

2023

# NJSBA BYLAWS



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# NJSBA Bylaws

## 2023



BYLAWS OF THE NEW JERSEY SCHOOL BOARDS ASSOCIATION

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New Jersey School Boards Association

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**ADOPTED JANUARY 27, 1973 AND MARCH 10, 1973**

Amended May 10, 1975  
Amended May 8, 1976  
Amended December 10, 1977  
Amended October 26, 1978  
Amended June 9, 1979  
Amended October 26, 1979  
Amended January 26, 1980  
Amended June 14, 1980  
Amended December 5, 1981  
Amended June 12, 1982  
Amended December 4, 1982  
Amended June 9, 1984  
Amended December 14, 1985  
Amended June 14, 1986  
Amended December 13, 1986  
Amended June 13, 1987  
Amended June 10, 1989  
Amended June 8, 1991  
Amended December 7, 1991  
Amended June 6, 1992  
Amended December 12, 1992  
Amended December 11, 1993

Amended June 11, 1994  
Amended December 10, 1994  
Amended June 10, 1995  
Amended May 17, 1997  
Amended November 22, 1997  
Amended November 14, 1998  
Amended November 18, 2000  
Amended May 19, 2001  
Amended November 17, 2001  
Amended November 16, 2002  
Amended November 22, 2003  
Amended May 14, 2005  
Amended November 18, 2006  
Amended May 13, 2009  
Amended November 20, 2010  
Amended May 14, 2011  
Amended May 19, 2012  
Amended May 18, 2013  
Amended November 16, 2013  
Amended May 17, 2014  
Amended May 16, 2015  
Amended December 10, 2016  
Amended May 17, 2019  
Amended December 2, 2023



## ARTICLE I: AUTHORITY

**SECTION 1: AUTHORITY** The NEW JERSEY SCHOOL BOARDS ASSOCIATION, hereinafter called the “Association,” was established by the New Jersey Legislature as a body corporate and politic, to which all boards of education of the various school districts in the State shall be members. *N.J.S.A. 18A:6-45 et. seq.*

## ARTICLE II: POWERS AND DUTIES

**SECTION 1: POWERS AND DUTIES** The New Jersey School Boards Association, a federation of district boards of education, advocates, trains, and provides resources for the advancement of public education in New Jersey. The Association may investigate such subjects relating to education in its various branches as it may think proper, and it shall encourage and aid all movements for the improvement of the educational affairs of this state. *N.J.S.A. 18A:6-47*

## ARTICLE III: MEMBERSHIP

**SECTION 1: REGULAR MEMBERS** The regular members of the Association shall consist of all of the district boards of education in the state of New Jersey in good standing.

**SECTION 2: GOOD STANDING** For purposes of these bylaws, a regular, affiliate, or associate member of the Association shall be considered in good standing when such member shall have paid the appropriate dues for the then current, and any prior fiscal year.

**SECTION 3: AFFILIATE MEMBERS** Any public education agency, organization or commission established under *N.J.S.A. 18A* that has as its purpose the provision of services, programs or assistance to district boards of education in the delivery of public education to the students of New Jersey, and which is governed by a body consisting of at least one representative of a district board of education, shall be eligible for affiliate membership of the Association without the power of vote. Such members shall pay annual membership dues and receive such privileges as established by the Board of Directors, but not to include the privilege of voting at any meeting of the Association or Board of Directors.

**SECTION 4: ASSOCIATE MEMBERS** Interested persons or common interest groups may become associate members of the Association without the privilege of voting at any meeting of the Association or Board of Directors. “Interested persons or common interest groups” shall be identified by the Board of Directors. Such associate members shall pay an-

nual membership dues and receive such privileges as established by the Board of Directors.

**SECTION 5: LOSS OF MEMBERSHIP RIGHTS** Regular members not in good standing as defined in section 2 of this article shall be denied membership rights in accordance with Article IV, Section 8 and Article VI, Section 2. In addition the Board of Directors is authorized to identify additional membership rights that may be denied to regular, affiliate and associate members not in good standing.

## **ARTICLE IV: DELEGATE ASSEMBLY**

**SECTION 1: DELEGATE ASSEMBLY** The Delegate Assembly shall be the major policymaking body of the Association. The delegates to the Association shall assemble and meet periodically in accordance with these bylaws.

**SECTION 2: DELEGATES** Each district board shall be represented in the Association by one delegate or alternate, who shall be a voting member of such district board and who shall be elected or appointed in such manner, and for such term, as may be determined by his or her district board. State-operated school districts shall be represented by a delegate and alternate selected from among the members of the state-operated district board of education appointed pursuant to the statutes governing state-operated school districts. The delegates and alternates from state-operated school districts need not be voting members of the state-operated district board of education and shall be elected or appointed in such manner, and for such term, as may be determined by the state-operated district board of education. The selection of the delegates and alternates shall be made at the annual organizational meeting of each district board of education or, in the case of a state-operated school district, as soon as practicable after the creation of the district and the appointment of the state-operated district board of education.

**SECTION 3: CERTIFICATION OF DELEGATES** Each district board shall certify in writing to the executive director of the Association the names of its delegate and alternate within 30 days after their selection and no later than four days prior to the Delegate Assembly. If a district board fails to comply with this procedure, fails to select a delegate or alternate, or in the event that the delegate and alternate are unable to serve, any member of the district board may be certified as an acting delegate upon presentation of a statement on district board letterhead, signed by the board secretary, indicating that the individual is a voting member of the district board and has been given authority to serve as the acting delegate. If no such letter is available, then any member of the district board may be certified as an acting delegate upon execution on site of a certification indicating that the individual is a voting member of the district board and has been given authority to serve as the acting delegate.

A certified delegate may represent, and vote on behalf of, only one board of education.

**SECTION 4: REGULAR DELEGATES MEETINGS** There shall be two regular meetings of the delegates to the Association in each year, which shall be held in the months of October/November/December and May/June, at a time and place to be determined by the Board of Directors. In the event an emergency exists, which makes it infeasible to schedule a meeting in one of the stated months, or in the event of an emergency which requires cancellation of an already scheduled meeting, the Board of Directors shall fix the time for said meeting no later than January, for a meeting which would have been held in October/November/December, and no later than July, for a meeting which would have been held in May/June, and the business of the regular meeting shall be conducted at that time.

**SECTION 5: ANNUAL MEETING** The May/June meeting of the delegates shall be deemed the annual meeting of the Association.

**SECTION 6: SPECIAL DELEGATE MEETINGS** Special meetings of the delegates shall be called upon the request of the president, or of the Board of Directors, or upon written request signed by 50 delegates representing at least 11 counties of the state, provided written notice of the business to be considered shall be given to all district boards of education at least 15 days prior to the date of said meeting.

**SECTION 7: VOTING AND SPEAKING PRIVILEGES**

- a. Voting and speaking privileges shall be accorded only to delegates who have been certified in writing to the Association.
- b. Past presidents of the Association, members of the Board of Directors of the Association, the president or other designee from a county school boards association, and members of the Association staff shall be accorded speaking privileges only. A past president, a member of the Board of Directors or the president or designee from a county school boards association shall be accorded voting privileges if he or she is the certified delegate of his or her local board of education.
- c. Any other person may be accorded speaking privileges, upon request thereto made by a delegate and approved by a majority vote of the delegates present and voting.

**SECTION 8: EXCEPTION TO VOTING AND SPEAKING PRIVILEGES** Delegates from local boards that are not in good standing shall not have speaking and voting privileges. The executive director shall send letters to all boards of education in arrears, at least 60 days in advance of delegates meetings, stating that they will not have speaking and voting privileges unless dues are paid in advance of the delegates meeting.

