

FILLING BOARD VACANCIES (PROCEDURE)

The board may fill a vacancy on the board by appointment or by special election. The Attorney General has ruled that a school board may interview candidates for appointment in executive session (AG Op. No. 92-23). The following suggested agenda language does not represent approval or disapproval of any action that may be taken by the board of education:

- Proposed executive session to interview candidates and to discuss appointment of a volunteer to the Yale Board of Education. 25 O.S. §307(B)(1) and 70 O.S. § 5-118.
- Vote to convene or not to convene in executive session.
- Vote to return to open session.
- Executive session minutes compliance announcement.
- Vote to appoint or not to appoint a volunteer to the position of board member of the Yale Board of Education.

If the board cannot reach a decision with regard to appointing an individual to fill the position within 60 days, the board is required to call a special election. (See BBB-E1 for a sample resolution calling for a special election.) The resolution calling for a special election must be delivered to the secretary of the county election board no fewer than 60 days preceding the election. However, the board is not required to wait until the next date the county is holding an election. It is at the discretion of the board as to when the election will be held, as long as the resolution is provided to the secretary of the county election board no fewer than 60 days prior to the date requested for the election. Individuals elected to fill a vacancy serve for the remainder of the unexpired term

If an individual is appointed to the seat, the appointee shall serve until the next regular election if the person is appointed to fill such vacancy in the first half of the term of office for the board position. If the person is appointed to fill such vacancy after the first half of the term of office for the board position, then the appointee shall serve for the balance of the unexpired term.

REFERENCE: 26 O.S. §13A-110

Adoption Date: August 10, 2015