

Bylaw

BUSINESS ADMINISTRATOR/BOARD SECRETARY

The River Edge School District operates under unit control. The business administrator/board secretary shall be appointed by the River Edge Board of Education at the annual organization meeting. The efficient operation of the office of the board of education under existing laws, statutes and directives is the responsibility of the business administrator/board secretary.

The business administrator/board secretary shall cooperate with all members of staff having related responsibilities.

The business administrator/board secretary shall be bonded for not less than the minimum required by statute. The board shall pay the bond expense.

Contracts

Contracts for business administrators shall not exceed one year. The executive county superintendent must review and approve all business administrators' contracts including:

- A. New contracts;
- B. Contracts that replace existing contracts;
- C. Renegotiations, extensions, amendments, or other alterations to the terms of existing contracts that have been previously reviewed by the executive county superintendent; and
- D. Provisions for contract extensions where such terms were not included in the original employment contract or are different from the provisions contained in the original, approved contract.

The contract review and approval must take place prior to any required public notice and hearing. The board shall provide the executive county superintendent with a detailed statement setting forth the total cost of the contract for each applicable year, including salary, longevity (if applicable), benefits, and all other emoluments.

The review shall ensure comparability of salary, benefits, and other emoluments to contracts of similarly credentialed and experienced administrators in similar districts within the region. In addition the review shall require that the contract must:

- A. Comply with all statutory requirements relating to travel reimbursement (see bylaw 9250 Travel Reimbursement);
- B. Not include provisions providing for reimbursement or payment of employee contributions that are required either by law or by a contract with other teaching staff members;
- C. Provide payment upon separation from service that is not excessive and does not exceed the lesser of:
 - 1. The remaining salary due under the contract; or
 - 2. The three months pay for every year remaining on the contract (not to exceed 12 months) with proration for partial years;
- D. Allow payment for unused sick leave that does not exceed the statutory limit of \$15,000.00, is paid on retirement only, and is not paid to an individual's estate or beneficiaries;

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- E. Permit payment, at time of separation, for unused vacation time only for vacation accrued in the current or immediately previous year, unless that vacation time has been accrued prior to 2007;
- F. Include calculation of per diem for 12-month employees based on a 260 day work year;
- G. Not include a bonus except where payment is contingent upon achievement of measurable specific performance objectives;
- H. Not provide payment at the time of separation or retirement for work not performed;
- I. Not include any monthly allowance except for a reasonable car allowance which cannot exceed the average monthly miles traveled for business purposes multiplied by the NJOMB allowable mileage reimbursement.

In order to renegotiate, extend, amend, or otherwise alter the terms of the business administrator/board secretary's contract, the board must:

- A. Provide notice to the public at least 30 days prior to any scheduled action;
- B. Hold a public hearing on the proposed contract and not take action until the hearing has been held;
- C. Provide the public with at least 10 days' notice of the public hearing.

The requirement for a public hearing does not apply to new contracts, including contracts that replace expired contracts for existing employees.

Adopted: December 19, 1990
 Revised: March 12, 2003, Legal Update January 7, 2004
 NJSBA Review/Update: September 2017
 Readopted: March 13, 2019

