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| Book         | Ogdensburg City School District |
| Section      | 2000                            |
| Title        | FILLING BOARD VACANCIES         |
| Code         | 2150                            |
| Status       | First Reading                   |
| Last Revised | September 9, 2024               |

- Required
- Local
- Notice**

*NOTE: We are offering the following to replace the Board's current policy 1230 (Resignation and Dismissal). The following policy still contains the spirit and meaning of current policy 1230, but updates it to conform more closely to the provisions of Education Law §2111. Board members may resign pursuant to Education Law §2111, in which case the resignation must be submitted to the District (BOCES) Superintendent, or they may resign pursuant to the Public Officers (a more common practice) as presented in this policy.*

Board Member Resignation

Board member may resign at an annual District meeting (election/budget vote) or may file written resignation with District (BOCES) Superintendent. The resignation shall become effective once the District Superintendent endorses his/her approval and files it with the District Clerk.

A member of the Board of Education may resign his/her office by filing his/her 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. 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 his/her 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 within 90 days for the purpose of filling the unexpired term of office of a member of the Board. If a vacancy is not filled, the District (BOCES) Superintendent may fill the vacancy by appointment.

Ref:

Education Law §§1709(17); 2113

Adoption date: