

CONSTITUTION AND BY-LAWS of the **TRANQUILITY ADVENTIST SCHOOL**
a NEW JERSEY CONFERENCE SEVENTH-DAY ADVENTIST ELEMENTARY SCHOOL

PREAMBLE

The primary aim of Seventh-day Adventist (SDA) education is to provide opportunity for students to accept Christ as their Savior, to allow the Holy Spirit to transform their lives, and to fulfill the commission of preaching the gospel to all the world. The education program is predicated on the belief that each student is unique and of inestimable value, and on the importance of the development of the whole person. Students are educated to accept service as a way of life, to be sensitive to the needs of the people in the home and society, and to become active members in the Church. Thus, contributing to Adventist education is an eternal investment.

The purposes of this organization shall be to support, maintain, and promote the best interest of true Christian education, as it can be made available to the youth of this constituency. In so doing, it shall study and follow the principles and methods laid down by Christ, the Master Teacher, and outlined in the Scriptures and in the Spirit of Prophecy. As a school, it seeks to aid the student to attain the highest scholastic standards and to develop a sound mind in a sound body for the best performance of all duties of life. As a Christian school, it is concerned with the spiritual welfare of its students, with the development of character, ideals, and behavior patterns in harmony with the Biblical specifications of a child of God. Since this school is dedicated to the philosophy that the true higher education is imparted by Christ who is “wisdom and strength”, out of Whose mouth “cometh knowledge and understanding”, it will endeavor to impart that moral training that will elevate and ennoble body, mind, and soul, so that the student may reflect the image of his/her Creator.

It shall further be its purpose to carry out the policies and meet the standards given in the Education Policy section of the working policy of the North American Division of the General Conference of Seventh-day Adventists, the Education Code for the Columbia Union Conference Schools, and the New Jersey Conference of Seventh-day Adventists.

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ARTICLE I

Identification

Section 1 NAME

The designated name of this school shall be the Tranquility Adventist School.

Section 2 LOCATION

The location of this school shall be 3 Academy Lane, Green Township, NJ 07821

ARTICLE II

Constituency

Section 1 DEFINITION

A. Membership

The constituency of this school shall consist of all churches in the school constituent district.

As of 13 February 2013, New Jersey Conference District 4 (Tranquility Adventist School) includes the following churches:

- Dover Spanish
- Hackettstown English
- Hackettstown Spanish Group
- Lafayette
- Morristown English
- Morristown Spanish
- Phillipsburg
- Rockaway
- Tranquility

B. Vested Churches

“*Vested*” refers to all constituent churches that pay the minimum required amount of at least \$125 per month for twelve months.

C. Fully Vested Churches

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“Fully *Vested*” refers to all constituent churches who at a minimum pay a subsidy to Tranquility Adventist School in accordance with the formula described in Article IV, Section 1.

Section 2 MEETINGS

An annual constituency meeting shall be held in the month of May. Additional meetings may be called by the New Jersey Conference Superintendent of Schools or by a majority vote of the consolidated School Board, hereinafter referred to as the School Board. Written notice shall be given to each member church at least two weeks in advance. A quorum shall be those members of constituent churches present when the meeting is convened.

Section 3 OBLIGATIONS

The obligations of the constituency shall be:

- A. To elect representatives to the School Board. These elections shall be conducted during a church business meeting or a church board meeting, as each church prefers. The School Board chairperson shall be notified of the results of these elections by no later than June 15.
- B. To ratify the school budget prepared by the School Board, and the plan submitted for the financing of this budget.
- C. To ratify the disbursement of the reserve fund.
- D. To ratify budgets for construction and/or expansion programs.
- E. To have the privilege of attending School Board meetings as outlined in Article III, Section 2, as observers.

Section 4 VESTED STATUS

A church may become a vested or fully vested constituent by a majority vote of its properly constituted church business meeting. A letter of confirmation shall be submitted to the School Board.

Section 5 WITHDRAWAL FROM VESTED STATUS

A vested or fully vested church may not withdraw from its vested status during the fiscal year. Should circumstances require a church to withdraw from its vested status at the end of the fiscal year, the following steps must be taken:

- 1. A majority vote to withdraw must be recorded in its properly constituted church business meeting.
- 2. Written notice shall be submitted to the School Board no later than the first of the month starting the new fiscal year.

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3. The withdrawing church shall complete its obligations for the current school year budget. The withdrawing church shall fulfill its obligations for its share of outstanding capital expenditures for the current year. No refund may be requested of such funds as have been contributed previously for any purpose whatsoever.
4. A withdrawing church that does not meet its financial obligations shall not be permitted to re-enter the constituency until its balance is paid in full.

ARTICLE III

School Board

Section 1 PERSONNEL

A. Membership

Each constituent church shall have no less than one (1) Board seat. The remainder of the School Board shall be comprised of nine (9) additional seats. Seats will be apportioned to constituent churches, rounded to the nearest person, based upon the one-third (1/3) principle as found in Article IV, Section 1. Apportioned board seats not claimed by a constituent church will be reallocated using the same principle.

All Board members must be members in regular standing in the Seventh-day Adventist Church and must be a member of one of the constituent churches. Ex-officio voting members of the school board shall be the pastors of the constituent churches, the principal of the school, the school board chairperson, the school board vice chairperson, and the treasurer. Board members themselves shall not be staff members, nor spouses, parents, siblings, or immediate relatives of staff members (i.e., grandparents, aunts/uncles, in-laws).

The Board reserves the right to appoint non-voting invitee members to include faculty, parent representatives, and/or subject matter experts as it deems necessary.

B. Qualifications

Qualifications of Board Members for election (as per Columbia Union Education Code 2705 B):

1. Are members of the Church in good standing.
2. Are members of the constituent church(es) sponsoring the school.
3. Will have their own school-age children enrolled in the K-12 constituent Adventist school. An exception may be allowed if the school has determined that the child's special learning needs are best met in another setting.
4. Will not be spouses, parents, siblings, or immediate relatives of staff members (i.e., grandparents, aunts/uncles, in-laws). It is recommended that not more than one member from the same immediate family be elected to the board.
5. They are committed to supporting and advancing all facets of Adventist education.

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6. Will pledge to support and implement policies in the Columbia Union Education Code and of the local conference. Parties unwilling to support and implement Code policies should not serve on local school boards.

C. Tenure

All members of the School Board shall be chosen by their constituent churches as part of their regular election of church officers.

D. Vacancies

Vacancies shall be filled by the church which originally elected the vacating board member. The church board shall notify the School Board of such change(s).

E. Absenteeism

Four (4) absences from regularly scheduled School Board meetings in a single fiscal year by any School Board member may result in the appropriate church being requested to replace that School Board member.

F. Termination

Termination, if necessary, shall follow the guidelines as outlined in the Columbia Union Education Code.

Section 2 MEETINGS

The regular meetings of the School Board shall be held monthly at such time and place as determined by the School Board. Special meetings shall be called by the chairperson when the occasion demands. Notice of the special meeting shall be given to each School Board member. Five (5) members shall constitute a quorum at all Board meetings. Meetings shall be open to all constituent members as observers except in the following situations:

1. Meetings pertaining to the discussion of personal matters of finance
2. Matters of discipline
3. Executive session

Section 3 ORGANIZATION

The School Board shall organize itself at its regularly scheduled meeting in July. The School Board shall elect the following officers:

- Chairperson
- Vice Chairperson
- Treasurer

The chairperson and vice chairperson must be Board members; the treasurer need not be a Board member. If a non-Board member is elected treasurer, he/she must meet the qualifications as specified in Article III, Section 1, paragraph B of this constitution.

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The Board shall also elect from its members the standing committee chairpersons, except for the finance committee which shall be chaired by the treasurer.

The duties of each officer shall be as outlined in the By-Laws. Additional members from new constituent churches will be seated based upon the formula as stated in Article III, Section 1, A.

Section 4 DUTIES

The duties and powers of the School Board and its officers shall be as outlined in the By-Laws, the K-12 Constitution for the New Jersey Conference, the Education Code for the Columbia Union Conference Schools, and Education Policies Section of the Working Policy of the North American Division of the General Conference of Seventh-day Adventists.

Section 5 COMMITTEES

The School Board shall appoint the following standing committees and such special committees as it deems necessary. The principal of the school, the pastors of the constituent churches, the School Board chairperson, and the School Board vice chairperson shall be ex-officio members of all committees of the Board. All committees shall serve for the remainder of the fiscal year (July 1- June 30) for which they were appointed. All proposals approved by the committees shall be submitted to the School Board for consideration, approval, and implementation.

