

SPRINGFIELD PUBLIC SCHOOLS
Springfield, New Jersey 07081

QUALIFICATIONS AND REQUIREMENTS OF BOARD MEMBERS

Qualifications for member of the board of education are as follows:

- A. He/she is a citizen of the United States of America;
- B. He/she is at least eighteen years of age;
- C. He/she is able to read and write;
- D. He/she has been a resident of the municipality from which he/she is elected or appointed, for at least one year immediately preceding the date of the election;
- E. He/she is registered to vote in the municipality from which he/she is elected;
- F. He/she is not disqualified as a voter pursuant to N.J.S.A. 19:4.1;
- G. He/she does not hold office as mayor or as a member of the governing body of a constituent municipality;
- H. He/she has no interest directly or indirectly in any contract with or claim against the board; and
- I. 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 not reimburse the member for the cost of the criminal history record check, including all costs for administering and processing the 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).

Date: August 18, 2014

Legal Reference Summary:

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. 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. N.J.S.A. 2C:12-2 Recklessly endangering another person
 - 2. N.J.S.A. 2C:12-3 Terroristic threats
 - 3. N.J.S.A. 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. N.J.S.A. 2C:17-2 Causing or risking widespread injury or damage
 - 6. N.J.S.A. 2C:17-3 Criminal mischief
 - 7. N.J.S.A. 2C:18-2 Burglary
 - 8. N.J.S.A. 2C:21-19 Usury
 - 9. N.J.S.A. 2C:27-3 Threats and other improper influence
 - 10. N.J.S.A. 2C:28-3 Perjury and false swearing
 - 11. N.J.S.A. 2C:29-2 Resisting arrest
 - 12. N.J.S.A. 2C:29-5 Escape
 - 13. N.J.S.A. 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 with the executive county superintendent.

Legal References:

- N.J.S.A. 18A:12-1 et seq. Qualifications of Board Members
- See particularly:
- N.J.S.A. 18A:12-1.2 Criminal history background investigation for board of education members
- N.J.S.A. 18A:12-25, 26 Personal/Relative Disclosure Form and Financial Disclosure Form

<u>N.J.S.A.</u> 18A:13-7	Regional Board Members
<u>N.J.S.A.</u> 19:4-1	Constitutional Qualifications
<u>N.J.A.C.</u> 6A:28-3.1	Filing disclosure statements

Possible

<u>Cross References:</u> *9010	Role of the member
9114	Resignation/removal
*9200	Orientation and Training of Board Members
*9270	Conflict of Interest
*9271	Code of Ethics