

SOMERVILLE BOARD OF EDUCATION
Somerville, New Jersey

FILE CODE: 9113

☐ **Monitored**

☐ **Mandated**

☒ **Other Reasons**

Bylaw

FILLING VACANCIES

Vacancies Filled by the Board

The Somerville Board of Education shall fill vacancies created by the resignation, removal by the board for cause or death of a serving member, or when a member ceases to be a bona fide resident of the district. The vacancy shall be filled within the 65 days prescribed by law.

Procedures by which to select the persons to fill such vacancies may include advertisement of the vacancy in suitable local media, and interviews with interested parties conducted in public by the board acting as committee of the whole.

If a vacancy occurs on the board due to the recall of a board member, all procedures of the law shall be followed to fill that vacancy.

The board secretary shall promptly notify the president of a vacancy to be filled by the board; the president shall inform all other board members. The Board will give public notice of the vacancy and invite any qualified person to submit a written request for consideration of his/her candidacy for the vacancy. The board requires candidates submit a resume with their written request.

In considering candidates who have expressed an interest in a vacancy, the board of education may interview interested candidates in public session. The board will vote to appoint a candidate to a vacancy in public session. Vacancies filled by the board shall be by a majority vote of the remaining members of the board after the vacancy occurs.

If there are two or more vacancies, each vacancy will be filled by a separate election process. The first candidate who receives the votes of a majority of the remaining board members will be elected to the vacancy. In the event no candidate receives a majority vote of the remaining board members, a second election shall be conducted between the two candidates receiving the highest number of votes.

Vacancies Filled by the Executive County Superintendent

The executive county superintendent fills vacancies that the board fails to fill within 65 days, and those caused by the voters' failure to elect a member, or by the removal of a member because of lack of qualifications, some flaw in the election, or when a recount or contested election fails to elect a member. The executive county superintendent also appoints enough members to make up a quorum.

Adopted:	August 20, 1996
Revised:	April 28, 1998, October 16, 2001, January 22, 2008, October 21, 2008
NJSBA Review/Update:	April 2017
Readopted:	August 22, 2017

Key Words

Filling Vacancies, Board Vacancies

FILLING VACANCIES (continued)

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:6-56	Election of members of representative assembly; vacancies (educational services commission)
	<u>N.J.S.A.</u> 18A:12-1	Qualifications of board members
	<u>N.J.S.A.</u> 18A:12-3	Cessation of members
	<u>N.J.S.A.</u> 18A:12-7	Boards; appointments; vacancies (Type I district)
	<u>N.J.S.A.</u> 18A:12-15	Vacancies (Type II district)
	<u>N.J.S.A.</u> 18A:13-11	Vacancies in membership of board; filling (regional)
	<u>N.J.S.A.</u> 18A:38-8.1	Additional member on board of education in each sending district
	<u>N.J.S.A.</u> 19:27A-1 <u>et seq.</u>	Uniform Recall Election Law

Possible

<u>Cross References:</u>	*9010	Role of member
	9110	Number of members and terms of office
	9112	Elections/appointments
	9114	Resignation/removal from office
	*9270	Conflict of interest
	*9271	Code of ethics

*Indicates policy is included in the Critical Policy Reference Manual.