

UNEXPIRED TERM FULFILLMENT

The Board of Education has the power to fill any vacancy, by a majority vote, which may occur on the Board by reason of death, resignation, removal from office or no longer a resident of the district, or refusal to serve, of any member or officer of the Board.

The following provisions apply for filling any vacancy on the Board:

1. A vacancy may be filled by election within 90 days after it occurs. If not so filled, the District (BOCES) Superintendent may appoint a competent person to fill the vacancy.
2. The Board may instead choose to appoint a qualified person to fill a vacancy with a majority vote.
3. The Commissioner of Education may order a special election for filling such vacancy. When such special election is ordered the vacancy shall not be filled otherwise.

If such vacancy is filled by a district election, it shall be for the balance of the unexpired term; but when such vacancy is filled by appointment, it shall be only until the next annual meeting of the district.

Ref: Education Law §§1709(17); 2113

1st Reading December 18, 2001

2nd Reading & Adoption January 29, 2002