**SECTION 9: QUORUM; ADJOURNED MEETINGS** Fifty delegates representing at least 11 counties of the state shall constitute a quorum for the transaction of business at all meetings of the delegates of the Association. In case less than a quorum is present at any meeting, or in case the delegates are unable to complete the agenda of any regular or special meeting, the meeting shall be adjourned to a day certain or to a date set by the Board of Directors or Executive Committee at least 15 days hence, provided that 15 days notice of such adjourned meeting shall be given to all district boards of education. The Board of Directors or the Executive Committee shall be authorized to set the date of such adjourned meeting, and the business of the adjourned meeting shall be conducted at that time provided a quorum is present.

**SECTION 10: DELEGATE VOTES** At any regular or special meeting of the delegates each certified delegate shall be entitled to one vote.

**SECTION 11: MANNER OF VOTING** Voting shall be done by showing of credentials. Roll call votes shall not be permitted, except that a roll call vote by county may be taken to determine the presence of a quorum.

## **ARTICLE V: RESOLUTIONS**

**SECTION 1: PURPOSE OF PROCEDURES** The object of the resolutions procedure is to promote an orderly and democratic process for delegate action and to ensure that proper research be conducted prior to delegate action so that the delegates shall have as much pertinent information available as possible to aid them in their decisions.

**SECTION 2: SOURCE OF RESOLUTIONS AND BYLAW AMENDMENTS** Resolutions and bylaw amendments may be submitted to the Resolutions Subcommittee for forwarding to the delegates for action at any regular or special meeting of the delegates by:

- a. Any local board of education in New Jersey that is a member in good standing of the Association. Such resolution and bylaw amendment must be adopted by a majority vote of such board of education at any meeting prior to its submission to the Association;
- b. Any county school boards association. Such resolution and bylaw amendment must be adopted by a majority vote of the membership or executive committee of such county association at any meeting prior to its submission to the Association;
- c. The Board of Directors of the New Jersey School Boards Association. Such resolution and bylaw amendment must be adopted by a majority vote of that board at any meeting prior to its submission to the Association;
- d. Any committee of the New Jersey School Boards Association. Such

resolution and bylaw amendment must be germane to the committee's charge and must be adopted by a majority vote of such committee at any meeting prior to its submission to the Association; and

- e. The Executive Committee of the New Jersey School Boards Association may submit an emergency resolution pursuant to Section 7c of this article. Such resolution must be adopted by a majority vote of such committee at any meeting prior to its submission to the Association.

### **SECTION 3: RESOLUTIONS SUBCOMMITTEE REPORT**

- a. The Resolutions Subcommittee shall prepare a report and submit it in advance of each meeting of the delegates to each local board of education. The report shall include:
  - (1) A complete statement of all resolutions and proposed bylaws amendments received by the subcommittee;
  - (2) A complete statement of all action taken by the Resolutions Subcommittee and the reasons therefore;
  - (3) Background materials on each resolution and proposed bylaws amendment which is to be presented to the Delegate Assembly for action; and
  - (4) Recommendations for action on the resolutions which are presented to the Delegate Assembly, except as provided in subsection "c" of this section.
- b. The Resolutions Subcommittee shall periodically review Association policies, in accordance with criteria developed by the Board of Directors, and shall make recommendations to the delegates concerning whether existing policies should be reaffirmed, reaffirmed with modifications, or deleted.
- c. The Resolutions Subcommittee shall not offer recommendations for action with respect to resolutions which address an issue on which the Legislative Committee has already taken a position. The Resolutions Subcommittee shall provide a background report on such resolutions.

**SECTION 4: CONSULTATION** The Resolutions Subcommittee shall, upon request, extend to each body that has submitted a resolution an opportunity to appear before the subcommittee or subcommittee thereof to present the resolution. The rules for the conduct of these appearances shall be promulgated by the Resolutions Subcommittee.

### **SECTION 5: DUTIES AND AUTHORITY OF RESOLUTIONS SUBCOMMITTEE**

In order to expedite the consideration of resolutions by the delegates, the Resolutions Subcommittee shall prepare a resolutions agenda and shall be authorized as follows:

- a. In the event a resolution is submitted in improper form or is unclear

- in intent, to amend the resolution or to substitute a new resolution on the resolutions agenda;
- b. In the event a resolution is similar to other resolutions already submitted, to combine resolutions or remove some from the agenda in favor of others;
  - c. In the event a resolution calls for action beyond the scope of the Association's charter, to remove the resolution from the agenda;
  - d. In the event a resolution calls for action which had been considered by the delegates at the preceding meeting of the Association and changes in the educational scene since that time are found to be insufficient to cause a re-evaluation of the issue, to remove the resolution from the agenda;
  - e. In the event a resolution calls for action on an issue which has become moot prior to the Delegate Assembly at which it is to be presented, to remove the resolution from the agenda; and
  - f. In the event a resolution calls for action which would constitute a reaffirmation of existing Association policy, to remove the resolution from the agenda.

Provided, that none of the foregoing authorized actions of the Resolutions Subcommittee shall be taken except upon a two-thirds affirmative vote of those present and voting.

The Resolutions Subcommittee shall also include in the agenda any bylaw amendments received by the Association, consistent with the procedures set forth in Article XII, Section 3 of these bylaws.

## **SECTION 6: OVERRIDE OF RESOLUTIONS SUBCOMMITTEE** Action taken by

the Resolutions Subcommittee pursuant to Section 5 of this article may be overridden upon motion and affirmative majority vote of the delegates assembled provided that notice of intent to make a motion to override the Resolutions Subcommittee is received at the Association office no later than 10 days prior to the Delegate Assembly. The motion to override Resolutions Subcommittee action may be made only during the time set forth in the meeting agenda, which shall be after the consideration of emergency resolutions and prior to delegate action on regular resolutions. The motion to override must state specifically the remedy sought by the moving party. The motion to override action taken by the Resolutions Subcommittee shall not be subject to debate except that both the maker of the motion and the chairperson of the Resolutions Subcommittee shall be given three minutes to address the delegates concerning the motion.

## **SECTION 7: PROCEDURES**

- a. Timing: Resolutions and bylaw amendments to be considered at either regular or special meetings of the delegates shall be received at the Association office no later than 65 days prior to the meeting. At least 90 days before the foregoing date, the executive director shall

make known to all district boards of education the last date for submitting resolutions and bylaw amendments.

- b. Form of Resolutions: The executive director shall make available to all district boards of education resolution forms. These forms shall set forth the proper resolution format.
- c. Emergency Resolutions: The Emergency Resolutions Subcommittee shall review all resolutions submitted by a duly authorized body after the cutoff date and no later than 10 days prior to the Delegate Assembly, and shall accept for agenda placement all emergency resolutions which it determines are of such urgency and importance that they merit consideration by the delegates. Resolutions not accepted for placement on the agenda by the Emergency Resolutions Subcommittee shall be referred to the Resolutions Subcommittee for review prior to the next delegates meeting in accordance with these bylaws. Emergency resolutions that are placed on the resolutions agenda shall be acted upon by the delegates prior to consideration of regular resolutions in the order determined by the Emergency Resolutions Subcommittee. Copies of emergency resolutions that are placed on the resolutions agenda shall be mailed to all district boards of education. Decisions of the Emergency Resolutions Subcommittee with respect to placement of emergency resolutions on the resolutions agenda are specifically not subject to override as outlined in Section 6 of this article.

