

Pleasantville Board of Education
Central Administrative Offices
801 Mill Road, Third Floor, P.O. Box 960
Pleasantville, New Jersey 08232-0960

Date: May 9, 2023

RESOLUTION ON INVOKING THE DOCTRINE OF NECESSITY

WHEREAS, the School Ethics Act (N.J.S.A. 18A:12-21 et seq.) was enacted by the New Jersey State Legislature to ensure and preserve public confidence in school board members and school administrators and to provide specific ethical standards to guide their conduct; and

WHEREAS, the School Ethics Commission has provided guidance in Public Advisory Opinion A03-98, regarding how a Board should invoke the Doctrine of Necessity when a quorum of a board of education has conflicts of interest on a matter required to be voted upon; and

WHEREAS, the opinion set forth that, when it is necessary for a Board to invoke the Doctrine of Necessity, the Board should state publicly that it is doing so, the reason that such action is necessary and the specific nature of the conflicts of interest; and

WHEREAS, at the May 9, 2023 regular meeting of the Pleasantville Board of Education, due to the absence of four of the Board Members, only five (5) members were present at tonight's meeting to approve the Human Resources Agenda; and

WHEREAS, consistent with N.J.S.A. 18A:27-4.1, in order to approve the Human Resources Agenda, as mandated by the procedures and notice deadline of May 15, 2023, as provided in N.J.S.A. 18A:27-10; a majority of the full Board is required to approve said Agenda, i.e., five (5) votes are required, it is therefore necessary for all of the present Board Members to cast an affirmative vote in order for the Human Resources Agenda to be approved; and

WHEREAS, one of the present Board Members, Doris Rowell, had a conflict, since an employee being renewed for hire on the Agenda is her brother-in-law, and

WHEREAS, after initially having abstained from votes related to her brother-in-law's employ at the District, the Board was advised that the passage of the Board's consent agenda required five affirmative votes to be approved — necessitating that the Doctrine of Necessity be lawfully invoked to prevent legal and financial harm to the District, in addition to maintaining a continuum of educational services and stability in school business; and

WHEREAS, a subsequent unanimous passage of the consent agenda will not deviate from the Acting Superintendent's recommendations, and was thus proper in form and statutory purpose; and

WHEREAS, in keeping with the Legislative purpose as set forth in N.J.S.A. 18A:12-22(a), the School Ethics Commission views public disclosure of conflicts of interest to be paramount when it is necessary to invoke the Doctrine of Necessity;

NOW THEREFORE BE IT RESOLVED that the Pleasantville Public School District Board of Education hereby invokes the Doctrine of Necessity for the reason of approving the Human Resources Agenda, and that it must do so because of a conflict of interest for board member Doris Rowell who has a conflict due to her brother-in-law being hired by the District relatives working in the district; and

BE IT FURTHER RESOLVED that the Pleasantville Public School District Board of Education is herewith meeting the requirement to read the resolution at a regularly scheduled public meeting, will post it where it posts public

notices for 30 days and will provide the School Ethics Commission with a copy of the resolution as required by the Decision of the School Ethics Commission.

Motion by: Sharnell Morgan Second by: Cassie Clements Yea: √ Nay:

Roll Call:

Member	Yes	No	Abstain	Absent
Alejandrina Alberto	X			
Cassandra Clements	X			
Yadira Falcon				X
Andrea Gray	X			
Anny Melo				X
Elysa Sanchez				X
Julio Sanchez				X
Sharnell Morgan	X			
Doris Rowell	X			

FIVE YEAS; Motion Carries

Thank you,



Daile White
Business Administrator/Board Secretary



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