
VOTING METHOD

Official actions may be taken only at a regular monthly or specially called meeting at which a quorum is present. All motions shall require for adoption a majority vote of those present and voting (minimally, a majority of the quorum), except as provided by code or statute.

A vote can be conducted by voice, show of hands or roll call, provided that the vote of each member is recorded, except where a recorded roll call majority is required by code or statute. Proxy voting is prohibited. Any member may request that the board be polled.

Board Voting Requirements

The following actions require a recorded roll call vote and must pass by an affirmative vote of the majority of the full board.

1. Directing the Board Secretary to make deductions for fees and premiums for hospital service and group insurance plans and United States government bonds from salaries of participating employees (N.J.S.A. 18A:16-8).
2. Appointing and fixing the salary and term of the Board Secretary (N.J.S.A 18A:17-5).
3. Appointing and fixing the salary of an Assistant or Acting Board Secretary (N.J.S.A 18A:17-13).
4. Appointing and fixing the term of a Superintendent of Schools ((N.J.S.A 18A:17-15).
5. Appointing or removing an Assistant Superintendent of Schools (N.J.S.A 18A:17-16).
6. Appointing and fixing the term of an Administrative Principal (N.J.S.A. 18A:17-20.5).
7. Appointing and fixing the term shared Superintendent or shared School Business Administrator (N.J.S.A. 18A:24.3).
8. Disposing of lands owned by the Board, or rights or interests therein (N.J.S.A. 18A:20-5).
9. Exchanging lands owned by the Board (N.J.S.A 18A:20-8)
10. Fixing and determining the amount of money to be voted upon by the voters of the district at or after the public hearing on the school budget for Type II districts without a Board of School Estimate (N.J.S.A 18A:22-32).
11. Adopting the question(s) to be submitted to the voters concerning any capital project(s) to be paid for from the proceeds of an issue of bonds in Type II districts without a Board of School Estimate (N.J.S.A. 18A:22-39).
12. Transferring a teaching staff member ((N.J.S.A. 18A:25-1).
13. Restoring or removing an Assistant Superintendent, principal or teacher, following suspension by the Superintendent of Schools (N.J.S.A. 18A:25-6).
14. Appointing a teaching staff member (N.J.S.A. 18A:27-1).
15. Appointing, transferring removing or renewing the employment contract of a certificated or non-certificated officer or employee (N.J.S.A. 18A:27-4.1).
16. Withholding, for inefficiency or other good cause, a prescribed employment or adjustment increment (N.J.S.A. 18A:29-14).
17. Adopting or altering a course of study (N.J.S.A. 18A:33-1).
18. Selecting textbooks (N.J.S.A. 18A:34-1).
19. Applying for membership in an already established county educational audio visual aids center (N.J.S.A. 18A:51-11).
20. N.J.A.C. 6:19-2.4(b). Approving the content of separate questions(s) to be submitted to the voters that propose programs in addition to the Core Curriculum Content Standards.

21. Determining the sufficiency of charges to dismiss or reduce the salary of a tenured employee (N.J.S.A. 18A:6-11).

The following actions require a recorded roll call vote and must pass by an affirmative vote of two-thirds of the full Board.

1. Permitting the private sale of certain bonds if no legally acceptable bid is received by a Type II district (N.J.S.A. 18A:24-45(c)).

The following actions require an affirmative vote of the majority of the full board. They do not require a roll call vote.

1. Filling vacancies on elected boards of education (majority of remaining members) (N.J.S.A. 18A:12-15).
2. Removing from office a president or vice president of a board for failure to perform a duty imposed upon him or her by law (N.J.S.A. 18A:15-2).
3. Appointing, fixing the salary and defining the duties of a school business administrator (N.J.S.A. 18A:17-14.1).
4. Authorizing the purchase of securities (N.J.S.A. 18A:20-39).
5. Authorizing the sale of securities (N.J.S.A. 18A:20-39).
6. Adopting a proposal for the issuance of bonds in Type II districts without a Board of School Estimate (including regional districts) (N.J.S.A. 18A:24-10c).
7. Admitting pupils, who have never attended public or private school, after October 1 following the opening of school for the full term (N.J.S.A. 18A:38-6).
8. Deciding to establish, with other school districts of the county, a county educational audio-visual aids center (N.J.S.A. 18A:51-1).

The following actions require an affirmative vote of the two-thirds of the full board. They do not require a roll call vote.