The Chairperson of the Emergency Resolutions Subcommittee shall deliver a report at each delegates meeting. The report shall include:

- (1) A complete statement of all emergency resolutions received by the subcommittee;
- (2) A complete statement of all action taken by the subcommittee and the reasons therefore;
- (3) Background information on each emergency resolution which is to be presented to the delegates meeting for action; and
- (4) Recommendations for action on the emergency resolutions which are presented to the delegates meeting. However, the Emergency Resolutions Subcommittee shall not review the recommendation of emergency resolutions submitted by the Board of Directors.

## **ARTICLE VI: BOARD OF DIRECTORS**

**SECTION 1: REGULAR MEMBERS** There shall be a Board of Directors consisting of the officers of the Association, and 26 members as follows:

- a. One from each county of the state, who shall be elected by the district boards of education acting through the school boards association of each county;

- b. Three members elected by the members of the Urban Boards Committee, provided that no member elected pursuant to this subsection may be a member of a local board on which another member of the Board of Directors already serves;
- c. One member who shall be appointed by the president with the advice and consent of the Board of Directors, and who shall be a member of a county vocational board of education, provided that no member appointed pursuant to this subsection may be a member of a local board on which another member of the Board of Directors already serves;
- d. One member elected by the members of the County Association Leadership, provided that no member elected pursuant to this subsection may be a member of a local board on which another member of the Board of Directors already serves; and
- e. Any board of education member who is elected as an officer or board of directors member of the National School Boards Association, and whose district board of education is in good standing with the Association, may also serve as a non-voting member of the Board of Directors for the duration of his or her NSBA term of office.

## **SECTION 2: QUALIFICATIONS**

- a. Each member of the Board of Directors other than the executive director shall be a member of a district board of education in good standing with the Association, which board shall have paid its dues in accordance with Article IX, Section 1 of these bylaws. At the next meeting of the Board of Directors, by a two-thirds vote of the members present and voting, the Board of Directors may extend this period to the next following Board of Directors meeting. A Board of Directors member, whose board has not paid its dues by the extended date, as approved, must be replaced on the Board of Directors pursuant to Section 7 of this Article to fill his or her unexpired term.
- b. If a member of the Board of Directors other than an officer shall cease to be a member of his or her district board of education, he or she shall remain a member of the Board of Directors until the next meeting of the authority which appointed him or her or, in the case of the county vocational representative appointed by the president, until the next Board of Directors meeting. His or her successor shall be elected or appointed pursuant to Section 7 of this Article to fill his or her unexpired term.
- c. In the event a member of the Board of Directors, other than an officer, submits the appropriate filing to be elected to a partisan political office as a member of a municipal or county governing body (e.g., mayor, town council, county freeholder), or state or federal office, or assumes the chair of a county or state party, his/her membership on the Board of Directors shall immediately cease. In the event the member doesn't assume the office sought s/he may be appointed to



the Board of Directors during the next cycle consistent with these Bylaws.

In the event that a director shall be removed, by law, from membership on the local board of education for reasons other than seeking an elected office, his/her term as a director shall immediately cease upon said removal. In the event that a director shall accept a position in which there may be an ongoing direct conflict of interest, his/her term as a director shall immediately cease upon a determination by the Board of Directors that said appointed position constitutes an ongoing direct conflict of interest, which cannot be cured by abstention. The Board of Directors may request that the Ethics Committee review and issue non-binding recommendations concerning potential conflicts of interest or allegations of misconduct on the part of Board of Directors members and officers.

### **SECTION 3: TERM OF BOARD OF DIRECTORS AND ALTERNATES**

- a. Regular members of the Board of Directors other than officers shall be elected or appointed for a term of three years. No person may be elected or appointed to the Board of Directors for more than two full consecutive three-year terms. Where an individual is appointed or elected to complete an unexpired term, that period of service shall not be considered in applying the term limitations set forth in this section.
- b. Alternates shall be selected as set forth in Section 5 of this Article and shall serve for a three-year term, which coincides with that of Board of Directors members for which they are alternates. Notwithstanding this provision, an alternate elected or appointed after June 1995 shall not serve a full three-year term if the term of the Board of Directors member will expire before three years from the alternate's appointment or election.

No person may be elected or appointed as an alternate for more than two full consecutive three-year terms. When an individual is elected or appointed to complete an unexpired term, that period of service shall not be considered in applying the term limitations set forth in this section.

- c. No former Board of Directors members may be elected or appointed as alternates until at least one three-year term has elapsed between the expiration of their term as a Board of Directors member and their election or appointment as alternates.

**SECTION 4: ORGANIZATION MEETING** The Board of Directors shall organize as soon as conveniently possible after the annual meeting of the delegates and shall adopt such policies to govern its affairs as it shall consider necessary or advisable, provided the same are not inconsistent herewith.

**SECTION 5: ALTERNATES; ABSENCES** There shall be one alternate for each director, selected in the same manner as the director by the same authority. The alternate shall act for the director in the absence of the director. If any director and alternate find it impossible to attend any meeting of the Board of Directors, his/her place may be filled for the meeting by action of the president or chair of the school boards association of the county concerned or the chair of the Urban Boards Committee or by the president of the Association, as the case may be, in which event the appointing authority shall cause to be conveyed to the executive director of the Association due notice in writing of the substitution. The qualifications for alternates and substitutes shall be the same as for directors.

**SECTION 6: EXCESSIVE ABSENCES** In the event that a seat on the Board of Directors is not represented by the official representative or his or her alternate for three or more consecutive regularly-scheduled meetings of the board, and the Board of Directors determines that the member and alternate have been absent without good cause, the Board of Directors may, by a majority vote of those present and voting, declare that seat vacant and forthwith notify the appointing or electing authority of the vacancy, which shall be filled pursuant to Section 7 hereof.

**SECTION 7: VACANCIES** Vacancies among the members of the Board of Directors shall be filled for the unexpired term in the same manner and by the same authority by which the original appointment was made.

**SECTION 8: DUTIES AND AUTHORITY** The Board of Directors shall:

- a. Implement the purposes of the Association and exercise general supervision over its affairs, between meetings of the delegates;
- b. Review adopted resolutions periodically for the purpose of determining whether the purpose or purposes of the resolutions have been accomplished or the policies therein set forth have been modified by the adoption of subsequent resolutions;
- c. Typify, by example, the ideal functioning of a policymaking body;
- d. Implement policies and programs adopted at meetings of the Association, which implementation shall be consistent with the beliefs and policies set forth by the Delegate Assembly and these bylaws;
- e. Be authorized to adopt policies on educational issues for the Association, between meetings of the delegates, provided that such policies:
  - (1) Do not contravene the beliefs and policies set forth by the Delegate Assembly and these bylaws; and
  - (2) Are adopted by a two-thirds vote of the members present and voting.
- f. Adopt such rules and regulations for the conduct of its business as it shall deem advisable;

- g. Appoint an executive director, and approve the contract covering all terms and conditions of employment of the executive director by a majority vote of the full membership of the Board of Directors;
- h. Adopt an annual budget and approve the annual audit of the Association;
- i. Be authorized to transact the business of the Association and enter into contracts on behalf of the Association;
- j. Adopt policies on the appointment and discharge of personnel;
- k. Be authorized to receive federal, state, foundation and private source moneys and to expend such funds for projects, activities and services, as it shall deem appropriate, within the scope of the Association's mission;
- l. Provide leadership to local boards and generate resolutions on problems in public education in New Jersey and in the United States; and
- m. Adopt a bi-annual legislative agenda and advocacy action plan upon the recommendation of the Legislative Committee.

