

## **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**, 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 Lyndhurst Public School District Board of Education hereby invokes the Doctrine of Necessity for the reason of personnel and negotiations and that it must do so because of the conflicts of interest for board members Joseph Abruscato, Beverly Alberti, Susan Alcuri, Ronald Grillo, Sheri Jarvis, Josephine Malaniak, Christopher Musto, and James “Chizzie” Vuono who have a conflict due to union membership and family relatives; and

**BE IT FURTHER RESOLVED** that the Lyndhurst 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.