

METHOD OF FILLING A BOARD VACANCY

The Yellowstone School Board must fill by appointment or special election any vacant seat on the Board. A vacancy may exist for any reason set forth in NDCC § 44-02-01 and must be filled within 60 days from the time the vacancy occurs. Upon receiving notice that a vacancy exists, the Business Manager shall notify the County Administrator.

The Board may fill the vacancy through the selection process outlined herein. If the Board chooses not to utilize this selection process, it must either appoint an individual to fill the vacancy by taking action at a regular or special meeting with a simple majority vote or call for a special election to fill the vacancy. The Business Manager shall certify any appointment made by the Board to the County Administrator of Schools.

Notice

If the Board chooses to fill the vacancy through a selection process, the Administrator shall publish notice of the vacancy and information on the application process as directed by the Board. The Board shall establish an application period, which shall not be less than 2 weeks nor more than 4 weeks and shall have clearly stated beginning and closing dates. The Board shall select a committee to review applications and make recommendations to the Board at the next regular or special meeting called for that purpose.

Interested individuals shall be required to complete an Application for Board Position. This application is subject to North Dakota open records laws and will be supplied to each board member.

Should the Board fail to receive any qualified applications for the board vacancy by the application deadline, the Board President shall identify a candidate or candidates for board appointment, and the Board shall convene at an open meeting to select the finalist using the procedure below.

Selection Process

At the next regular meeting of the Board or at a special meeting called for that purpose, the Business Manager shall report all candidates by name. The Board shall narrow the pool of applicants to two through a roll call vote, if necessary. The Board shall vote on the final pool of candidates through a roll call vote. The candidate receiving the simple majority of votes shall fill the board vacancy.

In the event of a tie, the Board will recast their votes by roll call vote, voting only on the candidates who were tied. Should a stalemate exist after the Board has voted 2 times, the Board shall table the appointment process until the next regular or special meeting called for that purpose. Should a stalemate exist after 45 days, the Board shall initiate the proceedings for holding a special election to fill the board vacancy.

Commencement of Duties

The newly appointed/elected board member shall be seated at the next board meeting following their appointment/election. The appointed/elected board member shall execute the Oath of Office in accordance with the deadline in law. A board member thus appointed/elected shall serve until the next regular board election and until a successor is elected and qualified.

The same orientation procedures shall apply for any appointed member as for a regularly elected member.

Complementing NDSBA Templates (may contain items not adopted by the Board)

- BBC-E, School Board Application Form
- BEB, New Member Orientation

End of Yellowstone Policy BBC Adopted: 5/15/2023