

BYLAW GUIDE

BAYONNE BOARD OF EDUCATION

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Board Member **Number** and Term – Receiving District

June 24

0141.2 BOARD MEMBER **NUMBER** AND TERM – RECEIVING DISTRICT

The Board of Education shall consist of **nine (9)** members.

The term of a Board member shall be **three (3)** years, except vacancies in the membership of the Board shall be filled in accordance with the provisions of N.J.S.A. 18A:12-15. Each Board member appointed to fill a vacancy shall serve until the organizational meeting following the next annual election unless the Board member is appointed to fill a vacancy occurring within the sixty days immediately preceding such election if the annual election is held in April, or occurring after the third Monday in July if the election is held in November, to fill a term extending beyond such election, in which case the Board member shall serve until the organizational meeting following the second annual election next succeeding the occurrence of the vacancy, and any vacancy for the remainder of the term shall be filled at the annual election or the second annual election next succeeding the occurrence of the vacancy, as the case may be.

The Board of Education shall have representation from the **N/A** (sending district) Board(s) of Education in accordance with N.J.S.A. 18A:38-2.

In accordance with N.J.S.A. 18A:38-8.2.a.(1), if the students of the sending district comprise less than ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled, the sending district shall have no representation on the receiving district Board of Education. If the students of the sending district comprise at least ten percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled, the sending district shall have one representative on the receiving Board of Education in accordance with N.J.S.A. 18A:38-8.2.a.(2).

If the total number of students of two or more sending districts, which do not qualify for representation in accordance with N.J.S.A. 18A:38-8.2.a., comprise at least fifteen percent of the total enrollment of the students in the grades of the receiving district in which the students of the sending district will be enrolled, the sending districts shall have collectively two representatives on the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.b.



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The annual designation of the representatives, in the event more than two districts collectively qualify under N.J.S.A. 18A:38-8.2.b., shall be rotated among the Boards of Education of the sending districts according to a schedule determined by the joint agreement of the Boards.

Notwithstanding the provisions of N.J.S.A. 18A:38-8.2.a. and b., the number of representatives designated by the sending districts to be additional members shall not exceed three additional members on a receiving Board with originally nine or more members, two additional members on a receiving Board with originally seven or eight members, and one additional member on a receiving Board with originally less than seven members. In the event that this restriction results in unequal representation of sending districts, the annual designation of the representative or representatives shall be rotated among the Boards of Education of the sending districts according to a schedule determined by the joint agreement of the Boards in accordance with N.J.S.A. 18A:38-8.2.c.

Notwithstanding the provisions of N.J.S.A. 18A:38-8.2 or any other law or regulation to the contrary, a school district which is located in a county of the sixth class according to the latest Federal decennial census, which has an October 1998 resident enrollment greater than 2,400 students but less than 2,600 students, and which sends its students in grades nine through twelve to a school district in the same county pursuant to N.J.S.A. 18A:38-8 shall have representation on the Board of Education of the receiving district in accordance with the provisions of N.J.S.A. 18A:38-8.4.

The sending district Board of Education shall designate their representative(s) to serve on the receiving district Board of Education on an annual basis upon notification from the Executive County Superintendent of the appropriate representation on the receiving Board of Education. A representative of a sending district Board of Education shall be designated at the meeting of the Board which is closest in time to the annual organizational meeting of the receiving district Board of Education and shall serve a one-year term beginning with the organizational meeting of the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.2.d. The sending district representative(s) shall be subject to the rules and procedures of the receiving district Board of Education. If the sending district position on the receiving Board becomes vacant, the sending Board shall designate a new representative to serve on the receiving Board for the remainder of the term.



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The calculation of percentages required shall be based on the number of students reported as of the last school day prior to October 16 of each prebudget year pursuant to N.J.S.A. 18A:38-8.2.e. and N.J.S.A. 18A:38-8.4.b.

A sending district representative(s) shall be eligible to vote on the following matters before the receiving district Board of Education in accordance with N.J.S.A. 18A:38-8.1:

- a. Tuition to be charged the sending district by the receiving district and the bill lists or contracts for the purchase, operation or maintenance of facilities, equipment and instructional materials to be used in the education of the students of the sending district;
- b. New capital construction to be utilized by sending district students;
- c. Appointment, transfer or removal of teaching staff members providing services to the students of the sending district, including any teaching staff member who is a member of the receiving district's central administrative staff;
- d. Addition or deletion of curricular and extracurricular programs involving students of the sending district;
- e. Any matter directly involving the sending district students or programs and services utilized by those students;
- f. Approval of the annual receiving district budget;
- g. Any collectively negotiated agreement involving employees who provide services utilized by sending district students;
- h. Any individual employee contracts not covered by a collectively negotiated agreement, if those employees provide or oversee programs or services utilized by sending district students; and
- i. Any matter concerning governance of the receiving district Board of Education including, but not limited to, the selection of the Board President or Vice President, approval of Board Bylaws, and the employment of professionals or consultants such as attorneys, architects, engineers, or others who provide services to the receiving district Board of Education.



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While the sending district representative shall have limited voting rights in accordance with N.J.S.A. 18A:38-8.1, in all other respects the representative shall function as a full member of the receiving Board of Education, including participation in the closed session discussions.

N.J.S.A. 18A:12-6; 18A:12-9; 18A:12-11; 18A:12-15; 18A:38-8;

18A:38-8.1; 18A:38-8.2; 18A:38-8.3; 18A:38-8.4

N.J.A.C. 6A:23A-2.1 et seq.

Adopted: 29 July 1997

REVISED: March 18th, 2025

