RESOLUTION FILLING SCHOOL BOARD VACANCY BY APPOINTMENT

WHEREAS, Minnesota Statutes, section 123B.09, subdivision 5b establishes that a school board must fill by board appointment at a regular or special meeting any vacancy on the school board other than a vacancy of an ill or absent member as set forth in subdivision 4. The appointment shall be evidenced by a resolution entered in the minutes and shall be effective thirty (30) days following adoption of the resolution.

WHEREAS, a vacancy exists in the office of school board member with a term expiring the first Monday in January 2027; and

WHEREAS, the vacancy occurred January 1 or afterwards in the third year of the vacant term or on any date during the fourth year of the vacant term;

THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 548, Pelican Rapids Public Schools, State of Minnesota, as follows:

Pursuant to Minnesota Statutes, Section 123B.09, subdivision 5b, (___insert name of appointee___) is hereby appointed to fill the vacancy and to serve the remainder of the unexpired term. The appointment shall be effective thirty (30) days after the adoption of this resolution unless a valid petition to reject the appointee is filed with the school district clerk pursuant to Minnesota Statutes, Section 123B.09, subdivision 5b(b) within that thirty (30) day period.

The motion for adoption of the Resolution was made by Member _____ , duly seconded by Member _____,

The vote on adoption of the Resolution was as follows:

Aye:

Nay:

Absent:

Whereupon, said Resolution was declared duly adopted by Independent School District No. 548,

Pelican Rapids Public Schools, State of Minnesota, this ____ day of _____ , 20__.

By:_____ By:_____

School Board Chair School Board Clerk

NOTES

1. Relevant Minnesota Election Laws Minnesota Statutes, Section 123B.09 (Boards of Independent School Districts)

2. If the appointment becomes effective, it shall continue for the remainder of the unexpired term or until an election is held under Minnesota Statutes, section 123B.09, subdivision 5b, as applicable.

3. An appointment made Minnesota Statutes, section 123B.09, subdivision 5b, paragraph (a) shall not be effective if a petition to reject the appointee is filed with the school district clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the district equal to at least five percent of the total number of voters voting in the district at the most recent state general election, and must be filed within thirty (30) days of the school board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements of this paragraph, the appointment by the school board is ineffective and the school board must name a new appointee as provided in paragraph (a).