

***Bylaws  
of  
Sussex County Charter School for Technology***

**Article I  
Name, Official Address and Seal**

***Section 1. Name.***

The Board of Trustees of this school shall be known officially as the Board of Trustees of the Sussex County Charter School for Technology.

***Section 2. Official address.***

The official address of the Board of Trustees of the Sussex County Charter School for Technology shall be 385 North Church Road, Sparta, New Jersey 07871.

***Section 3. School Seal.***

The school may have a seal of a design and form to be determined by the Board of Trustees.

**Article II  
Board of Trustees**

***Section 1. Membership.***

The Board shall consist of seven voting members and a minimum of two ex-officio, non-voting members.

***Section 2. Qualifications.***

Each member of the Board of Trustees shall possess the qualifications required by law:

- a. A Board member must be a citizen of the United States.

- b. A Board member must be a resident of the county of Sussex and must have been such for at least three years immediately preceding the member's appointment. (NJSA 18A:54-17)
- c. A Board member shall not be directly or indirectly in any contract or claim against the Board. (NJSA 18A:12-2)
- d. A Board member must be registered to vote in the county and not disqualified from voting pursuant to NJSA 19:4-1.
- e. Before entering the duties of Board member, each member will take and subscribe the oaths prescribed by statute and file the same with the Board Secretary. (NJSA 18A:12-2 ; NJSA 40A:5-33)

### *Section 3. Term.*

The term for each Board member shall be three (3) years unless appointed to an unexpired term. Board members appointed to an unexpired term will serve to the end of that term.

- a. Each member shall serve after the expiration of his/her term until the appointment and qualification of his/her successor (NJSA 54-16).
- b. A member who fails to attend three consecutive regular meetings of the Board without good cause may be removed from office on the affirmation of votes of a majority of the remaining Board members, provided that:
  - i. The member's removal was proposed at the immediately preceding Board meeting and
  - ii. Notice of the proposed removal was given to the affected member at least 10 days in advance of the meeting at which the vote will be taken.
- c. A vacancy on the Board shall forthwith be reported to the President of the Board of Trustees. The Board President shall solicit applications for Board membership and make suggestions to the Board concerning potential replacements. Replacement shall be ratified by majority vote of the remaining Board members. (NJSA 18A:12-2 ; 12-3)

### *Section 4. Student and parent liaisons*

**The Parent Teacher Organization (PTO) may, at its discretion, appoint a parent of a student currently enrolled at the Sussex County Charter School for Technology as liaison to the Board. The Student Council may, at its discretion, appoint a student as a liaison to the Board. The student so appointed may not be the**

**child of a staff or Board member. The Board shall provide time during all public meetings for comments from the student and parent liaisons.**

***Section 5. Authority and Powers.***

The Board of Trustees of the charter school shall have the authority to decide matters related to the operations of the school including budgeting, curriculum, and operating procedures, subject to the school's charter. The board shall provide for appropriate insurance against any loss or damage to its property or any liability resulting from the use of its property or from the acts or omissions of its officers or employees. The Board of Trustees of the charter school shall have the authority to employ, discharge and contract with necessary teachers and non-licensed employees subject to the school's charter. (18A:36A-14)

***Section 6. Self evaluation.***

The Board of Trustees is committed to the belief that every part of the educational system in this school should be accountable to the public and that performance evaluation is essential to that accountability. The Board further believes that the improvement and growth of any institution depend upon an honest appraisal of its strengths and weaknesses. The Board accepts, therefore, responsibility for the conduct of a systematic program of self-evaluation and appraisal. The standards against which the Board will evaluate itself will be the educational goals, by-laws, and policies duly adopted by this Board.

The Board will annually adopt an evaluation instrument that permits individual Board members to record their assessments of the conduct of Board meetings, the fiscal management of the school, the conduct of the instructional program, and the relationship of the Board with the Principal, other school employees, and the community.

