
QUALIFICATIONS OF BOARD MEMBERS

A member of the board of education shall be a citizen, no less than eighteen (18) years of age, and resident of the school district for at least two (2) years immediately preceding his/her appointment or election.

A member of the board of education shall be able to read and write and must be a registered voter in the district.

A member of the board of education shall not be interested directly or indirectly in any contract with or claim against the board.

All newly elected board members as of July 14, 2011, must undergo a criminal history check and must comply with the criminal history background investigation requirements.

He/she has not been disqualified due to the conviction of a crime or offense listed in N.J.S.A. 18A:12-1. In order to fulfill this requirement:

1. Each member of the board of education, within 30 days of the election or appointment to the board shall undergo a criminal history background check investigation for the purpose of ensuring that the member is not disqualified for membership due to a conviction of a crime or offense pursuant to the statute listed above; and
2. The board shall reimburse the member for the cost of the criminal history record check, including all costs for administering and processing the check.
3. If the results of the criminal history background check lead to a disqualification of the board member, the Oxford Township Board of Education will not reimburse the excluded member for expenses incurred as a result of the criminal history background check.

Within 30 days of election/appointment, board members shall file with the board secretary, on forms provided by the School Ethics Commission, both a Personal/Relative Disclosure Form (N.J.S.A. 18A:12-25) and a Financial Disclosure Statement (N.J.S.A. 18A:12-26). The board secretary shall file the original with the executive county superintendent (N.J.A.C. 6A:28-3.1).

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LEGAL REFERENCES:**Legal Reference Summary:** Examples and further guidance for School Board members

N.J.S.A. 18A:12-1. Each member of any board of education shall be a citizen and resident of the district, or of such constituent district of a consolidated or regional district as may be required by law, and shall have been such for at least one year immediately preceding his appointment or election, he shall be able to read and write, shall be registered to vote in the district, and, notwithstanding the provisions of N.J.S.A. 2C:51-1 or any other law to the contrary, he is not disqualified as a voter pursuant to R.S.19:4-1 if convicted of:

- A. Any crime of the first or second degree as defined by New Jersey Statute;
- B. An offense as set forth in chapter 14 of Title 2C of the New Jersey Statutes, or as set forth in N.J.S.A. 2C:24-4 and 2C:24-7, or as set forth in R.S.9:6-1 et seq., or as set forth in N.J.S.A. 2C:29-2;
- C. An offense involving the manufacture, transportation, sale, possession, distribution or habitual use of a "controlled dangerous substance" as defined in the "Comprehensive Drug Reform Act of 1987," N.J.S.A. 2C:35-1 et al. or "drug paraphernalia" as defined pursuant to N.J.S.A. 2C:36-1 et seq.;
- D. A crime involving the use of force or the threat of force to or upon a person or property including, but not limited to, robbery, aggravated assault, stalking, kidnapping, arson, manslaughter and murder;
- E. A crime as set forth in chapter 39 of Title 2C of the New Jersey Statutes, a third degree crime as set forth in chapter 20 of Title 2C of the New Jersey Statutes, or a crime as listed below:

1. <u>N.J.S.A.</u> 2C:12-2	Recklessly endangering another person
2. <u>N.J.S.A.</u> 2C:12-3	Terroristic threats
3. <u>N.J.S.A.</u> 2C:13-2	Criminal restraint
4. P.L.1993, c.291 (C.2C:13-6)	Luring, enticing child into motor vehicle, structure or isolated area
5. <u>N.J.S.A.</u> 2C:17-2	Causing or risking widespread injury or damage
6. <u>N.J.S.A.</u> 2C:17-3	Criminal mischief
7. <u>N.J.S.A.</u> 2C:18-2	Burglary
8. <u>N.J.S.A.</u> 2C:21-19	Usury
9. <u>N.J.S.A.</u> 2C:27-3	Threats and other improper influence
10. <u>N.J.S.A.</u> 2C:28-3	Perjury and false swearing
11. <u>N.J.S.A.</u> 2C:29-2	Resisting arrest
12. <u>N.J.S.A.</u> 2C:29-5	Escape
13. <u>N.J.S.A.</u> 2C:16-1	Bias intimidation
- F. Any crime of the fourth degree involving a victim who is a minor; or
- G. Conspiracy to commit or an attempt to commit any of the aforesaid crimes.

For the purposes of this section, a conviction exists if the individual has been convicted, at any time, under the laws of this State or under any similar statutes of the United States or any other state for a substantially equivalent crime or other offense.

Section 5 of P.L.1987, c.328 (C.18A:12-2.2) is amended to read as follows:

N.J.S.A. 18A:12-2.2 False affirmation, disqualification, fourth degree crime: Any member of a board of education who falsely affirms or declares that he is not disqualified as a voter pursuant to R.S.19:4-1, or that he is not disqualified from membership on the board due to conviction of a crime or offense listed in N.J.S.18A:12-1, is, in addition to immediate disqualification for office, guilty of a crime of the fourth degree.

N.J.S.A. 18A:12-25 and N.J.S.A. 18A:12-26: Within 30 days of election/appointment, board members shall file with the board secretary, on forms provided by the School Ethics Commission, both a Personal/Relative Disclosure Form and a Financial Disclosure Statement

N.J.A.C. 6A:28-3.1- The board secretary shall file the original disclosure statements with the executive county superintendent.

Legal References:

<u>N.J.S.A. 18A:12-1 et seq.</u>	Qualifications of Board Members
<u>See particularly:</u>	
<u>N.J.S.A. 18A:12-1.2</u>	Criminal history background investigation for board of education members
<u>N.J.S.A. 18A:12-25, 26</u>	Personal/Relative Disclosure Form and Financial Disclosure Form
<u>N.J.S.A. 18A:13-7</u>	Regional Board Members
<u>N.J.S.A. 19:4-1</u>	Constitutional Qualifications
<u>N.J.A.C. 6A:28-3.1</u>	Filing disclosure statements

Possible

Cross References:

9010	Role of the member
9112	Election/appointment
9114	Resignation/removal
9200	Orientation and Training of Board Members
9270	Conflict of Interest
9271	Code of Ethics