff; you should not handle district funds even if through the PTO.

- Interview Committees (A31-15) – Board member involvement in interviews for positions other than that of superintendent is not encouraged
- Points to Consider – NJSBA recommends boards develop a list of board members and administrators who have a conflict and review it regularly; consult with your board attorney on ethics issues and to identify conflicted members/administrators; continue to check School Board Notes to keep abreast of advisories.

School officials must always be cognizant of their responsibility to protect the public trust, to honor their public and Board, and to periodically re-evaluate the existence of potential conflicts (A10-18).

It was asked if there were any questions from the Board members – no questions from Board members.

Board members please sign the Code of Ethics Acknowledgement and give to your Board Secretary so that it is on file for NJQSAC.

Mrs. Thornton left meeting at 6:25 p.m.

Mr. McDowell stated thank you and I look forward to hearing from you on our superintendent search.

Comments from the Public:

Mrs. Lipstein stated my concerns on what happened in the district several months ago when confidential personnel information got out to the public – I wanted to know Mrs. Thornton's suggestion on what should be done about that? The Board needs to police itself; something needs to be done and maybe something was done that the public wasn't aware of. It was a breach of confidentiality and it is under the Code of Ethics. I'm concerned about that. Mr. McDowell stated he was sorry she missed Mrs. Thornton, that you can send an email to Mrs. Thornton with her questions and concerns.

Mrs. Lipstein stated sometimes Board's have internal ethic committees that work to make sure that the internally is complying with ethics and doesn't have to go out as a complaint to the Commissioner, but the Board can police itself. I will send those questions on to her.

MOTION TO ADJOURN:

There being no further business before the Board in public session it was moved by Mrs. Ruiz, seconded by Mrs. Minneci, that the meeting be adjourned at 6:32 p.m.

AYE: Mrs. Brens-Watson, Mrs. Minneci, Dr. Morgan, Mrs. Regis-Darby, Mrs. Ruiz,
Mrs. Williams, Mr. McDowell

NAY: None

ABSTAIN: None

MOTION CARRIED

RESPECTFULLY SUBMITTED,

**YOLANDA KOON
BOARD SECRETARY**