The assessments of Board members shall be tabulated and presented for discussion at a regular meeting of the Board. The Board will formulate, as appropriate, goals and priorities that will serve to guide the Board in the ensuing school year.

(NJSA 18A:11 -1)

***Section 7. Board Member Indemnification.***

The Board of Trustees will indemnify Board members in accordance with law and will purchase and maintain appropriate insurance to cover the costs of indemnification.

Whenever a civil or criminal action is brought against a Board member for any act or omission arising out of and in the course of performance of his/her duties as a Board

member, and in the case of a criminal action results in a final disposition in favor of the Board member, the Board will defray all costs of defending the action, including reasonable counsel fees and expenses, together with costs of appeal, and will save harmless and protect the Board member from any financial loss resulting from the action. (NJSA 18A:12-20 ; 18A:16-6 ; 16-6.1 ; 18A:46 & 47)

### **Article III Bylaws and Policies**

#### ***Section 1. Adoption, Amendment and Repeal.***

These by-laws, and school policies, may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal has been proposed and approved a previous meeting of the Board.

The Board may at its organization meeting and by a majority vote of the members of the Board readopt existing by-laws and policies without prior notice.

The Board may, under emergency circumstances, suspend the operation of a by-law or policy and adopt, amend, or repeal a by-law or policy without prior notice. The emergency adoption, amendment, or repeal of a by-law or policy shall terminate at the next meeting of the Board or at such earlier date as may be specified by the Board unless further acted upon by the Board.

The adoption, amendment, repeal, or suspension of a by-law or policy shall be recorded in the minutes of the Board. Any policy or part of a policy that is superseded by a term in a negotiated agreement or by a subsequently adopted policy shall no longer be in force and effect as a policy.

#### ***Section 2. Promulgation and Distribution.***

A manual of by-laws and policies shall be maintained. A copy of the manual shall be given to each Board member, the Business Administrator/Board Secretary, the Board Attorney, the building Principal, and the Educational Consultant.

The Principal shall institute a plan for the orderly promulgation of policies to staff members who are affected by them and shall provide staff members with access to an up-to-date manual of Board by-laws and policies.

Each copy of the manual of by-laws and policies shall be numbered; a record of the placement of each manual shall be maintained by the Principal. Copies of revised pages will be furnished to the holders of the manuals as changes are made to by-laws and policies. The holder a policy manual shall return the manual to the Principal upon the termination of his/her service to the school.

The manual of by-laws and policies shall be considered a public record open to inspection in the office of the Principal and the Board Secretary. The manual retained by the Principal shall be considered the master copy of the policy manual and may not be used by any person other than the Board Secretary or his/her designee.

### ***Section 3. Development of Bylaws and Policies.***

By-laws and policies will be developed and considered by the Board in accordance with the following procedure:

- a. A new or revised by-law or policy may be suggested to the Board by any Board member, the Principal, the Executive Director, any staff member, or a member of the public.
- b. A suggestion for a new or revised by-law or policy may be referred, at the discretion of the President and as appropriate to the subject, to the Principal, a Board committee, or a public advisory committee for study and formulation of a recommendation to the Board. Any study of a policy suggestion should consider whether the matter is adequately addressed in existing Board policy and whether the matter is more appropriately addressed by administrative regulation.
- c. If a recommendation for a new or revised by-law or policy results from referral for study, a proposed draft will be submitted to the Board for discussion and approval on first reading. Copies of the proposed draft will be made available to staff members and the public, and comment will be invited. Changes in the draft may be made, by a simple majority vote, when the draft is presented for approval on first reading.
- d. The proposed draft, approved on first reading, will be submitted for adoption at the next regular meeting of the Board. Changes in the draft may be made by a simple majority vote. A change that alters the substantive meaning of the draft will constitute a new first reading, and the draft must be presented for adoption at the next succeeding Board meeting. A change that is merely editorial may be followed by a vote to adopt the new or revised by-law or policy on second reading.

