

Book	Policy Manual
Section	POLICIES FOR THE BOARD, JUNE, 2023
Title	Copy of VACANCIES
Code	po0142.3
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0142.3 - **VACANCIES AND APPOINTMENT OF BOARD MEMBERS**

The position of a School Board member shall become vacant upon the occurrence of any one (1) of the following events:

- A. death of the member is certified by the clerk of the circuit court (I.C. 5-8-6 and I.C. 20-26-4-4.5)
- B. failure of a sufficient number of petitions for candidates for Board membership being filed for an election (I.C. 20-26-4-4)
- C. a member submits a written resignation from the Board to the clerk of the circuit court pursuant to I.C. 5-8-3.5-1(a)(4)
- D. a member is convicted of a felony (I.C. 5-8-1-38)
- E. a member's election or appointment is declared void by a competent tribunal
- F. the winner of an election fails to take the oath of office required by I.C. 20-26-4-2
- G. a member ceases to possess the legal qualifications for continuing to hold office
- H. a member ceases to be a resident of the Corporation (~~I.C. 20-23-4-30(e)~~) (i.C. 20-23-4-30(d)) (~~applicable to community school corporations only~~)
- I. a member is removed from office by action of the Circuit Court pursuant to I.C. 5-8-1-35
- J. a court enters an order removing a member from office based upon a conviction for bribery or official misconduct under I.C. 35-50-5-1.1
- K. a member is convicted of any crime against the laws of the United States where the sentence imposed exceeds six (6) months, (evading the Selective Service Act), engaging in conspiracy or an attempt to defraud the government of the United States, or seditious utterances in violation of the laws of the United States (I.C. 5-8-3-1)
- L. a member voluntarily became intoxicated within the business hours of the Board, or is in the habit of becoming intoxicated by the use of intoxicating liquors and is removed from office under I.C. 34-17 (I.C. 5-8-2-1)

Filling a Board Vacancy

A vacancy shall be filled by the remaining members of the Board within thirty (30) days after the vacancy occurs. If a tie vote occurs among the remaining members of the Board or between candidates for the Board under I.C. 3-12-9-4, or the remaining members of the remaining Board members fail to fill a vacancy on the Board within thirty (30) days after any vacancy occurs, the judge of the circuit court shall make an appointment to fill the vacancy. (I.C. 20-23-4-30(c)(1) & (2))

The Board shall seek qualified and interested persons from the community through the news media, word of mouth, and contacts with appropriate organizations.

All interested persons are to submit a notice of their interest, in writing, to the Superintendent.

The Board shall interview all interested persons to ascertain their qualifications.

The Board may interview no fewer than three (3) prospective appointees, unless there are fewer than three (3) interested persons, after meeting in executive session in accordance with State law and Board Bylaw 0167.2, to develop a list of prospective appointees, consider applications to review the qualifications of the prospective appointees, and make one initial exclusion of prospective appointees from further consideration.

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Legal

I.C. 5-8-1-35

I.C. 5-8-3.5-1

I.C. 5-14-1.5-6.1(b)(10)

I.C. 20-23-4-30