

Bylaw

ROLE OF THE MEMBER

It is understood that the members of the Little Silver Board of Education 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.

Confidential Information

Board member access to public, personnel, and student records shall be governed by law and by the provisions board policies 3570 District Records and Reports, 4112.6/4212.6 Personnel Records and 5125 Student Records.

Board members shall have access to confidential records only as necessary and appropriate for the purpose of discharging his/her official responsibilities as board member. No board member shall reveal information contained in any confidential record or received during a duly convened private/executive session of the board.

Board Member Indemnification

Board members shall be indemnified in accordance with law (see N.J.S.A. 18A:12-20) whenever a civil, administrative, criminal or quasi-criminal action or other legal proceeding is brought against a board member for any act or omission arising out of and in the course of the performance of his/her duties as board member. In the case of a criminal or quasi-criminal action which results in a final disposition in favor of the board member, the board will defray all costs of defending the action, including reasonable counsel fees and expenses, together with costs of appeal, and will save harmless and protect the board member from any financial loss resulting from the action.

Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in law (see N.J.S.A. 59:10-4). The law provides that the board may arrange appropriate insurance for the indemnification of officers and employees for exemplary or punitive damages resulting from the employee's civil violation of State or federal law if in the opinion of the board the acts committed by the employee upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong.

Adopted: October 8, 2009
Revised: November 17, 2010
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Key Words

Individual Board Member, Board Members' Role

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 (county vocational schools)
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission

Possible

Cross References: *1250 Visitors
*9020 Public statements
*9271 Code of ethics

*Indicates policy is included in the Critical Policy Reference Manual.