## **Article IV Executive Authority**

### ***Section 1. Executive Director and Principal***

The Board of Trustees shall exercise its executive power in part by the appointment of an Executive Director who shall enforce the statutes of the State of New Jersey, rules of the State Board of Education, and policies of this Board.

The Executive Director, in consultation with the Principal, shall prepare regulations for the administration of the school that are not inconsistent with statutes or rules of the State Board of Education and are dictated by the policies of this Board, and within the authority delegated to the office. Administrative regulations shall be binding upon the employees of this school and the pupils of this school when issued and shall be provided to the Board at the Board's next meeting. The Board reserves the right to overrule any administrative regulation.

The Executive Director shall be designated the authority to take necessary action in circumstances not provided for in Board policy, provided that any such action shall be reported to the Board at the next meeting following such action.

The Executive Director and the Principal shall have seats on the Board and shall have the right to speak on all educational matters at meetings of the Board, but shall have no vote.

## **Article V Organization Meeting**

### ***Section 1. Organization Meeting.***

The Board of Trustees shall organize annually on the second Monday in April or within five days of that date. The organization meeting shall be called to order by the Business Administrator/Board Secretary who shall act as presiding officer pro tempore. The Business Administrator/Board Secretary shall administer the oath of office to new members. (NJSA 41:1-1)

The Board shall then proceed to the election of a President, who shall then take the chair, and a Vice President. Election of the officers shall be by a majority vote of the Board members present. (NJSA 18A:54-16)

During the course of the Organizational Meeting, the Board may appoint the following individuals:

- a. Business Administrator/Business Secretary
- b. Treasurer of School Moneys
- c. School Accountant
- d. Medical Inspector

- e. A Psychological Examiner
- f. An Assistant Board Secretary
- g. An Attorney

**Section 2. Officers and Duties.**

A. Officers shall serve for one year and until their respective successors are elected and shall qualify. (NJSA 18A:15-1)

B. Officers may be removed by a majority vote of the full Board should either officer refuse to perform the duties of his/her office imposed upon him/her. (NJSA 18A:15-2)

C. In case the office of President or Vice President becomes vacant, the Board shall, within thirty days thereafter, fill the vacancy for the unexpired term. (NJSA 18A:15-2)

The President of the Board of Trustees shall:

1. Preside at all meetings of the Board;
2. Call special meetings of the Board, NJAC 6:3-1.9;
3. Sign all school warrants, NJSA 18A:19-1;
4. Certify to all payrolls, NJSA 18A:19-9;
5. Subscribe bonds, notes, contracts and other legal instruments for which the signature of the President is called;
6. Appoint all committees of the Board and serve as committee member ex officio;
7. Assist in the preparation of the Board agenda.

The Vice-President shall assume and discharge the duties of the President in the President's absence, disability or disqualification.

**Section 3. Appointees and duties of school treasurer and attorney.**

School Treasurer:

The Treasurer of School Moneys shall:

1. Receive and hold in trust all school moneys, except moneys from activities of pupil organizations, and deposit them in the bank or banks designated by the board of trustees.
2. Pay out school moneys only on warrants made payable to the person entitled to receive payment and specifying the object for which it is issued and signed by the President, Secretary, and the Treasurer.

3. Receive school employee payrolls and a warrant for the full amount of each payroll certified by the President and the Secretary, deposit the warrants in a separate payroll account, and issue individual checks drawn on such account to each employee.
4. Give public notice when funds are on hand for payment of interest bearing warrants issued for which no funds were available.
5. Keep a record of moneys received and paid out in books provided for that purpose and in accordance with a bookkeeping system prescribed by the State Board.
6. Pay over the balance of school funds on hand to his or her successor.
7. Render a monthly report to the Board giving a detailed account of all receipts, the amounts of all warrants issued, the accounts from which they were drawn and the balance in each account.
8. Render an annual report showing the amounts received and disbursed by him/her during the school year and file a copy with the County Superintendent.

