

POLICY

1995

1240

By-Laws

SUBJECT: Resignation and Dismissal

A Board member may resign at an annual District meeting at which time the resignation shall be automatically accepted. At other times, his/her resignation may be presented to the District Superintendent of the Supervisory District, who will endorse it and file it with the Clerk of the Board, or it may be presented directly to the Clerk of the Board who must then notify the State Board of Elections. It shall become effective as indicated in the letter or resignation or on the date of filing with the Clerk of the Board.

It shall be the duty of each member of the Board of Education to attend all meetings of the Board and, if any member shall refuse to attend three consecutive meetings of the Board after having been regularly notified and a satisfactory cause for each non-attendance is not shown, the Board will proceed to declare that office vacant.

A Board member may be removed from office by the Commissioner of Education for willful violation of any provision of law, neglect of duty or willfully disobeying any decision, order or regulation of the Commissioner.

In the event of death, resignation, refusal to serve or any disqualification of a Board member, the Board may appoint a new member to fill such a vacancy. If the Board chooses to fill the vacancy, it shall be only for a term ending with the next annual election of the School District at which time such vacancy shall be filled in a regular manner for the balance of the unexpired term. The Board, at its own option, may also elect to call a special election within ninety days to fill the unexpired term. If not so filled, the district superintendent of the supervisory district may appoint a competent person to fill the vacancy until the next annual election of the District. The Commissioner of education may order a special election for filling a vacancy. Then such special election is ordered, the vacancy shall not be filled otherwise.

A Board member who has been removed from office shall be ineligible to appointment or election to any office in the District for a period of one year from the date of such removal.

Education Law Sections 306, 1706, 1709(17)(18), 2103(2), 2109, 2112 and 2113
Public Officers Law Sections 30, 31 and 35

Adopted: 08/07/95
Revised: 12/01/97