## **SECTION 9: MEETINGS AND QUORUM**

- a. The Board of Directors shall hold regular meetings at least four times per year on dates and times to be fixed by the Board.
- b. The Board of Directors shall meet in special session at the call of the president or upon the written request of at least one-third of its members, provided that all members of the board shall be served written notice of the business to be considered at least 15 days in advance of said special session, by certified or registered mail, with return receipt requested. The foregoing notice may be waived by any member, provided that such waiver is in writing signed by the member.
- c. A majority of the full Board of Directors shall constitute a quorum for the transaction of business.
- d. Any regular meeting of the Board may be adjourned to a date certain by a majority of those present and entitled to act, provided a quorum is present. No special session of the board may be adjourned.

## **ARTICLE VII: OFFICERS: QUALIFICATIONS AND ELECTION**

**SECTION 1: OFFICERS** The officers of the Association shall be a president, vice president for finance, vice president for legislation/resolutions, vice president for county activities, and the immediate past president.

### **SECTION 2: QUALIFICATIONS AND TERMS OF OFFICERS**

- a. The president and the three vice presidents shall be elected from among the members of the district boards of education in good

standing, which boards must be in good standing at the time an individual is nominated for an officer position and at the time he or she takes office. Those officers elected for full two-year terms at a regular election shall hold office until the conclusion of the second annual meeting of the Association succeeding the date of their election, and until their respective successors are elected and shall have qualified.

In the event that an officer's district board of education fails to pay its dues in accordance with Article IX, Section 1 of these bylaws, the officer's term shall immediately cease and his or her successor shall be selected in accordance with the procedures described in Article VII, Section 7. The Board of Directors, by a two-thirds vote of the members present and voting, may extend this period pursuant to Article VI, Section 2a to the next following Board of Directors meeting.

- b. If any of the foregoing officers shall cease to be a member of a district board of education, his or her term as an officer shall immediately cease and his or her successor shall be selected in accordance with the procedures described in Article VII, Section 7. In the event the president ceases to be a member of his/her district board of education 60 days or less prior to the second annual meeting of the Association succeeding the date of his/her election, subject however to subsection c of this section, he/she shall remain in office until his/her successor is elected.
- c. In the event an officer assumes an elected office as a member of a municipal or county governing body that would, by operation of law, cause his local board membership to immediately cease (i.e., mayor, town council, county freeholder), his/her term as an officer shall immediately cease upon being sworn in to said elected office. In the event that an officer should be removed, by law, from membership on the local board of education for reasons other than assumption of elected office, his/her term as an officer shall immediately cease upon said removal. In the event that an officer shall accept a position in which there may be an ongoing direct conflict of interest, his or her term as an officer shall immediately cease upon a determination by the Board of Directors that said appointed position constitutes an ongoing direct conflict of interest, which cannot be cured by abstention. A successor shall be elected or appointed according to the procedures outlined in Article VII, Section 7.
- d. The executive director shall be selected by the Board of Directors and need not qualify as a member of a district board of education. The immediate past president need not qualify as a member of a district board of education, but shall be subject to subsection c of this section.

**SECTION 3: LIMITATIONS ON OFFICE** No person may be elected by the delegates to the office of president for more than one two-year term. No person may be elected by the delegates to the office of vice president

for more than three full consecutive two-year terms. Where a person is elected or appointed president or vice president to fill the balance of an unexpired term, such service shall not be considered in applying the term limitations set forth in this section.

**SECTION 4: ELECTION OF OFFICERS** The election of the president and three vice presidents of the Association shall be held at the annual meeting in odd-numbered years. Special elections shall be held as set forth in Article VII, Section 7 when necessary to select a successor to complete the term of an officer who ceased to be a member of a district board of education, or who resigned his officer position, or who was removed by the Board of Directors pursuant to Article VII, Section 2c. The procedures set forth below shall be followed in conducting all elections:

- a. In case there shall be more than one candidate for any elected office, voting for such office shall be by secret ballot and the candidate receiving a majority vote of those voting shall be declared elected. In the event no candidate receives a majority vote, then there shall be a run-off election by secret ballot between the candidates receiving the two highest number of votes; and
- b. No person shall be nominated for more than one office during any election of officers.

## **SECTION 5: REPORT OF NOMINATING COMMITTEE**

### a. Regular Election

- (1) In odd-numbered years, the Nominating Committee hereinafter established shall prepare a report for the annual meeting naming one candidate for each of the offices of president, vice president for finance, vice president for legislation/resolutions, and vice president for county activities, to be voted upon at the next regular election. No candidate shall be nominated unless he or she has previously served one full term as a board member prior to his/her election to office. No person who serves on the Nominating Committee may be nominated as a candidate for office at the forthcoming election. In the event that the Nominating Committee determines that no qualified candidates exist for a position, it may opt not to nominate a candidate for that position, in which case candidates shall be nominated only by petition.
- (2) The committee shall furnish a certified copy of its report to the executive director not less than 80 days prior to a regular election. The Nominating Committee shall also file the written consent of the candidates for nomination. The report of the Nominating Committee shall be submitted to the district boards of education at least 70 days in advance of the regular election.
- (3) In the event a candidate nominated by the Nominating Committee

becomes unable to serve, the Nominating Committee, at the call of its chair, shall select an alternate candidate and forthwith submit to the district boards of education its amended report.

b. Special Election

- (1) The Nominating Committee shall reconvene as necessary to select a candidate for each office, which must be filled by a special election.
- (2) The Nominating Committee shall prepare a report naming one candidate for each office, which must be filled at a special election or which will need to be filled at a special election in the event an officer fails to be reelected or reappointed to his or her district board of education prior to the annual meeting in the odd-numbered year. No candidate shall be nominated unless he or she has previously served one full term as a board member prior to the candidate's election to office. No person who serves on the Nominating Committee may be nominated as a candidate for office at the forthcoming election. In the event that the Nominating Committee determines that no qualified candidates exist for a position, they may opt not to nominate a candidate for that position, in which case candidates shall be nominated only by petition.
- (3) The Nominating Committee shall furnish a certified copy of its report to the executive director not less than 12 days prior to the special election. The Nominating Committee shall also file the written consent of the candidates for nomination. The report of the Nominating Committee shall be submitted to the district boards of education at least eight days in advance of the special election.

## **SECTION 6: NOMINATION BY PETITION**

a. Regular election

- (1) Candidates may be nominated by petition, signed by at least 10 members from at least five different district boards of education, and filed with the executive director at least 45 days prior to the regular election. No candidate may be nominated unless he or she has previously served one full term as a board member prior to his/her election to office. The written consent of the candidate for nomination must be filed with the executive director within the same time limit. This time limit shall be waived in the event of an emergency resignation of a candidate previously nominated by the Nominating Committee or by petition.
- (2) The signatures need not all appear upon a single petition and any number of petitions may be filed on behalf of any candidate, but no petition shall contain the name of more than one candidate.

No person who serves on the Nominating Committee may be nominated by petition as a candidate for office at the forthcoming election.

- (3) Petitions may not be obtained or circulated prior to the Nominating Committee submitting its certified copy of its report to the executive director.
- (4) A report of all candidates nominated by petition shall be submitted to the district boards of education at least 40 days in advance of the regular election.

b. Special Election

- (1) Candidates may be nominated by petition, signed by at least 10 members from at least five different boards of education and filed with the executive director at least 11 days prior to the special election. No candidate may be nominated unless he or she has previously served one full term as a board member prior to his/her election to office. The written consent of the candidate for nomination must be filed with the executive director within the same time limit. This time limit shall be waived in the event of an emergency resignation of a candidate previously nominated by the Nominating Committee or by petition.

This time limit may be shortened for a special election where it is not possible to give to all district boards of education the advance notice specified herein, and to allow a reasonable time for circulation of a petition.