Board Attorney:

1. Advise the board as to the proper legal and contractual procedures in which the Board must take action or make a decision;
2. Be accessible for consultation with the Board concerning legal matters;
3. Attend private meetings of the Board when requested to do so by the Principal or the Board President;
4. Act as counsel for the Board in prosecuting or defending any action or suit to which the Board is party;
5. Perform such other special legal services as the Board may from time to time prescribe.

**Section 4. Motions.**

During its Organizational Meeting, the Board shall vote on the following motions:

- a. Designate a depository for school funds, (17:9-9 ; 18A:17-34)
- b. Designate an official newspaper(s),
- c. Designate a day, place, and time for regular meetings. Such established schedule shall be posted within the school building and distributed to the designated school newspaper(s) for publication.
- d. Adopt existing by-laws and policies for its own operation and the operation of the school.
- e. Readopt continuing contracts and agreements of the Board where continuation is not authorized by law.
- f. Specify the order of business for regular meetings and work sessions.



*Section 5. Committees.*

Committees of Board members shall, when specifically charged to do so by the Board, conduct studies, make recommendations to the Board, and act in an advisory capacity, but shall not take action on behalf of the Board.

- a. The President shall appoint as soon after the organizational meeting as practicable members of the Board to the standing committees where they shall serve a term of one year.
- b. A member may request reappointment to a committee.
- c. Each committee shall be convened by a chairperson who shall report for the committee and who shall be appointed by the President.
- d. Ad hoc committees may be created and charged at any time by the President or by a majority of the members present at any meetings at which the need for a committee becomes evident. Members of such committees shall serve until the committee is discharged.
- e. The following committees shall be standing committees:
  - Buildings and Grounds
  - Curriculum & Policy
  - Finance
  - Negotiations and Personnel
  - Public Awareness
  - Technology

*Section 6. Notice of Board Meetings.*

The Board of Trustees shall give notice of all meetings in accordance with the law.

The Board Secretary shall notify, in writing and no later than forty-eight hours in advance of the meeting, each Board member and each person who has duly requested such notification of the time, date, and location, and to the extent possible the agenda of any regular, special, or rescheduled meeting. Forty-eight hour notice shall also be posted in the school, delivered to the newspapers. Such notice is not required where time, date, and location of the meeting has been published in the annual list of meetings approved by the Board in accordance with the law.

Upon the affirmative vote of three-quarters of the members present, the Board may meet in the absence of adequate notice, provided discussion and action is limited to specific and unforeseen matters of such urgency and importance that delay for the provision of notice would be likely to result in substantial harm to the public interest and

that notice is given as soon as possible after the call of the meeting in accordance with the provisions of law and this by-law.

The Board shall provide personal notice in writing to the parent or guardian of a minor pupil, an employee or officer of the school, or a prospective employee whose privacy may be invaded or whose employment may be affected by the Board's deliberations in executive session. Such personal notice will include the date and time of the executive session, the subject or subjects scheduled for discussion at the executive session, and the right of the individual given notice to request that the discussions be conducted at a public meeting. Personal notice will be given no less than five working days in advance of the executive session.

A written request for public discussion must be signed by the person making the request and must be submitted to the Board Secretary prior to the commencement of the meeting. Any such properly submitted request will be granted. A discussion held in public by reason of the written request of an individual will be conducted at a regularly scheduled meeting for which annual notice has been given or at a meeting for which adequate public notice has been given in accordance with the law.

Nothing in this by-law will permit an employee to request or the Board to grant the public discussion of tenure charges or permit the public disclosures of information regarding an educationally disabled pupil.

## **Article VI Board Meetings**

### *Section 1. Quorum.*

A quorum shall consist of a majority of sitting Board members, and no business shall be conducted in the absence of a quorum.

In the event a quorum is not present at the hour of convening, the meeting may be recessed to a time no later than 9:00 PM of the same day. If a quorum is not then present, the members present may adjourn the meeting to a later date within seven days.

