

Bylaw

RESIGNATION AND REMOVAL

Resignation

The resignation of a member of the board shall become effective upon official board motion and the affirmative vote of a plurality of the board at a legally convened meeting. The resignation of an officer of the board from his/her office shall become effective by official board motion and the affirmative vote of a majority of the total board membership at a legally convened meeting.

If the board fails to fill the office of president or vice president within 30 days thereafter the executive county superintendent of schools shall fill the vacancy for the un-expired terms.

Removal of a Board Member

The membership of a board of education member shall terminate immediately upon:

- A. The cessation of the member's bona fide residency in the school district the member represents; or
- B. The member's election or appointment to the office of mayor or member of the governing body of Alloway Township or
- C. The member's disqualification from voting pursuant to N.J.S.A. 19:4-1. No person shall have the right to vote:
 - 1. Who has been adjudicated by a court of competent jurisdiction to lack the capacity to understand the act of voting; or
 - 2. Who has been convicted of a violation of any of the provisions of this Title, for which criminal penalties were imposed, if such person was deprived of such right as part of the punishment therefor according to law unless pardoned or restored by law to the right of suffrage; or
 - 3. Who shall be convicted of the violation of any of the provisions of this Title, for which criminal penalties are imposed, if such person shall be deprived of such right as part of the punishment therefor according to law, unless pardoned or restored by law to the right of suffrage; or
 - 4. Who is serving a sentence or is on parole or probation as the result of a conviction of any indictable offense under the laws of this or another state or of the United States.
- D. The member's conviction for false swearing for having falsely affirmed or declared that he/she is qualified to vote;
- E. The removal of the member by the Commissioner of Education upon recommendation of the Ethics Commission for failure to take mandated training, violations of the Code of Ethics or violations of the Ethics Act; or
- F. Recall of a board member pursuant to the Uniform Recall Election Law (N.J.S.A. 19:27A-1 et seq).

Any member who fails to attend three consecutive meetings of the board without good cause may be removed from office on the affirmative vote of a majority of the full board, in accordance with board bylaw 9116.

Removal of the President or Vice President

A president or vice president who shall refuse to perform a duty imposed upon him/her by this title may be removed by the majority vote of all the members of the board.

RESIGNATION AND REMOVAL (regulation continued)

Adopted: November 18, 2003
 Revised: February 2020
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 Readopted:

Key Words

Elections, Nominating Petitions, Candidates

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited
N.J.S.A. 18A:12-21 et seq. School Ethics Act
See particularly:
N.J.S.A. 18A:12-24, -24.1
N.J.S.A. 19:27A-1 et seq. Uniform Recall Election Law
N.J.A.C. 6A:4-1.1 et seq. Appeals
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission

Cross References: *4112.8/4212.8 Nepotism
 *9111 Qualifications and background checks
 9112 Election and annual appointments
 *9113 Filling Vacancies
 *9200 Orientation and training of board members
 *9270 Conflict of interest

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