

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

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0165 VOTING

All Board of Education actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded in the minutes of the meeting. Proxy voting shall not be permitted.

Abstentions shall not be counted as votes but shall be recorded; a member who abstains from voting is deemed to acquiesce in the outcome of the vote.

All motions shall require for adoption the majority vote of Board members present and voting, except as provided by statutes of the State of New Jersey, this bylaw, or parliamentary authority and provided that the number of affirmative votes is at least a majority of the Board's quorum.

1. The affirmative votes of three-quarters of the members present are required for the conduct of a Board meeting when adequate notice has not been provided in accordance with law, N.J.S.A. 10:4-9;
2. A two-thirds vote of the full membership of the Board is required for:
 - a. Bids that have been advertised pursuant to N.J.S.A. 18A:18A-4 on two occasions and;
 - (1) No bids have been received on both occasions in response to the advertisement; or
 - (2) The Board of Education has rejected such bids on two occasions because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the Board prior to the advertising therefore, or have not been independently arrived at in open competition; or
 - (3) On one occasion no bids were received pursuant to #(1) and on one occasion all bids were rejected pursuant to #(2), in whatever sequence; any such contract may then be negotiated.
 - b. Purchase of goods also available under state contract when the Board has received at least three quotations and the lowest responsible quotation is at least ten percent less than the price under the state contract for the identical goods and quantities, N.J.S.A. 18A:18A-5;
 - c. Determining that it is necessary, in a Type II school district having a Board of School Estimate, to sell bonds to raise money for any capital project, N.J.S.A. 18A:22-27; and
 - d. Selling bonds of a Type II district without further advertisement at private sale if no legally acceptable bid is received for the bonds pursuant to N.J.S.A. 18A: 24-45.

3. A majority roll call vote of the full membership of the Board is required for:

a. Admission after October 1 of a ~~pupil~~ student who has never attended school, N.J.S.A. 18A:38-6;

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b. Adoption or alteration of a course of study, N.J.S.A. 18A:-33-1;

c. Application for membership in an established county audiovisual aid center, N.J.S.A. 18A:51-11;

d. Appointment of a Superintendent, N.J.S.A. 18A:17-15; School Business Administrator, N.J.S.A. 18A:17-14.1; Board Secretary, N.J.S.A. 18A:17-5; Assistant Board Secretary, N.J.S.A. 18A:17-13; Administrative Principals, N.J.S.A. 18A: 17-20.5; and Shared Superintendent or School Business Administrator, N.J.S.A. 18A:17-24.3. Appointment and removal of Assistant Superintendent(s), N.J.S.A. 18A:17-16 and appointment, salary, and removal of Business Manager in Type I school district, N.J.S.A. 18A:17-25.

~~Assistant Superintendent, N.J.S.A. 18A:17-16; or assistant board secretary, N.J.S.A. 18A:17-13; and Administrative Principals, N.J.S.A. 18A: 17-20.5;~~

e. Appointment, transfer, removal and/or renewal of a teaching/certificated and/or non-certificated staff member, N.J.S.A. 18A:25-1, 27-1;

f. Fix and determine, in a Type II district having no Board of School Estimate, the amount of money to be raised for budgets and capital construction, N.J.S.A. 18A:22-32, 22-39;

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~~f. Approval of budgets and capital construction, N.J.S.A. 18A:22-32, 22-39;~~

g. Approval of employee salary deductions for hospital and insurance plans and government bonds, N.J.S.A. 18A:16-8;

h. Authorization in Type II school districts. of school bonds, N.J.S.A. 18A:24-10;

i. Decision to establish with other school districts a county audiovisual educational aid center, N.J.S.A. 18A:51-1;

j. Determination of sufficiency of charges warranting dismissal or reduction in salary of a tenured employee, N.J.S.A. 18A:6-11;

k. Disposition or exchange of lands owned by the Board, N.J.S.A. 18A:20-5, 20-8;

- l. Purchase of bonds or other obligations as investments, N.J.S.A. 18A:20-37;
- m. Removal of the President or Vice President of the Board, N.J.S.A. 18A:15-2;
- n. Restoration or removal following suspension of an Assistant Superintendent, Principal, or teacher, N.J.S.A. 18A:25-6;
- o. Selection of textbooks, N.J.S.A. 18A:34-1;
- p. Withholding a salary increment, N.J.S.A. 18A:29-14.
- q. Directing the Secretary of the Board ~~Secretary~~ to deduct salaries of employees to participate in any plan for the purchase of bonds of the United States government, N.J.S.A. 18A: 16-8.

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4. A roll call vote of the Board is required for the following actions with the necessary vote is indicated:

<u>-</u>	<u>Issue</u>	<u>Required Vote</u>
<u>-</u>	<u>-</u>	<u>-</u>
<u>a.</u>	<u>Salary deductions for government bonds N.J.S.A. 18A:16-8</u>	<u>Majority of full Board</u>
<u>-</u>	<u>-</u>	<u>-</u>
<u>b.</u>	<u>Appointment of a secretary of Board of Education; terms; compensation; vacancy N.J.S.A. 18A-17-5</u>	<u>Majority of full Board</u>
<u>-</u>	<u>-</u>	<u>-</u>
<u>c.</u>	<u>Assistant and acting secretaries; appointment, powers and duties N.J.S.A. 18A:17-13</u>	<u>Majority of full Board</u>
<u>-</u>	<u>-</u>	<u>-</u>
<u>d.</u>	<u>Appointment of Superintendents; terms;</u>	<u>Majority of full Board</u>