### *Section 2. Conduct of Board Meetings.*

Robert's Rules of Order, Newly Revised, shall govern the Board of Trustees in its deliberations and acts in all cases in which it is not inconsistent with statutes of the State of New Jersey, rules of the state Board of Education, or these by-laws.

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice President shall act in his/her place; if neither person is present, any member shall be designated by plurality of this present to preside. The act of this person so designated shall be legal and binding.

The order of business shall be as follows:

Call to Order

Declaration of Open Public Meetings Act

Pledge of Allegiance

Roll Call

Reading of the Mission Statement

Approval of Minutes

Correspondence

Presidents Comments

Committee Reports

Board Member Comments

Student Liaison Comments

PTO Liaison Comments

Faculty Comments

Presentations

Executive Director's Information

Principal's Information

Public Participation on Agenda Items (time limited to five minutes per person)

Board Action on Agenda Items

Closed Session

Return to Open Session for Action Items

Public Participation on any matter of concern to the school (time limited to five minutes per person)

New Business

Board Member Comments

Adjournment

### *Section 3. Voting.*

All Board of Trustee 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 the Board members present and voting, except as provided by statutes of the State of New Jersey, this by-law, or parliamentary authority and provided that the number of affirmative votes is at least a majority of the Board's quorum.

*Section 4. **Executive Sessions.***

The Board of Trustees may meet in a private session only to discuss and act on issues exempted by law from the requirement that all Board meetings be public and only after the adoption at a public meeting of a resolution stating the general nature of the subject or subjects to be discussed and, as precisely as possible, the time when and circumstances under which the discussion conducted in private session can be disclosed to the public.

*Section 5. **Public Participation.***

The Board of Trustees recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public comment at every public meeting of the Board. Public participation shall be permitted at the discretion of the presiding officer.

Public participation shall be extended to community residents, persons having a legitimate interest in the actions of this Board, persons representing groups in the community or school, representatives of firms eligible to bid on materials or services solicited by the Board, and employees and pupils of this school, except when the issue addressed by the participant is subject to remediation by an alternate method provided for in policies or contracts of the Board.

*Section 6. **Board Minutes.***

The Board of Trustees directs the creation and maintenance of an official record of the formal proceedings of the Board and will permit the unofficial recording of Board meetings in accordance with this by-law.

The Board shall keep reasonably comprehensible minutes of all its meetings showing the time and place, the members present, the subject considered, the actions

taken, the vote of each member, and any other information required to be shown in the minutes by law.

Upon approval of a majority of Board members present and voting, minutes of public meetings shall be public records signed by the Business Administrator/Business Secretary, and filed in the Secretary's office in a minute book as the permanent record of the official acts of this Board. Approved minutes shall be posted on the school's website. Minutes shall be available no later than 24 hours prior to the next regular meeting of the Board.

Minutes of executive session meetings shall not be public records and shall be filed in the Secretary's office in a place separate from the minute book until the time, if any, when the proceedings may be made public.

## **Article VII Consultants**

### *Section 1. Consultants.*

The Board of Trustees may from time to time engage the services of one or more independent contractors/consultants to advise and assist the Board in analyzing school operations and preparing Board reports when those tasks cannot be performed as economically by school staff members.

The Board will not contract with a Board member or the spouse, child, parent, or sibling, in fact or in law, of a Board member as an independent consultant.

The Board will engage the services of an independent consultant only by written contract, which must specify the work, which is to be accomplished by the consultant, the time within which the work is to be completed, and the fee that will be paid the consultant. An independent consultant engaged by the Board is neither agent nor employee of the Board and may represent the Board only as expressly authorized to do so in writing.

An independent consultant may have access to such school facilities and school employees as may be reasonably required in the performance of the consultant's contract with the Board. Except as expressly permitted by the contract, any communication between the consultant and a school employee or community member regarding the work of the consultant must be conducted through the Board or a designated school official.

Materials and reports generated and created by the independent consultant in the performance of his/her contract with the Board are and will remain the property of the Board and are public records.