

**Bylaw**

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RESIGNATION AND REMOVAL

Whenever a member of the board of education shall cease to be a bona fide resident of the district, membership on the board shall immediately cease. Any member who falsely affirms that he/she is not disqualified as a voter is immediately disqualified for office.

Any member who fails to attend three consecutive meetings of the board without good cause may be removed from office on the affirmative vote of a majority of the full board, provided the action shall have been proposed at the preceding meeting of the board and provided notice of the action has been given to the absent member in advance of the meeting for which such action has been proposed.

A board member may be removed by action of the commissioner of education upon recommendation of the Ethics Commission for failure to take mandated training, violations of the Code of Ethics or violations of the Ethics Act. A board member may be recalled by voters of Egg Harbor Township in accordance with statute, code and applicable case law.

A president or vice-president of the board who refuses to perform a duty imposed by law may be removed by a majority vote of all of the members of the board. If the office of president or vice-president shall become vacant, the board shall, within 30 days, fill the vacancy for the unexpired term. If the board fails to fill the vacancy within such time, the executive county superintendent shall fill the vacancy for the unexpired term.

Adopt: April 28, 2004  
NJSBA Review/Update: June 2015  
Readopt: August 12, 2015

Key Words

Elections, Nominating Petitions, Candidates

**Legal References:** N.J.S.A. 18A:11-1 General mandatory powers and duties  
N.J.S.A. 18A:12-2 Inconsistent interests or office prohibited  
N.J.S.A. 18A:12-21 et seq. School Ethics Act  
See particularly:  
N.J.S.A. 18A:12-24, -24.1  
N.J.S.A. 19:27A-1 et seq. Uniform Recall Election Law  
N.J.A.C. 6A:4-1.1 et seq. Appeals  
N.J.A.C. 6A:28-1.1 et seq. School Ethics Commission

**Cross References:** \*4112.8/4212.8 Nepotism  
\*9113 Filling Vacancies  
\*9200 Orientation and training of board members  
\*9270 Conflict of interest

\*Indicates policy is included in the Critical Policy Reference Manual.