

# BYLAW GUIDE

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Board Member and Term – Sending District  
Jan 19

## 0141.1 BOARD MEMBER AND TERM - SENDING DISTRICT

The Board of Education shall consist of 9 members.

The term of a Board member shall be 3 years, except that:

1. The term of a member appointed to fill a vacancy shall be from the member's appointment to the organizational meeting following the next annual election, except that;
2. The term of a member appointed to fill a vacancy within sixty days immediately preceding an annual election shall be from the member's appointment to the organizational meeting following the second annual election after his/her appointment;
3. The Board of Education shall have representation on the Newton Board of Education in accordance with N.J.S.A. 18A:38-8.2.

In accordance with N.J.S.A. 18A:38-8.2.a.(1) the sending district shall have no representation on the receiving district Board of Education if the students of a sending district comprise less than ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled. If the students of a sending district comprise at least ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled, the sending district shall have one representative on the receiving Board of Education in accordance with N.J.S.A. 18A:38-8.2.a.(2).



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If the total number of students of two or more sending districts, which do not qualify for representation in accordance with N.J.S.A. 18A:38-8.2.a.(2), comprise at least fifteen percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled, the sending districts shall have collectively two representatives on the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.b. The annual designation of the representatives, in the event more than two districts collectively qualify, shall be rotated among the Boards of Education of the sending districts according to a schedule determined by the joint agreement of the Boards in accordance with N.J.S.A. 18A:38-8.2.b. The number of representatives designated by the sending districts to be additional members on the receiving district Board of Education shall be limited in accordance with the provisions of N.J.S.A. 18A:38-8.2.c.

A school district which is located in a county of the sixth class according to the latest Federal decennial census, which has an October 1998 resident enrollment greater than 2,400 students, but less than 2,600 students, and which sends its students in grades nine through twelve to a school district in the same county shall have representation on the Board of Education of a receiving school district in accordance with the provisions of N.J.S.A. 18A:38-8.4.



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The Board of Education shall designate their representative(s) to serve on the receiving district Board of Education on an annual basis upon notification from the County Superintendent of the appropriate representation on the receiving Board of Education. This designation shall be made by the sending Board of Education at its meeting closest in time to the annual organizational meeting of the receiving district Board of Education and shall serve a one year term beginning with the organizational meeting of the receiving Board of Education in accordance with N.J.S.A. 18A:38-8.2.d. The sending district representative(s) shall be subject to the rules and procedures of the receiving district Board of Education. If this position becomes vacant, the Board shall designate a new representative(s) to serve the remainder of the term.

The calculation of percentages required shall be based on the number of students reported as of the last school day prior to October 16 of each prebudget year pursuant to N.J.S.A. 18A:38-8.2.e. and N.J.S.A. 18A:38-8.4.b.

4. A sending district representative(s) shall be eligible to vote on the following matters before the receiving district Board of Education:
  - a. Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the students of the sending district;
  - b. New capital construction to be utilized by sending district students;
  - c. Appointment, transfer or removal of teaching staff members providing services to the students of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff;



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- d. Addition or deletion of curricular and extracurricular programs involving students of the sending district;
  - e. Any matter directly involving the sending district students or programs and services utilized by those students;
  - f. Approval of the annual receiving district budget;
  - g. Any collectively negotiated agreement involving employees who provide services utilized by sending district students;
  - h. Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district students; and
  - i. Any matter concerning governance of the receiving district Board of Education including, but not limited to, the selection of the Board President or Vice President, approval of Board Bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district Board of Education.
5. While the sending district representative shall have limited voting rights in accordance with N.J.S.A. 18A:38-8.1, in all other respects the representative shall function as a full member of the receiving Board of Education, including participation in the closed session discussions.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15; 18A:38-8

N.J.S.A. 18A:13-8 et seq. [regional districts]

N.J.S.A. 18A:54-16 et seq. [vocational districts]

N.J.A.C. 6A:23A-2.1 et seq.

Adopted:

