

DELANCO TOWNSHIP BOARD OF EDUCATION

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Voting

All Board of Education actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded in the minutes of the meeting. Proxy voting shall not be permitted.

Abstentions shall not be counted as votes but shall be recorded; a member who abstains from voting is deemed to acquiesce in the outcome of the vote.

All motions shall require for adoption the majority vote of Board members present and voting, except as provided by statutes of the State of New Jersey, this bylaw, or parliamentary authority and provided that the number of affirmative votes is at least a majority of the Board's quorum.

1. The affirmative votes of three-quarters of the members present are required for the conduct of a Board meeting when adequate notice has not been provided in accordance with law, N.J.S.A. 10:4-9;

2. A two-thirds vote of the full membership of the Board is required for:

a. Placement without bid of a nonexempt contract in excess of the bid threshold established in accordance with law after two unsuccessful advertisements for bids and a determination that no government entity can perform the work or furnish the goods, N.J.S.A. 18A:18A-5.c; Bids that have been advertised pursuant to N.J.S.A. 18A:18A-4 on two occasions and;

(1) No bids have been received on both occasions in response to the advertisement; or

(2) The Board of Education has rejected such bids on two occasions because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the Board of Education prior to the advertising therefore, or have not been independently arrived at in open competition; or

(3) On one occasion no bids were received pursuant to #(1) and on one occasion all bids were rejected pursuant to #(2), in whatever sequence; any such contract may then be negotiated.

b. Placement of a nonexempt negotiated contract in excess of the bid threshold established in accordance with law after the Board has on two occasions rejected unreasonable bids, N.J.S.A. 18A:18A-5.d;

b. Purchase of goods also available under state contract when the Board has received at least three quotations and the lowest responsible quotation is at least ten percent less than the price under the state contract for the identical goods and quantities, N.J.S.A. 18A:18A-5.e;

c. Determine that it is necessary, in a Type II school district having a Board of School Estimate, to sell bonds to raise money for any capital project, N.J.S.A. 18A:22-27; and

d. Sell bonds of a Type II district without further advertisement at private sale if no legally acceptable bid is received for the bonds pursuant to N.J.S.A. 18A:24-45.

3. A majority vote of the full membership of the Board is required for:

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- a. Admission after October 1 of a pupil who has never attended school, N.J.S.A. 18A:38-6;
 - b. Adoption or alteration of a course of study, N.J.S.A. 18A:33-1;
 - c. Application for membership in an established county audiovisual aid center, N.J.S.A. 18A:51-11;
 - d. Appointment of a Superintendent, N.J.S.A. 18A:17-15; School Business Administrator, N.J.S.A. 18A:17-14.1; Board Secretary, N.J.S.A. 18A:17-5; Assistant Superintendent, N.J.S.A. 18A:17-16; or Assistant Board Secretary, N.J.S.A. 18A:17-13; Administrative Principals, N.J.S.A. 18A:17-20.5; and Shared Superintendent or School Business Administrator, N.J.S.A. 18A:17-24.3. Appointment and removal of Assistant Superintendent(s), N.J.S.A. 18A:17-16 and appointment, salary, and removal of Business Manager in Type I school district, N.J.S.A. 18A:17-25.
 - e. Appointment, or transfer, removal and/or renewal of a teaching/certificated and/or non-certificated staff members, N.J.S.A. 18A:25-1, 27-1;
 - f. Approval of Fix and determine, in a Type II district having no Board of School Estimate, the amount of money to be raised for budgets and capital construction, N.J.S.A. 18A:22-32, 22-39;
 - g. Approval of employee salary deductions for hospital and insurance plans and government bonds, N.J.S.A. 18A:16-8;
 - h. Authorization, in Type II school districts, of school bonds, N.J.S.A. 18A:24-10;
 - i. Decision to establish with other school districts a county audiovisual educational aid center, N.J.S.A. 18A:51-1;
 - j. Determination of sufficiency of charges warranting dismissal or reduction in salary of a tenured employee, N.J.S.A. 18A:6-11;
 - k. Disposition or exchange of lands owned by the Board, N.J.S.A. 18A:20-5, 20-8;
 - l. Purchase of bonds or other obligations as investments, N.J.S.A. 18A:20-37;
 - m. Removal of the President or Vice President of the Board, N.J.S.A. 18A:15-2;
 - n. Restoration or removal following suspension of an Assistant Superintendent, Principal, or teacher, N.J.S.A. 18A:25-6;
 - o. Selection of textbooks, N.J.S.A. 18A:34-1;
 - p. Withholding a salary increment, N.J.S.A. 18A:29-14;
 - q. Direct the Secretary of the Board to deduct salaries of employees to participate in any plan for the purchase of bonds of the United States government, N.J.S.A. 18A:16-8;
 - r. Appointment and salary of Executive Superintendent in district in city of the first class with a population over 325,000 have a unit control organizational structure as indicated:
- | Issue | Required Vote |
|---|----------------------|
| a. Salary deductions for government bonds N.J.S.A. 18A:16-8 | Majority full Board |

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| b. Appointment of a Secretary of Board of Education; terms; compensation; vacancy
N.J.S.A. 18A-17-5 | Majority of full Board |
| c. Assistant and acting secretaries; appointment, powers and duties N.J.S.A. 18A:17-13 | Majority of full Board |
| d. Appointment of Superintendents; terms; apportionment of expense N.J.S.A. 18A:17-15 | Majority of full Board |
| e. Appointment and removal of Assistant Superintendents
N.J.S.A. 18A:17-16 | Majority of full Board |
| f. Appointment of Administrative Principals N.J.S.A. 18A:17-20.5 | Majority of full Board |
| g. Appointment of shared Superintendent, School Business Administrator; terms
N.J.S.A. 18A:17-24.3 | Majority of the membership of each Board |
| h. Appointment; salary; removal
Business Managers
N.J.S.A. 18A:17-25 | Majority of of full Board |
| i. Unit control organizational structure; Executive Superintendent
N.J.S.A. 18A:17A-1 | Majority of full Board |
| j. Disposition of property N.J.S.A. 18A:20-5 | Majority of full Board |
| k. Exchange of lands
N.J.S.A. 18A:20-8 | Majority of full Board |
| l. Type H districts | Majority of |

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with Board of School
Estimate;
determination;
certification and
raising of
appropriations;
notice of appeal
N.J.S.A. 18A:22-26

full Board

m. Type II districts
with Boards of School
Estimate; estimate by
Board of Education;
certification of
estimate N.J.S.A.
18A:22-27

Two thirds of
full membership
of Board

n. Determination of
amounts by Board of
School Estimate
N.J.S.A. 18A:22-31

Board of School
Estimate
majority of
full Board
Majority of
full Board

o. Type II districts
without Board of
School Estimate;
determination and
certification of
appropriation N.J.S.A.
18A:22-32

p. Type II districts
without Board of
School Estimate;
submission of capital
projects N.J.S.A.
18A:22-39

Majority of
full Board

q. School bonds, when
deemed to be
authorized Type II.
N.J.S.A 18A:24-10

Majority of
full Board

r. Private sale if no
bids at public sale
s. Transfer of teaching
staff member N.J.S.A.
18A:25-1

Two thirds of
full membership
Majority of
full Board

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| t. Suspension of Assistant Superintendents, Principals and teaching staff members
N.J.S.A. 18A:25-6 | Majority of membership |
| u. Appointment of teaching staff members; vote required
N.J.S.A. 18A:27-1 | Majority of full Board |
| v. Board of Education, procedure for certain personnel actions; recommendation of Chief School Administrator
N.J.S.A. 18A:27-4.1 | Majority of full Board |
| w. Renewal of personnel
N.J.S.A. 18A:27-4.1 | Majority of full Board |
| x. Withholding increments; causes notice of appeals
N.J.S.A. 18A:29-14 | Majority of full Board |
| y. District to furnish suitable facilities; adoption of courses of study
N.J.S.A. 18A:33-1 | Majority of full Board |
| z. Textbooks; selection; furnished free with supplies; appropriations
N.J.S.A. 18A:34-1 | Majority of full Board |
| aa. Single county educational audiovisual aids center in county
N.J.S.A. 18A:51-1 I
N.J.S.A. 10:4-14 | Majority of full membership |

Adopted: March 13, 2002