Petitions may not be obtained or circulated prior to the Nominating Committee submitting its certified copy of its report to the executive director.

- (2) The shortened time period shall be stated in the announcement of the vacancy. The signatures need not all appear upon a single petition and any number of petitions may be filed on behalf of any candidate, but no petition shall contain the endorsement of more than one candidate. No person who serves on the Nominating Committee may be nominated by petition as a candidate for office at the forthcoming election.
- (3) A report of all candidates nominated by petition shall be submitted to the district boards of education at least eight days in advance of the election. Should a shortened time period as set forth in subparagraph (2) above be used, the report shall be submitted to the district boards of education within four days of shortened filing deadline.

**SECTION 7: VACANCIES IN OFFICE; INTERIM APPOINTMENTS** Whenever an officer resigns his or her position with the Association, or whenever an officer's term ceases because he or she is no longer a member of a

district board of education or has been removed by the Board of Directors pursuant to Article VII, Section 2c, the resulting vacancy, except for a vacancy in the position of immediate past president, shall be filled for the balance of the unexpired term in accordance with the following procedures. A vacancy in the position of immediate past president shall not be filled.

a. A special election to fill a vacancy in an officer position for the balance of the unexpired term shall be held at the next regular meeting of the delegates following the occurrence of the vacancy, provided that the executive director has notice at least 25 days in advance of that meeting that a vacancy exists, or will exist, on the date of the meeting.

b. During the period between the occurrence of the vacancy and the election of a successor, the duties of the officer position shall be performed as follows:

In the case of a vacancy in the presidency, the immediate past president shall perform the duties of the presidency. In the event that the immediate past president position is vacant, the duties of the president shall be performed by the most senior vice president, as defined in Article VIII, Section 9.

In the case of a vacancy in a vice-presidency, the president shall either perform the duties of the vacant vice president position or assign them to another vice president, until a special election can be held.

c. Notwithstanding the provisions in subsection “a” above, a special election shall not be held to fill a vacancy in an officer position where the Executive Director receives notice of the vacancy less than 25 days prior to the next regular meeting of the delegates. In such circumstances, the Board of Directors shall fill the vacancy until an election to fill the vacancy is conducted at the following regularly scheduled meeting of the delegates, after the meeting of the delegates that occurred within the 25 days of notice of the vacancy.

## **ARTICLE VIII: DUTIES AND AUTHORITY OF EXECUTIVE COMMITTEE**

**SECTION 1: EXECUTIVE COMMITTEE** The officers of the Association shall constitute the Executive Committee. The executive director shall be a member ex officio and without vote.

**SECTION 2: DUTIES OF EXECUTIVE COMMITTEE** The Executive Committee shall:

a. Formulate policies, review the legislative agenda and advocacy action plan recommended by the legislative committee and recommend same for approval to the Board of Directors;

b. Be authorized to transact such items of business as are delegated to it



- by and within the powers of the Board of Directors;
- c. Be authorized between meetings of the Board of Directors, in the event of an emergency, to perform the duties of the Board of Directors. Such action shall be reported to the Board of Directors at their next meeting;
  - d. Make recommendations to the Board of Directors concerning personnel policies, upon consultation with the executive director; and
  - e. Be authorized to submit emergency resolutions to the Delegate Assembly, in accordance with Article V, Section 7.

**SECTION 3: DUTIES OF PRESIDENT** The president shall:

- a. Preside at all meetings of the Delegate Assembly, the Board of Directors and the Executive Committee;
- b. Serve as an ex officio member of all Association committees unless otherwise set forth by the bylaws;
- c. Appoint all standing and special committees unless otherwise set forth in the bylaws;
- d. Cause to be signed all contracts and other obligations on behalf of the Association;
- e. Co-sign with the executive director all vouchers for the payment or withdrawal of Association funds;
- f. In consultation with the executive director, name delegates to represent the Association at meetings of other educational groups unless otherwise set forth in the bylaws;
- g. At each annual meeting of the Association, render a full report of its proceedings for the preceding year;
- h. Perform the duties of a vice president, or assign them to another vice president, in the event a vice president is absent or there is a vacancy in a vice presidency; and
- i. Perform such other duties as may be prescribed by these bylaws, the Delegate Assembly or the Board of Directors.

**SECTION 4: DUTIES OF VICE PRESIDENT FOR LEGISLATION/RESOLUTIONS** The vice president for legislation / resolutions shall:

- a. Serve as chair of the Legislative Committee, the Resolutions Subcommittee and the Emergency Resolutions Subcommittee;
- b. Plan and conduct legislative training activities, in consultation with the executive director;
- c. Participate in legislative hearings and activities, as requested by the president or the executive director of the Association;
- d. Preside over those portions of the Delegate Assembly where resolutions, bylaws amendments, and policy recommendations resulting from the Association's policy review process are considered, and

present such resolutions, bylaws amendments and policy recommendations to be acted upon by the delegates; and

- e. Perform such other duties as may be prescribed by these bylaws or assigned by the president.

**SECTION 5: DUTIES OF VICE PRESIDENT FOR FINANCE** The vice president for finance shall:

- a. Be bonded by the Association in such amount as shall be approved by the Board of Directors;
- b. Serve as chair of the Finance Committee;
- c. Cause to be kept an account of all Association moneys received and disbursed;
- d. Cause to be made and published an annual audit of the Association's accounts and financial records;
- e. Render at each annual meeting of the delegates a detailed report of the financial condition of the Association;
- f. Sign and issue all checks covered by vouchers pursuant to these bylaws;
- g. Serve as a member of the Audit Committee;
- h. Serve as an ex officio member of the School Finance Committee, as specified in Article X, Section 9; and
- i. Perform such other duties as may be prescribed in these bylaws or assigned by the president.

**SECTION 6: DUTIES OF VICE PRESIDENT FOR COUNTY ACTIVITIES** The vice president for county activities shall:

- a. Act as liaison between the Association and the various county school boards associations;
- b. Perform such other duties as may be prescribed in these bylaws or assigned by the president; and
- c. Act as chair of county association leadership meetings.

**SECTION 7: DUTIES OF IMMEDIATE PAST PRESIDENT** The immediate past president shall:

- a. Serve as a voting member of the Board of Directors;
- b. Serve as a voting member of the Executive Committee;
- c. Serve as a voting member of the Nominating Committee;
- d. Serve as chair of the Ethics Committee; and
- e. Perform such other duties as may be prescribed by these bylaws or assigned by the president.

In the event the office of the president becomes vacant, the immediate past president shall perform the duties of that office until a successor is

selected in accordance with Article VII, Section 7.

**SECTION 8: DUTIES OF EXECUTIVE DIRECTOR** The executive director shall:

- a. Serve as secretary of the Association;
- b. Take and keep the minutes of all meetings of the delegates of the Association, the Board of Directors and the Executive Committee;
- c. Keep the corporate seal and conduct all official correspondence;
- d. Co-sign with the president all vouchers for payment or withdrawal of Association funds;
- e. Be responsible for the operation and maintenance of the Association offices, and for the hiring, evaluation, discipline and discharge of personnel pursuant to policies established by the Board of Directors;
- f. Serve as chief executive officer of the Association and have general responsibility for executing the policies of the governing body of the Association;
- g. Enter into contracts and transact the business of the Association in accordance with policies and procedures established by the president and/or Board of Directors;
- h. Make recommendations concerning policy matters to the Executive Committee and Board of Directors;
- i. Report on the activities of the Association at each regular meeting of the delegates; and
- j. Perform such other duties as may be prescribed by these bylaws or by the governing authority of the Association, provided, however, that the executive director shall not have the privilege of voting at any meeting of the Association or Board of Directors.

