I. RESOLUTION REGARDING THE DOCTRINE OF NECESSITY

BE IT RESOLVED, all members of the **Rockaway Borough Board of Education** ("Board") are subject to the School Ethics Act as codified at N.J.S.A. 18A:12-21, et seq.; and

WHEREAS, the School Ethics Act requires Board members to alert the Board in the event they feel they have a conflict that would prohibit them from participating in discussions regarding a certain matter; and

WHEREAS, the Doctrine of Necessity may be invoked by a Board of Education under certain circumstances which, when properly invoked, permits conflicted Board members to participate in specific items; and

WHEREAS, the Board is currently engaged in collective bargaining and negotiations with the Rockaway Borough Education Association ("Association"); and

WHEREAS, four (4) of five (5) Board members are conflicted under the School Ethics Act and thereby prohibited from participating in negotiations; and

WHEREAS, the four (4) Board Members are employed as teachers in other districts, have immediate family members employed as a teacher in another district, or are employed in this district; and

WHEREAS, pursuant to N.J.S.A. 18A:12-24(b) and Advisory Opinion A19-15, the four (4) conflicted members cannot participate in collective bargaining and negotiations because they are members of or their immediate family member is a member of the same state-wide union as the representative of the Association; and

WHEREAS, due to the conflicts identified herein, the Board cannot form a committee for collective bargaining and negotiations; and

WHEREAS, the Board seeks to invoke the Doctrine of Necessity to establish a committee for collective bargaining and negotiations with the Association; and

NOW THEREFORE, BE IT RESOLVED, the Board hereby invokes the Doctrine of Necessity to form a committee for collective bargaining and negotiations with the Association, and

BE IT FURTHER RESOLVED, the Board shall post the above resolution on the District website and in the areas commonly used to post notice of the Board's regularly scheduled meeting for a period of thirty (30) days.