

SCHALMONT CENTRAL SCHOOL DISTRICT

2150

() Required
() Local
(X) Notice

FILLING BOARD VACANCIES

Board Member Resignation

A member of the Board of Education may resign their office by filing their resignation with the District Clerk. The effective date of the resignation must be within 30 days after the date of filing.

Board Member Removal

A member of the Board of Education may be removed from office for willful violation or neglect of duty, or for willfully disobeying any decision, order or regulation of the Commissioner of Education. Notice of the charge and an opportunity for defense shall be provided at least 10 days before the designated charges hearing time; and the Board member shall be given a full and fair opportunity to refute the charges before removal. Official misconduct may be grounds for removal by the Board after a hearing.

A vacancy on the Board may also be declared if it is clearly established that a member has failed to attend three consecutive meetings without sufficient excuse or if a member has changed his/her legal residence from that of the school district.

Filling a Vacancy

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 from the school district, or refusal to serve, of any member or officer of the Board. The person so appointed in the place of any such member of the Board shall hold their office until the next annual election of Board members. The unexpired term of the office will then be filled by election.

The Board shall have the power to call a special school district election for the purpose of filling the unexpired term of office of a member of the Board.

Alternatively, the Commissioner of Education may order a special election for filling a vacancy. When such special election is ordered, the vacancy shall not be otherwise filled.

A Board member who has been removed from office shall be ineligible to appointment or election to any office in the District for a period of one (1) year from the date of such removal.

Ref: Public Officers Law §31(1)(h)
Education Law §§1709(17); 2111; 2113

Adoption date: March 9, 2021