

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.

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, provided that the member's removal was proposed at the immediately previous board meeting, and notice of the proposed removal was given to the affected member at least seventy-two hours in advance of the meeting at which the vote will be taken.

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)

The board may remove a fellow member who shall fail to attend three consecutive regular meetings, without good cause by the affirmative vote of a majority of the full board provided that such action shall have been proposed at the preceding meeting of the board and provided that notice of such action has been given to the absent member in advance of the meeting for which such action has been proposed.

Adopted: November 18, 2003
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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.