**SECTION 9: SUCCESSION OF DUTIES**

- a. In the absence of the president, the vice president with the longest seniority as hereinafter described shall perform the duties of the president; if the first in seniority should be absent, then the vice president with the next longest such seniority shall perform these duties.
- b. For purposes of this section, the seniority of each vice president shall be the length of his or her service as an officer of the Association. In the event two vice presidents have served as officers of the Association for an equal length of time, then each one's respective length of service on his or her local board of education shall determine his or her seniority.
- c. In the absence of the president, the vice president with the longest seniority shall preside at any meeting at which the president should preside. However, if the president and all vice presidents are not present at any meeting, the executive director shall conduct an election for a temporary chair from among the members present.

- d. In the event of a vacancy in the presidency, the immediate past president shall perform the duties of the president until the vacancy is filled. If the position of president becomes vacant and there is no immediate past president, the most senior vice president shall perform the duties of the president.

## **ARTICLE IX: FINANCE**

### **SECTION 1: DUES**

- a. The annual dues payable by each district board of education shall be determined each year by the Board of Directors taking into consideration the funds necessary to provide a sufficient level of support for Association services. In the case of an Association financial emergency, and at the request of the Board of Directors, the delegates may modify the method of assessing dues.
- b. In order to be a member in good standing a district board of education shall pay its dues within 10 days after its first meeting held in the beginning of the fiscal year, or July 31, whichever is later.

**SECTION 2: WITHDRAWAL OF MONEYS** The president, and executive director of the Association or the executive director's designee, shall both sign all vouchers for the payment or withdrawal of the Association's funds and checks to cover such vouchers shall be signed and issued by the vice president for finance or one of the other vice presidents.

**SECTION 3: INDEMNIFICATION** All officers, members and staff of the Association who, under these bylaws or under the policies or directives of the governing authority of the Association, have access to or exercise control of or responsibility for Association funds shall be bonded or insured at Association expense in an amount to be determined by the Board of Directors.

## **ARTICLE X: COMMITTEES**

### **SECTION 1: QUALIFICATIONS**

- a. Each member of a committee, other than the immediate past president, shall be a member of a district board of education in good standing with the Association. In the event a committee member's board of education is not in good standing, the member's term shall cease, and the vacancy shall be filled for the unexpired term in the same manner by which the original appointment was made.
- b. If a member of any standing committee shall cease to be a member of a district board of education, his or her term shall continue until the next succeeding Board of Directors meeting, and the vacancy shall be filled for the unexpired term in the same manner by which the original

appointment was made. If a member of an ad hoc committee shall cease to be a member of a district board of education, he or she may continue to serve until the ad hoc committee has completed its charge.

- c. In appointing members to ad hoc committees and to standing committees other than the Legislative, Nominating, and Urban Boards Committees, the president shall consider the qualifications of candidates for particular assignments and, to the extent feasible, shall also seek to provide that each committee or task force has representatives from different geographical areas, as defined in Article X, Section 15.

## **SECTION 2: LEGISLATIVE COMMITTEE**

- a. There shall be a standing committee of the Association called the Legislative Committee, consisting of the officers of the Association and 40 other persons, none of whom shall be members of the Board of Directors or alternates. The Legislative Committee shall be appointed by the president with the advice and consent of the Board of Directors, as follows: one member from each of the 40 legislative districts.
- b. The members of the committee shall be appointed so as to create, insofar as reasonably possible, the broadest representation of differing types of school districts, including, but not limited to, regional districts, vocational districts, rural, suburban and urban districts and rapidly growing districts.
- c. The members of the Legislative Committee shall be appointed at the January meeting of the Board of Directors each year and shall serve a one-year term until their successors are appointed. Should a Legislative Committee member cease to be a member of a local board of education, he or she may serve on the Legislative Committee until the next succeeding meeting of the Board of Directors, and a successor shall be appointed in accordance with subsection "e" of this section.
- d. The vice president for legislation/resolutions shall serve as chair of the Legislative Committee.
- e. There shall be one alternate for each member, selected by the president, with the advice and consent of the Board of Directors, in the same manner as the member. The alternate shall act for the member in the absence of the member. Vacancies among the members of the committee shall be filled for the unexpired term by the president of the Association with the advice and consent of the Board of Directors. Until such vacancy is filled, the alternate shall serve as member.
- f. Twenty-one members or their alternates shall constitute a quorum for the transaction of business.
- g. The Legislative Committee shall analyze and adopt positions, consistent with Association policy, on state legislative proposals which affect district boards of education. The Legislative Committee shall

encourage, promote and assist in the development of local, county and statewide legislative networks. Committee members shall be called upon to testify at meetings or hearings of the state Legislature and State Board of Education on issues affecting local boards and in support of the Association's policies. The Committee may initiate legislative policy recommendations for consideration by the Board of Directors.

- h. The Legislative Committee shall adopt a legislative agenda and advocacy action plan for each legislative session, to be recommended to the Board of Directors for adoption.

### **SECTION 3: NOMINATING COMMITTEE**

- a. There shall be a standing committee of the Association called the Nominating Committee consisting of the following persons, selected in the following order at least 170 days prior to the annual meeting:
  - (1) Four members of the Board of Directors, one from each of the geographical areas of the state as defined in Article X, Section 15 shall be elected by the Board of Directors. Any member representing the Urban Boards Committee, County Association Leadership and/or the county vocational boards shall participate in the election of the Board of Directors members of the Nominating Committee by deliberating with the Board of Directors members from the geographical area in which his or her local board is located;
  - (2) Four persons, one from each of the geographical areas of the state as defined in Article X, Section 15, shall be elected by the county school board association presidents;
  - (3) Four persons shall be appointed at large by the President with the advice and consent of the Board of Directors;
  - (4) The immediate past president shall be a member of the Committee; provided, however, that the immediate past president shall be a nonvoting member when, because of a vacancy in the office of president, he or she is performing the duties of president; and
  - (5) The president shall be a nonvoting member of the Nominating Committee.

Committee members shall be appointed/elected for a two-year term and shall hold office until their respective successors have been appointed or elected.

- b. No two members of the Nominating Committee, excluding the president and immediate past president, shall represent boards of education in the same county. Committee members shall be eligible to serve on the Nominating Committee for one two-year term.

They would be eligible to serve again after a two-year break.

- c. The president shall name one member as the chair of the Nominating Committee.
- d. No person who serves on the Nominating Committee may be nominated as a candidate for office at the forthcoming election.
- e. Vacancies among the members of the committee shall be filled for the unexpired term in the same manner by which the original appointment was made.
- f. The Nominating Committee shall perform duties consistent with Article VII, Section 5, "Report of Nominating Committee."

**SECTION 4: FINANCE COMMITTEE**

- a. There shall be a standing Finance Committee, consisting of the president, the vice president for finance, and four members of the Board of Directors appointed by the president, none of whom are members of the Executive Committee.
- b. Committee members shall be appointed for a two-year term and shall hold office until their respective successors have been appointed.
- c. Vacancies among the members of the committee shall be filled for the unexpired term in the same manner by which the original appointment was made.
- d. The Finance Committee shall have the duty of preparing the annual budget, which shall be submitted to the Board of Directors prior to the May/June delegates meeting. In addition, the Finance Committee shall, from time to time, advise the Board of Directors on all matters affecting the finances of the Association.
- e. The Vice President for Finance shall serve as Chair of the Committee.

