

TOWNSHIP OF UNION BOARD OF EDUCATION  
FEBRUARY 16, 2023  
MINUTES  
5:30 p.m. ETHICS TRAINING  
6:30 p.m. HIB TRAINING

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 26, 2023 at 5:30 p.m. at the Administration Building, 2369 Morris Avenue, Union, New Jersey pursuant to the notice sent to each member.

Ms. McKenzie called the meeting to order at 5:37 p.m.

PRESENT AT ROLL CALL:

Mrs. Yocasta Brens-Watson, Ms. Dixiana Carbonell, Ms. Marissa McKenzie, Mrs. Nancy Minneci, Mrs. Nellis Regis-Darby, Ms. Chastity Santana (by phone), Mrs. Mary Lynn Williams

ABSENT AT ROLL CALL:

Mr. John O'Shea (5:38 p.m.), Mrs. Kimberly Scott-Hayden (6:43 p.m.)

ADMINISTRATORS PRESENT:

Dr. Scott Taylor, Mrs. Yolanda Koon

ALSO PRESENT:

Patricia Rees, NJSBA Field Representative  
Christopher Buggy, Esq.  
Robert Devaney, Esq.

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

Mr. O'Shea arrived at 5:38 p.m.

Mrs. Koon read the statement required under the "Open Public Meetings Act" that adequate notice was published in The Union County Local Source, The Star Ledger and/or Tap into Union, posted in the Administration Building and the Clerk's Office of the Township; a copy of which is on file in the office of the Board Secretary.

Mrs. Williams read the district's mission statement.

Ethics Training – NJSBA (presentation appended to minutes)

Patricia Rees, the district field representative from the New Jersey School Board Association presented ethics training to the Board. She advised the Board that as of February 2023, new Board members have 90 days to complete the mandated Governance I and read the

NJSBA disclaimer that states the presentation is for informational purposes only and not for the purpose of providing legal advice. A summary of the presentation is as follows:

- Ethics/Accountability – as a school official, you have the honor of serving the interests of the public.
- School Ethics Act – it is essential that the conduct of members of the board of education and local administrators hold the respect and confidence of the people and avoid conduct which is in violation of their public trust.
- Who is Accountable? All school officials – board members and administrators.
- Code of Ethics was reviewed and discussed.
- 2022 Commissioner/SEC Decisions were discussed.
- What is a Conflict of Interest? Recuse yourself if there is a benefit to you (school official) or your immediate family.
- Relationship definitions.
- Hiring/personnel – may not hire a relative of a board member or chief school administrator (may be exceptions).
- Collective Bargaining Agreement
- Public Advisory Opinion.
- What is Training is Mandatory? Governance 1 – new board member orientation; Governance 2 – finance/labor; Governance 3 – student achievement; Governance 4 – legal update
- NJDOE Disclosure Statements – must be filed within 30 days of service for new board members/school officials and by April 30<sup>th</sup> for returning board members/school officials.
- Who Enforces the Act? The School Ethics Commission.
- SEC Jurisdiction; SEC Considerations
- What are the Penalties for Violation of the Act? Reprimand, Censure, Suspension or Removal.
- Volunteering in Schools
- Interview Committees – board member involvement in interviews for positions other than the superintendent is not encouraged.
- Social media.
- Points to consider – NJSBA recommends boards to develop a list of board members and administrators who have a conflict and review it regularly; consult with board attorney on ethics issues and identify conflicted members/administrators.
- Ethics reminder – all board members should always be treated, and should always treat other members of the board, with decency, respect and kindness.

HIB Training – Florio Law Firm (presentation appended to minutes)

Robert DeVaney, Esq. of Florio, Perrucci, Steinhardt, Cappelli, Tipton & Taylor LLC presented Harassment Intimidation and Bullying (HIB) training to the Board members. A summary is below:

- Overview of HIB: applicable statutory and regulatory provisions.
- Important requirements under the regulations

- Definition of HIB – means any gesture, any written, verbal or physical act or any electronic communication, whether it be a single incident or series of incidents, that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as: race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, a mental, physical or sensory disability;, or any other distinguishing characteristics and takes place on school property, at any school-sponsored function, on a school bus or off school grounds as provided for in NJSA 18A:37-15.3.

Mrs. Scott-Hayden arrived at 6:43 p.m.

Ms. Ahern stated that HIB 338 Form – HIB Reporting Form is effective July 2022 and to be completed by school personnel and by family caregivers.

Mr. DeVaney continued his presentation:

- Distinguishing Characteristics – personal appearance or intelligence; social standing, socio-economic status, grade level, political affiliation, dietary restrictions/choices.
- Investigation Procedures and Timelines – report immediately to building principal, who will notify parents/guardians; within two school days of verbal report - memorialize the details of the incident in writing and submit to principal; principal will then submit to superintendent; within one day of verbal report – the investigation shall be initiated by the principal; within 10 days following written report – the investigation shall be completed.
- Superintendent Review – within two school days following completion of investigation, the results shall be reported to the superintendent; superintendent may decide to provide intervention services, impose discipline, order counseling or take or recommend other appropriate action; at the next board meeting following superintendent’s receipt of report – the results of the investigation shall be reported to the board; within five school days following report to the board, the parents/guardians of the students must be provided a letter stating the nature of the investigation, whether the district found evidence of HIB and whether discipline was imposed or services provided to address the incident of HIB.
- Board’s Review – at the next board meeting following report to the board, the board must vote to affirm, reject or modify the superintendent’s decision.
- Appeal to Commissioner of Education – parents have within ninety days following issuance of the board decision to appeal the board’s determination to the Commissioner (NJAC 6a:3).
- Recording keeping and discipline – a progressive disciplinary system is to be used for repeat violators.

Ms.Santana arrived (in person) at 6:52 p.m.

A question was asked by a board member concerning the person conducting the HIB investigation and a possible conflict of interest. Mr. Buggy stated there is usually more than one ABA who can conduct the investigation – it would need to be addressed on a case-by-case basis.

MOTION TO ADJOURN:

There being no further business before the Board in public session it was moved by Mrs. Minneci, seconded by Mrs. Williams, that the meeting be adjourned at 7:00 p.m.

AYE: Mrs. Brens-Watson, Ms. Carbonell, Mrs. Minneci, Mr. O'Shea,  
Mrs. Regis-Darby, Ms. Santana, Mrs. Scott-Hayden, Mrs. Williams, Ms. McKenzie

NAY: None

ABSTAIN: None

MOTION CARRIED

RESPECTFULLY SUBMITTED,

*Yolanda Koon*

YOLANDA KOON  
BOARD SECRETARY