

0145 BOARD MEMBER RESIGNATION AND REMOVAL

The membership of a Board of Education member shall terminate immediately upon:

1. The cessation of the member's bona fide residency in the school district the member represents, or
2. The member's election or appointment to the office of mayor or member of the governing body of Montgomery Township or Borough of Rocky Hill, or
3. The member's disqualification from voting pursuant to N.J.S.A. 19:4-1, or
4. The member's conviction for false swearing or having falsely affirmed or declared that he or she is qualified to vote, or
5. The removal of the member by the Commissioner of Education.

A member who fails to attend three consecutive public meetings of the Board without good cause may be removed from office on the affirmative votes of a majority of the remaining Board members, provided that

At the third meeting immediately after the roll call, the Board President or designee (acting on behalf of the President) will announce that the board member has been absent for three consecutive meetings.

1. If the board member was absent with good cause, the Board President or designee will announce:
 - a. that there was good cause in compliance with Board Bylaw 0145, and
 - b. provide general information (i.e. family emergency, or medical emergency) that meets the requirement of good cause while being mindful of the privacy of the board member so that specific details are not released.
2. If the board member failed to attend three consecutive public meetings without good cause, then the Board President or designee will announce
 - a. that the board member did not meet the criteria of good cause as defined by Bylaw 0145, and
 - b. state the general reason for the absences that do not meet the criteria of good cause (i.e. work, school, vacation, no information received from board member, etc.) while also being mindful of the privacy of the board member so that specific details are not released, and



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- c. that a vote for removal will occur at the next public meeting of the board of education.
- d. Notice of the ~~proposed~~ vote for removal must be ~~was~~ given to the affected member at least 48 hours in advance of the meeting at which the vote will be taken.

The Montgomery Township Board of Education believes in the importance of board member attendance at board of education meetings. Of course, the Board recognizes the legal requirement for attendance. However, just as important, the Board recognizes the need for attendance based upon each member's role as an elected official. The Board believes it is in the best interests of the public to, where possible, have the voice and involvement of all elected officials at every meeting. Recognizing the importance of this obligation, the Board has created a list, limited in scope, of what it feels may be acceptable reasons (i.e., good cause) for missing a meeting.

In determining what constitutes "good cause" for failure to attend a meeting, each Board Member shall consider the totality of the circumstances. The following is a list of absence reasons that the Board believes may constitute "good cause." However, this is not intended to be an all-inclusive list.

1. The Board member has a communicable disease or illness;
2. Observance of a religious holiday as identified by the New Jersey Department of Education;
3. Death of a family member
 - a. "family member" is defined as: the Board member's spouse/civil union partner/domestic partner; or the Board member or Board member's spouse's/civil union partner's/domestic partner's parent, child, sibling, aunt, uncle, niece, nephew, grandparent, grandchild, son-in-law, daughter-in-law, stepparent, step child step brother, step sister, half-brother or half-sister, whether the family member is related to the Board member or Board member's spouse/civil union partner/domestic partner by blood, marriage or adoption;
4. Serious family member or personal emergency where failure to attend the meeting is unavoidable
 - a. "family member" defined as indicated in 3(a) above;
5. The Board member has a documented medical disability which physically prevents attendance at the meeting;



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6. The Board member is attending an education-related activity, ceremony, event, etc. for his/her own child, grandchild, or other dependent child living in the Board member's household. This excuse is included herein because the Montgomery Township Board of Education believes that Board Members serve as role models for the support of education and, as such, Board Members should be permitted to recognize the importance of these education-related events for children.
7. Due to an expected rescheduled Board of Education meeting.

Board members are expected to provide reasonable advance written notice with reason for absence to the Board of Education President and Board Secretary when it becomes necessary to miss a meeting. However, in the event of an emergency, if prior notice is not possible, the Board member is expected to provide written notice to the Board of Education President within one week following the missed meeting. What constitutes reasonable advance notice will be based upon the individual situation. Failure to provide reasonable advance written notice will be considered in the totality of the circumstances determination.

N.J.S.A. 18A:12-2; 18A:12-3; 18A:12-29

Adopted 26 July 1999
Amended: 24 September 2013
Revised:

