SCHOOL BOARD VACANCY REPLACEMENT

POLICY: 202.1
ADOPTED: 12/02/97
REVISED: 10/28/24

I. Purpose

The purpose of this policy is to establish a process for selection for replacement when a school board vacancy occurs.

II. General Statement of Policy

A vacancy occurs when a member dies, resigns, ceases to be a resident of the district or is unable to serve on the board and attend its meetings for not less than 90 days because of illness or prolonged absence from the district. Any other vacancy shall be filled in accordance with the provisions of Minnesota Statute 123B.095.

III. Guidelines

Any vacancy on the school board caused by a member dying, resigning, or ceasing to be a resident of the district must be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution and shall be effective 30 days following the adoption of the resolution. If the appointment becomes effective, it shall continue until an election is held.

All elections to fill vacancies shall be for the unexpired term. A special election to fill the vacancy must be held no later than the first Tuesday after the first Monday in November following the vacancy.

If a vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year.

If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, no special election is required.

The board may remove, for proper cause, any member or officer of the board and fill the vacancy. Such removal must be by a concurrent vote of at least four members, at a meeting of whose time, place, and object the charged member has been duly notified with the reasons for such proposed removal, and after an opportunity to be heard in defense against the removal. If removed, the board shall follow district policies and procedures to fill the vacancy.

IV. Board Member Appointment Due to Vacancy

Board Member Appointment is a mandated procedure used as a substitute for the election procedure. The appointment procedure is used to fill a position for a temporary period until an individual who has been elected by the voting public fills the vacancy. The appointment procedure provides no opportunity for the voting public but it does not preclude the opportunity of candidacy or application.

Therefore, it is the policy of the Board of Education of Independent School District 199 to seek applicants or candidates for board vacancies which are to be filled by appointment and to make appointments by action of a board quorum.

A. Notice of Vacancy

When the board becomes aware of a vacancy or a pending vacancy it should request that the media suggest publicly that individuals who are interested in filling the vacancy submit a letter to the Board of Education. The letter should include a resume.

1. The board's information to the media should include a due date for applications, a planned date for making the appointment, and an invitation to applicants to attend all meetings of the board.

2. The board should become acquainted with the qualifications of each applicant. The board and/or Personnel Committee will define the process for filling the vacancy if within the appointment parameters.

B. Appointment Procedure

The nomination and election procedures provided in ISD 199 Policy 202 School Board Officers titled V. Election of School Board Officers shall be used to make board appointments.

1. Nominations by board members shall be made prior to voting in each election round needed to complete the appointment process.

2. In the preliminary rounds when the number of nominees exceeds two, each Board member shall be granted a plural and equal number of votes to be cast for the nominees of their choice. The principle used to grant the number of votes to each board member shall be one vote less than the number of candidates being considered in that specific round. Board members, in casting their votes for applicants, in each round of voting are permitted to cast no more than one vote for each applicant, i.e. a plural

number of votes for an individual is not permitted. Each board member's ballot must contain the full allotment of prescribed votes. After each round of voting, the number of candidates to be considered in the following round shall be reduced by one person. In the event that one, and only one, candidate receives a vote from each voting member of the board the voting procedure shall be deemed closed. The nominee should be nominated by motion or resolution.

3. In each round each board member shall (1) write their name on the ballot, (2) shall complete their ballot, and (3) shall hand their ballot to the person designated to collect the ballots. Upon receipt of all the board members ballots, the person designated to collect the ballots shall read aloud the board member's name and the names of the candidates receiving that board member's votes. The votes shall be recorded and included in the board's official minutes. The board shall determine which candidates shall advance to the succeeding round.

4. When all but two candidates have been eliminated a final vote should be taken. Each board member is to be granted one vote to be collected by a roll call vote. The nominee receiving the higher number of votes should be nominated by motion or resolution.

V. Board Officer Appointment Due to Vacancy

A. Should the chair be unable to complete the term of office, the vice chair shall succeed to the position of chair and serve the remainder of the term.

B. Should the vice chair be unable to complete the term of office, the board chair shall declare the position vacant and the board shall conduct an election of school board officers.

C. Should the clerk be unable to complete the term of office, the board chair shall declare the position vacant and the board shall conduct an election of school board officers.

D. Should the treasurer be unable to complete the term of office, the board chair shall declare the position vacant and the board shall conduct an election of school board officers.

E. Should the vice chair and treasurer positions be combined as vice chair/treasurer, the board chair shall declare the combined position or positions vacant and the board shall conduct an election of school board officers.

VI. Board Committee Appointment Due to Vacancy

The school board committee assignments will be discussed at a work session following a board appointment. The committee assignments shall be acted on at the subsequent regular school board meeting.

Legal References: Minn. Stat. § 123B.09 Boards of Independent School Districts

Cross References: Policy 202 - School Board Officers
Policy 205 - Open and Closed Meetings
Policy 213 - School Board Committees