1. Authorization to enter into a contract or agreement after twice advertising for bids pursuant to N.J.S.A. 18A:18A-4, with subsequent failure to receive any bids, and after determination that no public entity can conform with the specification (N.J.S.A. 18A:18A-5(c)).
2. Authorization to negotiate, award or enter into a contract or agreement after the Board has advertised for bids on two occasions and reflected those bids for appropriate reasons (N.J.S.A. 18A:18A:18A-5(d)).
3. Authorization to negotiate, award or enter into a contract or agreement after the Board has solicited and received at least three quotations on materials, supplies or equipment for which a State contract has been issued, and the lowest reasonable quotation is at least ten percent (10%) less than the cost charged under the state contract (N.J.S.A. 18A:18A-5(e)).
4. Adopting a refunding bond ordinance by a Type II school district (N.J.S.A. 18A:24-61.4).
5. Selling or exchanging refunding bonds (N.J.S.A. 18A:24-61.9).
6. Endorsing approval of a lease purchase and authorizing the Chief School Administrator and /or board secretary to advertise and solicit proposals in connection with a lease purchase, and to request state approval of a lease purchase in excess of five years (N.J.A.C. 6:22A-1.2(e)).

Abstentions

A member may abstain from voting. An abstention shall be so recorded and shall not be counted as either an affirmative or a negative vote. Abstentions are to be so recorded, regardless of

whether a person speaks for or against a motion prior to stating his/her wish to abstain. The silence of a member on any vote shall be recorded as an abstention.

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LEGAL REFERENCES:

N.J.S.A. 18A:38-8.1 Additional member on board of education to represent board of education in each sending district.

Aurentz v. Little Egg Harbor Township Planning Board, 171 N.J. Super. (Law Div. 1979)

King v. Asbury Park Board of Education, 1939-49 S.L.D. 20

Matawan Teachers' Assn. v. Board of Education, 223 N.J. Super. 504 (App. Div. 1988)

Lincoln Park Board of Education v. Boonton Board of Education, 97 N.J.A.R. 2d (EDU) _____ (May 30)

Little Ferry Board of Education v. Ridgefield Park Board of Education, 97 N.J.A.R. 2d (EDU) _____ (July 24)

Green Twp. Board of Education v. Newton Board of Education, 97 N.J.A.R. 2d (EDU) _____ (August 5)

Key Words

Voting Methods, Abstentions

Part 1, Main Motions. These motions are listed in order of precedence. A motion can be introduced if it is higher on the chart than the pending motion. § indicates the section from Robert's Rules.							
§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§21	Close meeting	I move to adjourn	No	Yes	No	No	Majority
§20	Take break	I move to recess for ...	No	Yes	No	Yes	Majority
§19	Register complaint	I rise to a question of privilege	Yes	No	No	No	None
§18	Make follow agenda	I call for the orders of the day	Yes	No	No	No	None
§17	Lay aside temporarily	I move to lay the question on the table	No	Yes	No	No	Majority
§16	Close debate	I move the previous question	No	Yes	No	No	2/3

§15	Limit or extend debate	I move that debate be limited to ...	No	Yes	No	Yes	2/3
§14	Postpone to a certain time	I move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
§13	Refer to committee	I move to refer the motion to ...	No	Yes	Yes	Yes	Majority
§12	Modify wording of motion	I move to amend the motion by ...	No	Yes	Yes	Yes	Majority
§11	Kill main motion	I move that the motion be postponed indefinitely	No	Yes	Yes	No	Majority
§10	Bring business before assembly (a main motion)	I move that [or "to"] ...	No	Yes	Yes	Yes	Majority

Part 2, Incidental Motions. No order of precedence. These motions arise incidentally and are decided immediately.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§23	Enforce rules	Point of Order	Yes	No	No	No	None
§24	Submit matter to assembly	I appeal from the decision of the chair	Yes	Yes	Varies	No	Majority
§25	Suspend rules	I move to suspend the rules	No	Yes	No	No	2/3
§26	Avoid main motion altogether	I object to the consideration of the question	Yes	No	No	No	2/3
§27	Divide motion	I move to divide the question	No	Yes	No	Yes	Majority
§29	Demand a rising vote	I move for a rising vote	Yes	No	No	No	None
§33	Parliamentary law question	Parliamentary inquiry	Yes	No	No	No	None
§33	Request for information	Point of information	Yes	No	No	No	None

Part 3, Motions That Bring a Question Again Before the Assembly.

No order of precedence. Introduce only when nothing else is pending.

§	PURPOSE:	YOU SAY:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§34	Take matter from table	I move to take from the table ...	No	Yes	No	No	Majority
§35	Cancel previous action	I move to rescind ...	No	Yes	Yes	Yes	2/3 or Majority with notice
§37	Reconsider motion	I move to reconsider ...	No	Yes	Varies	No	Majority