**SECTION 5: RESOLUTIONS SUBCOMMITTEE AND EMERGENCY RESOLUTIONS SUBCOMMITTEE**

- a. There shall be a standing subcommittee of the Legislative Committee called the Resolutions Subcommittee. The Resolutions Subcommittee shall consist of the vice president for legislation/resolutions and sixteen members of the Legislative Committee, appointed by the President with the advice and consent of the Board of Directors.
- b. Notwithstanding the geographical appointment criteria set forth in Article X, Section 15, Geographical Areas, for the purpose of making appointments to the Resolutions Subcommittee, and for no other purpose, the state is hereby divided into the four following geographical areas:
  - (1) Region A shall consist of legislative districts one through 10 inclusive;
  - (2) Region B shall consist of legislative districts 11 through 20 inclusive;



- (3) Region C shall consist of legislative districts 21 through 30 inclusive; and
- (4) Region D shall consist of legislative districts 31 through 40 inclusive.
- c. The president shall appoint four members and alternates from each Legislative region listed in subsection “b.”
- d. The Resolutions Subcommittee shall be appointed at the January meeting of the Board of Directors each year and shall serve for a one-year term until its successor is appointed.
- e. The vice president for legislation/resolutions shall serve as chair of the Resolutions Subcommittee.
- f. The Resolutions Subcommittee shall meet in accordance with administrative regulations developed pursuant to the governing timetable for the Delegate Assembly. A majority of the full voting membership of the Resolutions Subcommittee shall constitute a quorum.
- g. If any member of the Resolutions Subcommittee shall find it impossible to attend a meeting of the Resolutions Subcommittee, his/her place shall be taken by the Resolutions Subcommittee alternate for that member. The alternate shall attend and act for the member only in the absence of the member. Qualifications for alternates shall be the same as for members.
- h. The Resolutions Subcommittee shall perform the duties specified in Article V herein.
- i. Vacancies among the members of the subcommittee shall be filled for the unexpired term in the same manner by which the original appointment was made.
- j. There shall be a subcommittee of the Resolutions Subcommittee known as the Emergency Resolutions Subcommittee. The Emergency Resolutions Subcommittee shall consist of the chair of the Resolutions Subcommittee and seven members who shall be selected from the members of the Resolutions Subcommittee by the chair of the Resolutions Subcommittee. The chair of the Resolutions Subcommittee shall serve as the chair of the Emergency Resolutions Subcommittee. Four members of the Emergency Resolutions Subcommittee shall constitute a quorum. The Emergency Resolutions Subcommittee shall perform the duties specified in Article V, Section 7c.

## **SECTION 6: URBAN BOARDS COMMITTEE**

- a. There shall be a standing committee of the Association called the Urban Boards Committee. The Urban Boards Committee shall consist of one board member designated by each district, which shall qualify as an urban district as determined by the State of New Jersey. Members shall serve for a one-year term until their successors are named.

- b. There shall be one alternate for each member, selected in the same manner as the member by the same authority. The alternate shall act for the member in the absence of the member. Any vacancy among the members of the Committee shall be filled for the unexpired term by the urban district. Until such vacancy is filled, the alternate shall serve as member.
- c. The Urban Boards Committee shall elect a chairperson from among its members who shall serve for a two-year term and until his or her successor is elected. Any vacancy in the chairperson position shall be filled in accordance with the Urban Boards Committee policy and procedures for filling vacancies.
- d. The Urban Boards Committee shall study the problems of urban school districts. It shall submit a report on such problems at the annual meeting of the delegates and may submit a report at any other regular meeting of the delegates. The Urban Boards Committee may recommend to the Board of Directors additions, modifications or deletions to policy.

## **SECTION 7: AUDIT COMMITTEE**

- a. There shall be a standing committee of the Association called the Audit Committee consisting of five members; the vice president for finance and four members of the Board of Directors appointed by the president, none of whom shall be members of the Executive Committee.
- b. Two members shall be appointed for two-year terms expiring in even-numbered years and two members for two-year terms expiring in odd-numbered years. Mid-term vacancies shall be filled by the president for the duration of the term.
- c. The duties of the Audit Committee shall include:
  - (1) Hiring the external auditor, determining the scope of the audit, reviewing the annual audit report and submitting same to the Board of Directors for approval.
  - (2) Insuring that a system of internal financial controls is in place and approving changes to said system when deemed necessary.
  - (3) Annually approving expenses of the Executive Committee, executive director and board members.
  - (4) Receiving and reviewing an annual report of aggregate staff expenses.
  - (5) Approving, in advance, all Executive Committee and Board of Directors attendance at out-of-state conferences.
- d. The president shall name one member of the Audit Committee, other than the vice president for finance, as the chair.
- e. The Audit Committee shall meet on a quarterly basis and at such

other times as is deemed necessary.

- f. The Audit Committee shall report annually to the Board of Directors and at such other times as it deems necessary.

## **SECTION 8: ETHICS COMMITTEE**

- a. There shall be a standing committee of the Association called the Ethics Committee. The immediate past president shall serve as chair. Four additional members shall be appointed by the president and shall consist of one vice president; one member of the Audit Committee, excluding the vice president for finance; and two county association presidents who are not members of the Executive Committee.
- b. Committee members shall be appointed for a one-year term and shall hold office until their respective successors have been appointed.
- c. Vacancies among the members of the committee shall be filled for the unexpired term in the same manner by which the original appointment was made.
- d. The duties of the Ethics Committee shall include:
  - (1) Establishing a code of conduct for officers and members of the Board of Directors. The Ethics Committee shall submit the code of conduct to the Board of Directors for approval and may periodically recommend that the Board of Directors adopt proposed amendments to the code of conduct.
  - (2) Reviewing any complaints of misconduct brought against officers or members of the Board of Directors by a member of a local board of education. The Ethics Committee shall have the authority to determine whether any complaint warrants further investigation; and, thereafter to undertake such an investigation. Where violations of the code of conduct are found, the Ethics Committee may recommend to the Board of Directors disciplinary measures up to and including removal from office.
  - (3) At the request of the Board of Directors, the Ethics Committee shall investigate any charge of misconduct or conflict of interest on the part of an officer or a member of the Board of Directors and, if requested, the Ethics Committee shall submit its conclusions and non-binding recommendations to the Board of Directors.
- e. If any member of the Ethics Committee is the subject of a complaint, he/she shall be replaced by a county association president who is not a member of the Executive Committee for that investigation only.
- f. Any recommendation for disciplinary action shall be brought to the Board of Directors for approval. If approved, the Board of Directors shall carry out the disciplinary action.

## **SECTION 9: SCHOOL FINANCE COMMITTEE**

- a. There shall be a Standing Committee of the Association called the School Finance Committee consisting of nine members appointed annually by the president. The membership of the School Finance Committee shall reflect not only the geographical appointment criteria set forth in Article X, Section 15: Geographical Areas, but shall also reflect, to the extent possible, a balance of the membership's diversity and socio-economic factors.
- b. The School Finance Committee shall monitor the school funding law in New Jersey and its impact on all types of school districts in the state of New Jersey.
- c. The School Finance Committee shall study issues relating to school finance, report periodically to the Delegate Assembly and shall recommend additions, modifications, or deletions to policy as needed.
- d. The president shall name one member as chairperson of the School Finance Committee.
- e. The vice president for finance shall serve as an ex officio member of the School Finance Committee.
- f. Vacancies among members of the committee shall be filled for the unexpired term in the same manner by which the original appointment was made.

## **SECTION 10: SPECIAL EDUCATION COMMITTEE**

- a. There shall be a standing committee of the Association, called the Special Education Committee, consisting of nine members appointed annually by the president. Membership on the Special Education Committee shall be based upon an expressed interest and demonstrated expertise in special education.
- b. The president shall name one member as chairperson of the Special Education Committee.
- c. Vacancies among members of the Committee shall be filled in the same manner as the original appointment was made.
- d. The Special Education Committee shall prepare and present appropriate testimony on special education issues affecting the delivery of special education services to children in New Jersey and in support of Association policies. The Committee shall report periodically to the Delegate Assembly and may also recommend positions on special education issues for consideration by the Board of Directors.

