

BOARD MEMBER RESIGNATION OR REMOVAL FROM OFFICE-

According to the provisions of state law, a vacancy occurs on the School Board when an incumbent:

1. Dies;
2. Is removed from office;
3. Fails to qualify as provided by law;
4. Ceases to be a resident of the district, or representation area, where elected;
5. Is convicted of an infamous crime or of any offense involving a violation of the official oath of office;
6. Has a judgment obtained against them for breach of official bond;
7. Becomes incapable of attending to the duties of a board member;
8. Assumes the duties of an office incompatible with the duties of the board member;
9. Resigns and a successor is appointed and qualified as prescribed by law.

The resigning member will continue to serve in his or her official capacity as a Board member until the successor is appointed and qualified as prescribed by law.

When a vacancy occurs on the board for a reason allowed by law, the remaining board members are responsible for the appointment of a new board member. The new appointee will qualify as if elected, at or before the next school board meeting. He or she will serve until the next succeeding election, at which time a successor will be elected to serve the unexpired term.

Appointments to unexpired terms will be made by the board as follows:

1. An announcement of the vacancy will be published in the official newspaper.
2. The announcement will invite individuals to submit applications or nominations to the Board by a date set by the Board. An application form may be obtained at the school business office.
3. The Board will meet in executive session to discuss qualifications, interests, attitudes, and goals of the potential candidate.
4. The Board will interview potential appointees in executive session.
5. The appointment of the new member will be made by a majority of the Board members at an open meeting.
6. Action on the appointment will be included on the published agenda for the meeting.

Legal Reference: SD Constitution Article 16;
SDCL 3-8-22; 3-8-23; 3-8-24; 3-17-6; 3-17-7; 3-17-8; 3-17-9; 3-17-10; 3-17-11

Cross Reference:

Adopted: July 9, 2012