A. Standing Committees

The following committees shall be formed as part of the consolidated School Board to execute the functions of the Board.

1. Executive Committee

- a. Members shall be the School Board chairperson, vice chairperson and treasurer, the principal and the pastors of the constituent churches.
- b. The School Board chairperson shall chair this committee.
- c. This committee will serve as the primary authority in all emergency situations.
- d. This committee shall support the principal in the management of the school as needed.

2. Finance Committee

- a. The chairperson of the Finance Committee shall be the School Board treasurer. Other members shall include an additional Board member from each fully vested church and ex-officio members.

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- b. This committee shall prepare a tentative budget for the coming school year which must be submitted to the School board at its February meeting for its subsequent approval.

3. Long Range Planning Committee

- a. The chairperson shall be a School board member elected at the organizational meeting of the School board (See Article III, Section 3).
- b. This committee shall consist of seven (7) constituent members including the chairperson, three (3) of which must have been members of their churches for a minimum of three (3) years, plus ex-officio members.
- c. The purpose of this committee shall be to assist in the development of the strategic plans of the school which includes the management and guidance of future needs and requirements in the areas of plant, faculty, student body, constituency, services, finance, and other areas of interest.

4. Marketing Committee

- a. The chairperson shall be elected by the Board members during the organizational meeting (See Article III, Section 3).
- b. This committee shall consist of the chairperson, one (1) representative from each constituent church, one faculty member other than the principal, one (1) non-SDA parent of a student at the school and ex-officio members.
- c. The purpose of this committee shall be:
 - 1. To review the school's ability to effectively meet the needs of the community that it serves.
 - 2. To report such findings to the school administration.
 - 3. To serve as a contact liaison to report the development of the school to its various constituencies.
 - 4. To promote a positive image of the school to the community.
 - 5. To effectively communicate its mission to the community.

B. Special Committees

Special committees shall be appointed by the School Board when building programs are to be initiated or when major situations demanding special consideration(s) arise. The chairpersons of all special committees shall be members of the School Board and appointed by the Board. The qualifications for membership are the same as those for School Board members; in addition, members shall be chosen based on their special qualifications and needs of a committee.

1. Building Committee

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- a. The chairperson shall be a member of the School Board and appointed by the Board
 - b. This committee shall consist of seven (7) constituent members with at least one member from each vested or fully vested church.
 - c. This committee shall be responsible for organizing and implementing building programs.
- 2. Fundraising Committee**
- a. The chairperson shall be a member of the school board and appointed by the Board.
 - b. The fundraising committee shall consist of one (1) additional member from each constituent church, the Home and School Leader, and the ex-officio members.
 - c. The duties of this committee shall be to plan and institute special fundraising programs.
- 3. Constitution Amendment and Revision Committee**
- a. The chairperson shall be a member of the Board and appointed by the Board.
 - b. The committee shall consist of one additional member from each fully vested constituent church plus the ex-officio members.
 - c. The duties of this committee shall be as specified in Article VI, Section 1.
- 4. Other Special Committees**
- The School Board may establish other special committees for any reason it deems necessary, determine its membership, and define its scope of action.

ARTICLE IV

Finance

Section 1 BASIC PRINCIPLES

The following assumptions will form the basis for creating the budget:

All financing of the school shall be based upon the following formula (called the 1/3 principle):

- a. One-third (1/3) on the total tithes of all constituent churches through December 31
- b. One-third (1/3) on the total constituent church membership on December 31
- c. One-third (1/3) on the total number of students from the constituent churches enrolled as of December 31 of the current school year

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Once determined, the principle amount allocated to each constituent church shall remain unchanged for the fiscal year except when changes occur in one or more of the components of the 1/3 principle effecting the total distribution by more than 10%.

Section 2 OPERATING EXPENSES

A. Budget

1. The fiscal year shall be July 1 through June 30.
2. The budget shall be prepared by the Finance Committee and shall be presented to the School Board for its approval at the February School board meeting.
3. The budget shall be submitted to the constituency at its annual meeting for ratification after approval by the School Board.
4. Copies of the approved budget shall be sent to the New Jersey Conference Office of Education in a timely manner.
5. A revised budget will be prepared by the Finance Committee and presented to the School Board in September.
6. It is recommended that the school maintain a sum equal to 15% of the total operating budget for the current year in a reserve fund. If the 15% amount is exceeded the constituency shall decide at its annual meeting as to the disbursement or non-disbursement of excess reserve funds. Any expenditure of this fund shall require ratification by a simple majority vote in a properly constituted constituency meeting. The interest earned on this fund shall be applied to the current budget as an income item.
7. Any monies not expended or any surplus that exists at the end of the fiscal year shall be transferred to the reserve fund.

B. Income

Income shall be derived from the following sources:

1. 20% from tuition and fees
2. 20% from church subsidies
3. 60% from donations

1. **Tuition:** Tuition rates will be calculated as twenty percent (20%) of operating cost divided by ten (10) (the minimum number of enrolled students).

Constituent churches and the NJ Conference of Seventh-day Adventists subsidize Tranquility Adventist School to lower tuition costs for their members. Non-Adventist and non-constituent students will be charged additional tuition to reflect these subsidies:

- non-vested church members: 125% of the constituent charge

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- non-constituent and non-SDA members: 150% of the constituent charge.

A basic differentiation in tuition shall be made for families with more than one (1) child per family.

Financial aid assessment, as well as billing and tuition management, may be provided through a third-party service.

2. **Fees:** Fees may be charged for registration, books or other necessary items as decided by the School Board.
3. **Church Subsidies:** The total amount of the church subsidy shall be determined by the Finance Committee and based upon the 1/3 principle as stated in Article IV, Section 1. It shall be on a twelve (12) month basis beginning July 1. The school treasurer shall notify the church treasurers and pastors of the church subsidy amount as soon as approved by the School Board and subsequently confirm final approval by the constituency.
4. **Interest** earned by the reserve fund.
5. **Donations:** Disbursement of gifts, trusts, wills, endowment funds, etc., are all considered as income and will be disbursed at the approval of the School board and in accordance with the donor's wishes.

C. Disbursement

The treasurer shall be responsible for disbursement of all funds in the approved budget. Within the approved budget the treasurer shall have the authority, with approval of the School Board, to transfer funds from one non-salary budget item to another. The treasurer and/or School Board shall not disburse funds in any fiscal year in excess of 5% over the approved budget total for that fiscal year without the approval of the constituency.

Section 3 CAPITAL EXPENSES

- A. Capital expenses shall be defined as expenditures incurred for the building and its attachments. Furniture and equipment are excluded.
- B. Capital expenses shall not be included in the operating budget.
- C. If the funds are available in the reserve fund capital expenditures less than 5% of the operating budget may be disbursed by the Board. This is limited to once per fiscal year. Capital expenditures greater than 5% of the operating budget must be approved by the constituency.

All capital expenses shall be apportioned to the fully vested constituent churches, according to the 1/3 principle as stated in Article IV, Section 1 of this document, except in cases where funding is from a specific bequest.

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- D. Emergencies: For emergency capital expense the above procedure shall be waived, and an emergency constituency meeting shall be called to handle the emergency.
- E. When Indebtedness is Incurred:
 - 1. The constituent churches shall be responsible only for paying off their share of the principle and the interest as apportioned by the 1/3 principle for each year of the indebtedness.
 - 2. To insure meeting the monthly principle and interest payments the School Board shall present a minimum payment schedule to each of the constituent churches.
 - 3. A constituent church will be considered delinquent if it falls more than 60 days behind in its payments.
 - 4. The school treasurer shall keep sufficient funds on hand to assure regular minimum payments on the capital loan, to cover those months when low payments are received from the constituent churches.

Section 4 APPEALS

If a constituent church objects to its financial assessment for any school program as approved by the total constituency, it must notify the chairman of the School Board within thirty (30) days.

The following steps shall be taken toward resolution:

- A. Upon receipt of the written notice of objection, the School Board chairperson shall call a meeting of the dissenting church's representatives and the School Board for the purpose of resolving the objection. Any agreement resulting in a change of the assessment must be ratified by the constituency at a duly called meeting.
- B. In case of continued disagreement, the constituent church may appeal for a hearing before a specially convened committee chaired by the New Jersey Conference Superintendent of Schools of schools or his designate. This committee shall be comprised of the following:
 - 1. The New Jersey Conference Superintendent of Schools or his/her designate.
 - 2. One member from each constituent church, appointed by the representative church boards.
 - 3. One member to represent the appealing church in addition to the above.
 - 4. One member appointed by the School Board to represent the School Board.

The recommendations from this hearing shall be submitted to a specially convened constituency meeting for approval.

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Section 5 DELINQUENCIES

If a constituent church finds itself chronically unable to meet its monthly financial obligations to the school, it may appeal the assessment according to Article IV, Section 4. The School Board treasurer shall notify the church when its financial obligation is in arrears. When a church is in arrears over three (3) months without an appeal, the School Board shall convene a constituency meeting to resolve the issue.

ARTICLE V

Faculty

Section 1 PRINCIPAL AND TEACHERS

The duties and responsibilities of the principal and teachers shall be as outlined in the Columbia Union Education Code. It shall be understood that the principal and teachers shall be thoroughly familiar with the principles of Christian education and will subscribe to these in their daily conduct. The principal and teachers are expected to understand their professional relationships to the students, parents, school board, the New Jersey Conference, the constituent churches and their members.

Section 2 EMPLOYMENT

The employment, assignment and transfer of teachers is by action of the Executive Committee of the New Jersey Conference in conjunction with the Board of Education and with participation of the School Board. All salaries and benefits are established by the New Jersey Conference of Seventh-day Adventists in harmony with the North American Division Policies.

Section 3 CERTIFICATION

All teachers shall have a valid denominational teaching certificate as per the Columbia Union Education Code.

Section 4 CURRICULUM

The curriculum and courses of study shall be in accordance with the Education Policy Section of the Working Policy of the North American Division of the General Conference of Seventh-day Adventists, the Education Code for the Columbia Union Conference, Schools and the policies of the New Jersey Conference Department of Education. Teaching standards and testing shall be in harmony with these same codes.

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Section 5 DISCIPLINE

Teachers shall be responsible for the order and discipline of the students assigned to them. The principal shall be responsible for the general order and discipline of the school. Further regulations on discipline are outlined in the By-Laws.

Section 6 FACULTY MEETINGS

Faculty meetings shall be held at least once a month during the school year to discuss the educational matters or other school issues, or to determine the need for referral of specific matters to the School Board. Minutes of these meetings shall be recorded, and copies filed in the school office.

ARTICLE VI

Amendments and Revisions

Section 1 CONSTITUTION AND BY-LAWS

The Constitution Amendment and Revision Committee may propose changes to the Constitution or By-Laws as it deems necessary for the efficient operation of the school. A proposed change in the Constitution or By-Laws may also be submitted in writing to the committee by any member of any constituent church. In either case the procedures listed below shall be followed:

1. The proposed changes shall be first considered by the Constitution Amendment and Revision Committee.
2. All proposed amendments and revisions shall be approved by a simple majority of the Constitution Amendment and Revision Committee.
3. All proposed amendments and revisions as approved by the committee shall be submitted to the School Board for approval. A simple majority vote of the Board shall constitute an approval.
4. Final approval shall be by two-thirds (2/3) vote.

BY-LAWS

Section 1 SCHOOL BOARD DUTIES AND POWERS

A. Responsibilities to the New Jersey Conference Superintendent of Schools include

1. To counsel with the Superintendent in the employment, assignment, and transfer of teachers.
2. To counsel with the Superintendent in the designation of the school principal.

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3. To seek the Superintendent's counsel in a timely manner concerning any major developing problems in the school.
4. To abide by the school calendar as recommended by the New Jersey Conference Board of Education as much as possible and to request variances when needed by the August Education Executive Committee.
5. To present special request to the New Jersey Conference Superintendent of Schools.
6. To notify the Superintendent in advance of the dates of the regular School Board meetings.
7. To provide the Superintendent with the minutes of each meeting.

B. Responsibilities to the School and the Faculty include

1. To assure that the school's equipment and facilities are adequate for the educational needs of the constituency.
2. To support and uphold the faculty in the organization, administration, and discipline of the school.
3. To consider for approval the application for admission of all students.
4. To approve the Student Handbook before publication and distribution.
5. To regulate the use of the school plant for other than regular school functions.

C. Responsibilities to the Constituency include

1. To provide the necessary information on registration day to parents and guardians, including school policies, standards, fees, etc.
2. To have the school treasurer present on registration day to receive all funds.
3. To cooperate with and act in an advisory capacity to the Home and School Organization.
4. To arrange, when necessary, a suitable time and location for the individual church members and teachers to discuss any school misunderstandings or difficulties.
5. To provide an annual report and a proposed budget at the May constituency meeting and such periodic reports as may be deemed necessary.
6. To provide proper fiscal management in accordance with Article IV.

Section 2 OFFICERS

A. Duties and Powers of the Chairperson include

1. To call and preside at all meetings of the School Board.
2. To prepare and distribute the agenda in collaboration with the principal before each Board meeting.
3. To ensure that the decisions of the School Board are implemented.

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4. To report to the Board the state of affairs of the school, and to make recommendations to correct any irregularities.
5. To call special Board meetings.
6. To serve as the chairperson of the executive committee.
7. To regard highly the good name of the school, and to guard judiciously its reputation.
8. To initiate plans designed to develop and improve the school plant and its program.
9. To notify those committees selected by the Board of their duties.
10. To work in cooperation with the principal to ensure the efficient and effective operation of the school.

B. Duties of the Vice Chairperson include

1. To assist the chairperson with his or her duties and to assume the chairperson's functions in his or her absence.
2. To work in cooperation with the chairperson in carrying out all his or her duties.
3. To assume the duties of the secretary in his or her absence from the Board meeting.
4. To serve as a member of the executive committee.

C. Duties of the Treasurer include

1. To prepare and present financial and statistical reports, as requested by the Board.
2. To receipt all monies of the school.
3. To be accountable for all funds entrusted to him or her and to submit all accounts to the designated conference treasurer to his or her representative for auditing.
4. To ensure preparation of monthly statements to parents or guardians of students.
5. To maintain an account in a public bank, and deposit all receipts therein, and dispense all monies from this account when approved by the Board
6. To be present on registration day to see that proper financial arrangements are made for each student.
7. To serve as chairperson of the Finance Committee.
8. To serve as a member of the Executive Committee.
9. To prepare an annual financial report for submission to the Board, the constituency, and the New Jersey Conference Superintendent of Schools.
10. To attend all board meetings, committees of the Board of which he/she is a member.
11. To ensure that personal financial information of parents and students remains confidential.

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Section 3 FACULTY

A. Duties and Responsibilities of the Principal include

1. To manage the daily operation of the school.
2. To serve as a member of the Executive Committee.
3. To represent the school as its official spokesperson to the patrons of the school, to the School Board, to the press, and to the public.
4. To implement and enforce the policies stated in the student handbook.
5. To have the power to suspend from school, for up to three (3) days, any pupil guilty of gross misconduct or continual insubordination to the school organization and/or regulations. The right to expel is a power retained by the School board (as per the Columbia Union Education Code).
6. To call meetings of the faculty while they are under contract.
7. To bring grievances and recommendations of the faculty members to School Board meetings in a timely manner.
8. To cooperate with the Board in the protection, care and maintenance of all school property.
9. To maintain an adequate system of school records.
10. To be responsible for the rendering of all reports required by the New Jersey Conference Board of Education.
11. To act as a counselor to students, teachers, and parents.

B. Discipline

1. Discipline shall be in accordance with the principles found in the Holy Scriptures, the Spirit of Prophecy, and as specifically summarized in the book Education.
2. Teachers shall be responsible for the order and discipline of the children assigned to them.
3. The principal shall be responsible for the general order and discipline of the school.
4. The principal and faculty shall deal with minor routine disciplinary problems; but will refer major troublesome ones to the School Board.
5. Corporal punishment is prohibited by the New Jersey State Education Code.

Section 4 NON-DISCRIMINATION POLICY

This school admits qualified students regardless of any race, color, national, or ethnic origin to all of the rights, privileges, programs, and activities generally accorded or made available to students in the school. It does not discriminate on the basis of gender, race, color, national or ethnic origin in the administration of its educational policies, admissions policies, scholarship and loan programs, or other school-administered programs.