## **SECTION 11: STANDARDS AND ASSESSMENT COMMITTEE**

- a. There shall be a standing committee of the Association called the Standards and Assessment Committee consisting of nine members appointed annually by the president. Membership on the Standards and Assessment Committee shall be based upon an expressed interest

and demonstrated expertise in curriculum development and student assessment.

- b. The president shall appoint one member as chairperson of the Standards and Assessment Committee.
- c. Vacancies among members of the committee shall be filled in the same manner as the original appointment was made.
- d. The Standards and Assessment Committee shall monitor the code on New Jersey Core Curriculum Content Standards and the state's assessment program and their impact on all types of districts in the state of New Jersey.
- e. The Standards and Assessment Committee shall study issues relating to the New Jersey Core Curriculum Content Standards and the state assessment program, report periodically to the Delegate Assembly and shall recommend additions, modifications or deletions to policy as needed.
- f. The Standards and Assessment Committee shall prepare and present appropriate testimony on issues involving standards and assessment affecting the delivery of education to and assessment of the children in New Jersey and in support of Association policies. The Committee may also, when necessary and appropriate, recommend positions on standards and assessment issues for consideration by the Board of Directors.

**SECTION 12: AD HOC COMMITTEES** The president may, from time to time, appoint such committees as may be necessary for the effective operation of the Association. Such committees shall be appointed for a specified purpose and for terms not to exceed two years.

### **SECTION 13: COMMITTEE REPORTS**

- a. The Resolutions Subcommittee and the Emergency Resolutions Subcommittee shall submit a report in advance of, or at each meeting of the delegates in accordance with Article V of these bylaws.
- b. The Legislative Committee and the Urban Boards Committee shall submit a report at the annual meeting, and may submit a report at any other delegates meeting. The School Finance and Special Education Committees may submit reports at any delegates meeting.
- c. All reports of ad hoc committees, which are intended for delegate action, shall be submitted to each district board of education in advance of the meeting at which the report is scheduled to be considered. Such committee reports shall include:
  - (1) A statement of the committee's charge;
  - (2) Background materials and a discussion of the issues considered by the committee; and

- (3) Any recommendation submitted for delegate action and related to the committee's charge.

**SECTION 14: CONFLICT OF INTEREST** In the event that a committee member assumes an elected office as a member of a municipal or county governing body that would, by operation of law, cause his or her local board membership to immediately cease (e.g., mayor, town council, county freeholder), his/her committee membership shall immediately cease upon being sworn in to said elected office. In the event that a committee member shall be removed, by law, from membership on the local board of education for reasons other than assumption of elected office, his/her term as a committee member shall immediately cease upon removal. In the event that a committee member accepts a position in which there may be a direct conflict of interest, his or her committee membership shall immediately cease upon a determination of the Board of Directors that said appointed position constitutes an ongoing conflict of interest which cannot be cured by abstention.

**SECTION 15: GEOGRAPHIC AREAS** For the purpose of appointing the Nominating and School Finance Committees pursuant to these bylaws, the purposes set forth in Article X, Committees, Section 1c, and for no other purpose, the state is hereby divided into the four following geographical areas:

- a. Northwest Area – Counties of Hunterdon, Morris, Somerset, Sussex and Warren;
- b. Northeast Area – Counties of Bergen, Essex, Hudson, Passaic and Union;
- c. Central Area – Counties of Burlington, Mercer, Middlesex, Monmouth and Ocean; and
- d. Southern Area – Counties of Atlantic, Camden, Cape May, Cumberland, Gloucester and Salem.

## **ARTICLE XI: COUNTY SCHOOL BOARDS ASSOCIATIONS**

### **SECTION 1: COUNTY SCHOOL BOARDS ASSOCIATIONS**

- a. A majority of the boards of education of every county shall join together and form an organization whose purpose shall be to work for the betterment of the educational affairs in such county, and in cooperation with the Association, to work for the betterment of the educational affairs of the state.
- b. The member boards of such organization shall adopt bylaws for its governance, which are not inconsistent herewith, and which shall include, but not be limited to, the following provisions:
  - (1) Election of officers;

- (2) Election of members of the Board of Directors;
  - (3) Discharge of the obligation of boards in the county to meet, as provided by law; and
  - (4) The member elected to the Board of Directors of the Association pursuant to Article VI, Section 1a. of these bylaws shall also serve as an ex officio member of the board of directors or executive committee of the county organization.
- c. Said organization shall be known as the “(insert name) County School Boards Association.”
  - d. County organizations shall not adopt or promote policies or positions on educational issues in conflict with those adopted by the Association, unless accompanied by a specific disclaimer that the county position is not that of the Association.
  - e. Each officer of a county school board association shall be a member of a district board of education in good standing with the Association, which board shall have paid its dues in accordance with Article IX, Section 1 of these Bylaws.
  - f. In the event an officer of a county school board association submits the appropriate filing to be elected to a partisan office as a member of a municipal or county governing body, (e.g., mayor, town council, county freeholder) or state or federal office, or assumes the chair of a county or state party, his/her position as an officer of a county school board association shall immediately cease. In the event the member doesn’t assume the office sought s/he may be eligible to run for a county school board association office during the next cycle consistent with these Bylaws.

In the event an officer of a county school board association is removed by law from membership on the local board of education for reasons other than seeking an elected office, his/her term as an officer of a county school board association shall immediately cease upon said removal. In the event that an officer of a county school board association accepts a position in which there may be an ongoing direct conflict of interest, his/her term as an officer of a county school board association shall immediately cease upon a determination by the Board of Directors that said appointed position constitutes an ongoing direct conflict of interest, which cannot be cured by abstention. The Board of Directors may request that the NJSBA Ethics Committee review and issue non-binding recommendations concerning potential conflicts of interest or allegations of misconduct on the part of an officer of a county school board association.

**SECTION 2: COUNTY ASSOCIATION LEADERSHIP** The presidents and vice presidents of the county school boards associations shall meet yearly and hold meetings as deemed necessary, to act as a critical link between the county associations and the Association. Said organization shall be

known as the County Association Leadership, or CAL, and shall be chaired by the vice president for county activities, pursuant to Article VIII, Section 6c of these bylaws.

## **ARTICLE XII: AMENDMENTS OF BYLAWS**

**SECTION 1: AMENDMENTS** These bylaws may be amended at any regular or special meeting of the delegates by a two-thirds vote of the delegates present and voting provided written notice of a proposed amendment shall have been given to all district boards of education in accordance with the procedures set forth below.

The executive director shall establish procedures to ensure that these bylaws are reviewed on a regular basis to determine their relevancy to the Association's needs.

**SECTION 2: PURPOSE OF PROCEDURE** The object of the bylaws amendment procedure is to promote an orderly and democratic process for delegate action and to ensure that proper research be conducted prior to delegate action so that the delegates shall have available as much pertinent information as possible to aid them in their decisions.

**SECTION 3: AMENDMENT PROCEDURES** The Resolutions Subcommittee shall prepare a report and submit it in advance of the regular or special meeting of the delegates to each local board of education. The report shall be prepared as set forth pursuant to Article V, Section 3 of these bylaws. The procedure for bylaw amendments shall be consistent with the procedure set forth pursuant to Article V, Sections 2, 5 and 7a of these Bylaws.













**New Jersey School Boards Association**

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