

FILLING VACANCIES

Vacancies Filled by the Board

The Board 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.

Vacancies filled by the Board shall be by a majority vote of the remaining members of the Board after the vacancy occurs.

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.

Vacancies Filled by the 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.

Vacancies Filled by Special Election

If, in the annual school election, two or more qualified candidates receive an equal number of votes for the last seat, the vacancy is filled by a special election restricted to those candidates and held within 60 days.

<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	Removal 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 et seq.	Uniform Recall Election Law

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

Key Words

Filling Vacancies, Board Vacancies

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