

BYLAW

— East Rutherford Board of Education

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0143 BOARD MEMBER ELECTION AND APPOINTMENT

The election and appointment of Board of Education members will be conducted in strict compliance with law.

The Board shall neither favor nor give the appearance of favoring one candidate over another. All releases of information will be made equally available to all candidates. No candidates, including candidates who are incumbent Board members will receive preferential treatment.

A vacancy on the Board of Education will be filled:

1. By the County Superintendent, if a vacancy is caused by;
 - a. The absence of candidates for election to the school Board, or
 - b. The removal of a member because of lack of qualifications, or
 - c. The failure of the Board to appoint a person to a vacancy within sixty-five days following its occurrence, or
 - d. A tie for election between two or more candidates in a special runoff election.
2. Special election within sixty days of the annual election, if;
 - a. Two or more qualified candidates tie for election, or
 - b. The annual election is disqualified due to improper election procedures.
3. The County Superintendent, to a number sufficient to make up a quorum of the Board if, by reason of vacancies, a quorum is lacking;
4. The Commissioner of Education if there is a failure to elect a member at the annual school election due to improper election practices; or

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5. A majority vote of the remaining members of the Board of Education after the vacancy occurs in all other cases.

The Board Secretary shall promptly notify the Board President of a vacancy to be filled by the Board; the President shall inform all other Board members. The Board will give public notice of the vacancy and invite any qualified person to submit a written request for consideration of his/her candidacy for the vacancy. The Board may also require candidates submit a resume with their written request.

In considering candidates who have expressed an interest in a vacancy, the Board of Education may interview interested candidates in public or executive session. The Board will vote to appoint a candidate to a vacancy in public session. In the event interviews are conducted in executive session, Board members, in the public session nomination and voting process, shall express their opinion in support of their vote for a candidate.

A roll call vote will be conducted on candidates in the order the candidates were nominated with a second. If there are two or more vacancies, each vacancy will be filled by a separate election process. The first candidate who receives the votes of a majority of the remaining Board members will be elected to the vacancy. In the event no candidate receives a majority vote of the remaining Board members, a second election shall be conducted between the two candidates receiving the highest number of votes.

N.J.S.A. 18A:12-11; 18A:12-15;

Adopted: 25 June 2000
Revised: 29 January 2009