-	<u>apportionment of expense</u> <u>N.J.S.A. 18A:17-15</u>	-
e.	<u>Appointment and removal of</u> <u>Assistant Superintendents</u> <u>N.J.S.A. 18A:17-16</u>	<u>Majority of full</u> <u>Board</u>
f.	<u>Appointment of</u> <u>Administrative Principals</u> <u>N.J.S.A. 18A:17-20.5</u>	<u>Majority of full</u> <u>Board</u>
g.	<u>Appointment of shared</u> <u>Superintendent, School</u> <u>Business Administrator;</u> <u>terms N.J.S.A. 18A:17-24.3</u>	<u>Majority of the</u> <u>membership of</u> <u>each Board</u>
h.	<u>Appointment; salary;</u> <u>removal of Business</u> <u>Managers N.J.S.A. 18A:17-</u> <u>25</u>	<u>Majority of full</u> <u>Board</u>
i.	<u>Unit control organizational</u> <u>structure; Executive</u> <u>Superintendent N.J.S.A.</u> <u>18A:17A-1</u>	<u>Majority of full</u> <u>Board</u>
j.	<u>Disposition of property</u> <u>N.J.S.A. 18A:20-5</u>	<u>Majority of full</u> <u>Board</u>
k.	<u>Exchange of lands N.J.S.A.</u> <u>18A:20-8</u>	<u>Majority of full</u> <u>Board</u>
l.	<u>Type II districts with Board</u> <u>of School Estimate;</u> <u>determination; certification</u> <u>and raising of</u> <u>appropriations; notice of</u> <u>appeal N.J.S.A. 18A:22-26</u>	<u>Majority of full</u> <u>Board</u>
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<u>m.</u>	<u>Type II districts with Boards of School Estimate; estimate by Board of Education; certification of estimate N.J.S.A. 18A:22-27</u>	<u>Two thirds of full membership of Board</u>
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<u>n.</u>	<u>Determination of amounts by Board of School Estimate N.J.S.A. 18A:22-31</u>	<u>Board of School Estimate majority of full Board</u>
-	-	-
<u>o.</u>	<u>Type II districts without Board of School Estimate; determination and certification of appropriation N.J.S.A. 18A:22-32</u>	<u>Majority of full Board</u>
-	-	-
<u>p.</u>	<u>Type II districts without Board of School Estimate; submission of capital projects N.J.S.A. 18A:22-39</u>	<u>Majority of full Board</u>
-	-	-
<u>q.</u>	<u>School bonds, when deemed to be authorized Type II. N.J.S.A 18A:24-10</u>	<u>Majority of full Board</u>
-	-	-
<u>r.</u>	<u>Private sale if no bids at public sale N.J.S.A. 18A:24-45</u>	<u>Two thirds of full membership of Board</u>
-	-	-
<u>s.</u>	<u>Transfer of teaching staff member N.J.S.A. 18A:25-1</u>	<u>Majority of full Board</u>
-	-	-
<u>t.</u>	<u>Suspension of Assistant Superintendents, Principals and teaching staff members N.J.S.A. 18A:25-6</u>	<u>Majority of membership</u>
-	-	-
<u>u.</u>	<u>Appointment of teaching staff members; vote required</u>	<u>Majority of full Board</u>

	<u>N.J.S.A. 18A:27-1</u>	
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<u>v.</u>	<u>Board of Education, procedure for certain personnel actions; recommendation of Chief School Administrator N.J.S.A. 18A:27-4.1</u>	<u>Majority of full Board</u>
-	-	-
<u>w.</u>	<u>Renewal of personnel N.J.S.A. 18A:27-4.1</u>	<u>Majority of full Board</u>
-	-	-
<u>x.</u>	<u>Withholding increments; causes notice of appeals N.J.S.A. 18A:29-14</u>	<u>Majority of full Board</u>
-	-	-
<u>y.</u>	<u>District to furnish suitable facilities; adoption of courses of study N.J.S.A. 18A:33-1</u>	<u>Majority of full Board</u>
-	-	-
<u>z.</u>	<u>Textbooks; selection; furnished free with supplies; appropriations N.J.S.A. 18A:34-1</u>	<u>Majority of full Board</u>
-	-	-
<u>aa.</u>	<u>Single county educational audiovisual aids center in county N.J.S.A. 18A:51-11</u>	<u>Majority of full membership</u>

~~4. Executive Session Meetings on Short Notice:~~

~~Board members must be present at a public meeting in order to participate and to vote. In the event a special meeting is scheduled on short notice to be held in executive session for the sole purpose of discussing ongoing contract negotiations a member may participate in the meeting via telephone conference if the following conditions are met:~~

~~a. The telephone conference shall be conducted by speaker phone, or similar device, that permits the member to hear all speakers and the members to hear each other.~~

~~_____ b. The member's participation via telephone conference in the executive session shall be duly noted in the minutes of the meeting and shall include a certification from the member so participating that no one other than the member was able to hear any of the conference.~~

~~_____ c. The member must be unavailable as a result of a previously scheduled vacation, a business meeting that cannot be rescheduled, illness or injury of the member or of an immediate family member or other personal or family emergency of a nature that precludes attendance.~~

~~_____ d. A member who wishes to participate in a specially scheduled executive session by telephone conference shall advise the President at least 3 (three) hours prior to the start of the meeting.~~

N.J.S.A. 10:4-14

Cross Reference: 0163

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Second Reading: ~~April 20, 2009~~

~~Third Reading: May 18, 2009~~

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