Key Words

Board Secretary, Business Administrator, Organization Meeting

<u>Legal References:</u>	<p><u>N.J.S.A. 18A:4-14</u> Uniform system of bookkeeping for all school districts</p> <p><u>N.J.S.A. 18A:6-7.1 through -7-5</u> Criminal history record; employee in regular contact with with students; grounds for disqualification from employment, exception</p> <p><u>N.J.S.A. 18A:7 et seq.</u> Executive county superintendents</p> <p><u>N.J.S.A. 18A:7F</u> Comprehensive Educational Improvement and Financing Act</p> <p><u>N.J.S.A. 18:A7G</u> Educational Facilities construction and financing Act</p> <p><u>N.J.S.A. 18A:12</u> School Ethics Act</p> <p><u>N.J.S.A. 18A:16-1</u> Officers and Employees in general</p> <p><u>N.J.S.A. 18A:16-2</u> Physical examinations: requirement</p> <p><u>N.J.S.A. 18A:17-1</u> Removal, etc. of secretaries, assistant secretaries, school business administrators and business managers during terms of office</p> <p><u>N.J.S.A. 18A:17-2</u> Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees</p> <p><u>N.J.S.A. 18A:17-5</u> Appointment of secretary; terms; compensation; vacancy;</p> <p><u>N.J.S.A. 18A:17-6</u> Bond of Secretary</p>
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<u>N.J.S.A.</u> 18A:17-7	Secretary to give notices, keep minutes, etc.
<u>N.J.S.A.</u> 18A:17-8	Secretary; collection of tuition and auditing of accounts
<u>N.J.S.A.</u> 18A:17-9	Secretary; report of appropriations, etc.
<u>N.J.S.A.</u> 18A:17-10	Secretary; annual report
<u>N.J.S.A.</u> 18A:17-11	Secretary; taking oaths
<u>N.J.S.A.</u> 18A:17-12	Secretary; annual financial report to the commissioner
<u>N.J.S.A.</u> 18A:17-12.1, 12.2	Secretary; retirement of pension amount
<u>N.J.S.A.</u> 18A:17-13	Assistant and acting secretaries, appointment, powers and duties
<u>N.J.S.A.</u> 18A:17-14	Clerks in the Secretaries office
<u>N.J.S.A.</u> 18A:17-14.1	Appointment of school business administrator
<u>N.J.S.A.</u> 18A:17-14.2	Qualifications
<u>N.J.S.A.</u> 18A:17-14.3	Secretary or business manager appointed school administrator; tenure
<u>N.J.S.A.</u> 18A:17-24.1 through -24.9	Superintendents and school business administrators shared by two or more school districts, approval
<u>N.J.S.A.</u> 18A:18A	Public School contract Law
<u>N.J.S.A.</u> 18A:19	Expenditures of funds; Audited payment of claims
<u>N.J.S.A.</u> 18A:21	Capital projects
<u>N.J.S.A.</u> 18A:22	Budget and Appropriations
<u>N.J.S.A.</u> 18A:23-4	Preparation and distribution of synopsis or summary
<u>N.J.S.A.</u> 18A:28-5	Tenure of teaching staff members
<u>N.J.S.A.</u> 18A:-30.5	Payment for accumulated sick leave
<u>N.J.S.A.</u> 18A:30-9	Payment for accumulated vacation leave
<u>N.J.S.A.</u> 18A:33	Facilities in general
<u>N.J.S.A.</u> 18A:39	Transportation to and from school
<u>N.J.S.A.</u> 19:60	School election
<u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u>	NJ Worker and Community Right to Know Act
<u>N.J.A.C.</u> 6A:7-1.1 <u>et seq.</u>	Managing for equality and equity in education
<u>N.J.A.C.</u> 6A:9	Professional standards
<u>See particularly</u>	
<u>N.J.A.C.</u> 6A:9-3.4	Professional standards for teachers and school leaders
<u>N.J.A.C.</u> 6A:9B-12.3	Authorization
<u>N.J.A.C.</u> 6A:9B-12.4	School business administrator
<u>N.J.A.C.</u> 6A:9B-13	Acting administrators
<u>N.J.A.C.</u> 6A:9C-1.1 <u>et seq.</u>	Required professional development for school leaders
<u>N.J.A.C.</u> 6A:16-1.3 and 3.1	Prohibition of substance smoking and tobacco use on school grounds
<u>N.J.A.C.</u> 6A:23A	Fiscal Accountability, efficiency and budgeting procedures
<u>N.J.A.C.</u> 6A:23A-3.1	Review of contracts for superintendents, assistant superintendents and business administrators
<u>N.J.A.C.</u> 6A:24	Urban education reforms in Abbot districts
<u>N.J.A.C.</u> 6A:25	Qualified zone academy bonds
<u>N.J.A.C.</u> 6A:26	Educational facilities
<u>N.J.A.C.</u> 6A:27	Student Transportation
<u>N.J.A.C.</u> 6A:28	School operations
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the performance of school districts
<u>N.J.A.C.</u> 6A:32-6.1 <u>et seq.</u>	School employees' physical exams
<u>N.J.A.C.</u> 8:59-11.1 <u>et seq.</u>	NJ Worker and Community Right to Know Act
<u>N.J.A.C.</u> 12:100-4.2	Safety and health standards for public employees' occupational exposure to bloodborne pathogens

Immigration Reform and Control Act of 1986 8 U.S.C.A. 100 et seq.

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<u>Cross References:</u> 3000/3010*	Concepts and roles in business and non-instructional operations; goals and objectives
3100*	Budget planning, preparation and adoption
3160*	Transfer of funds between line items/amendment/purchases not budgeted
3250*	Income from fees, fines, charges
3260*	Sale and disposal of books, equipment and supplies
3290	Funds management
3293	Depositories
3300	Expenditures/expending authority
3320*	Purchasing procedures
3326*	Payment for goods and services
3440*	Inventories
3453*	School activity funds
3510*	Operation and maintenance of plant
3541.1*	Transportation routes and services
3541.31*	Privately owned vehicles
3570*	District records and reports
3571	Financial reports
3571.4*	Audit
9250*	Expenses and travel reimbursement
9321*	Time, place, notification of meetings
9322.1	Organization meeting
9323/9324*	Agenda preparation/advance delivery of meeting material

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