Exhibit - Checklist for Filling Board Vacancy by Appointment

The Board fills a vacancy by either appointment or election. The Board uses this checklist for guidance when it must fill a vacancy by appointment. Some items contain guidelines along with explanations. For more information, see *Answers to FAQs Vacancies on the Board of Education*, published by a committee of the Illinois Council of School Attorneys (ICSA), and available at: www.iasb.com/policy-services-and-school-law/guidance-and-resources/vacancies-on-the-board.

☐ **Confirm that the Board must fill the vacancy by appointment.**

Guidelines	Explanation
Review Board Policy 2.70, *Vacancies on the School Board – Filling Vacancies*, to determine if a vacancy on the Board occurred and, if so, whether the successor will be selected by election or Board appointment. Consult the Attorney for the District as needed.	• Filling a vacancy by Board appointment or election depends upon when the vacancy occurred. • If a vacancy occurs with less than: (1) 868 days remaining in the term of office, or (2) 88 days before the next regularly scheduled election for the vacant office, the Board selects an appointee to fill the vacancy, no election to fill the vacancy is held, and the appointee serves the remainder of the term. • At all other times, an appointee serves until the next regular school Board election, at which election a successor is elected to serve the remainder of the unexpired term. See 105 ILCS 5/10-10.
In the event a seat on the board goes unfilled at an election, consult the Board Attorney to determine (1) how long the seat can be held over by the incumbent member, and (2) the process by which the Board will fill the seat.	• The School Code partially addresses the concept of a holdover seat (a board member remaining in office past their term); it states: "no elective office…becomes vacant until the successor of the incumbent of such office has been appointed or elected, as the case may be, and qualified." 105 ILCS 5/10-11.

☐ **Notify the Regional Superintendent of the vacancy within 5 days of its occurrence (105 ILCS 5/10-10).**

☐ **Develop list of qualifications for appointment of a person to fill vacancy.**

Guidelines	Explanation
At a minimum, a candidate must meet the following qualifications: • Be a United States citizen • Be at least 18 years of age Be a resident of Illinois and the District for at least one year immediately preceding the appointment • Be a registered voter • Not be a child sex offender • Not hold an incompatible public office	• While *The School Code* does not expressly set forth eligibility requirements for appointment to a Board vacancy, the Board may want to use the qualifications for elected Board members listed in 105 ILCS 5/10-3 and 5/10-10. • For guidance discussing other qualifications that the Board may want to consider, see IASB's *A School Board's Guide to Identifying, Recruiting, and Mentoring Future School Board Members*, available at: www.iasb.com/about-us/publications/pamphlets-and-tools/recruiting-

Guidelines	Explanation
• Not have a prohibited interest in any contract with the District • Not hold certain types of prohibited State or federal employment	school-board-members. • For guidance regarding conflict of interest and incompatible offices, See *Answers to FAQs, Conflict of Interest and Incompatible Offices* (ICSA), published at: www.iasb.com/services/legal-guidance/answers-to-faqs-regarding-conflict-of-interest-and.
• When additional qualifications apply, the following items may be included in the Board's list of qualifications: Meet all qualifications based upon the distribution of population among congressional townships in the District.	Board members of Unit 5 are subject to historical residential qualifications based on the distribution of population among congressional townships in the District (105 ILCS 5/10-11). **Note:** If a vacancy for an area of residence remains unfilled, a board must submit a proposition at the next general election for the election of a board member at large. 105 ILCS 5/10-10.5(c).

☐ **Decide who will receive completed vacancy applications.**

Guidelines	Explanation
• The President or designee will accept applications a) mark each application with method of submission, and the date and time of receipt; and b) hold all of them until after the deadline for submission has passed before distributing them to the Board. • The Board will discuss, at an open meeting, its process to review the applications and who will contact applicants for an interview.	Who accepts vacancy applications is at the Board's sole discretion. According to Board Policy 2.110, *Qualifications, Term, and Duties of Board Officers*, the President is a logical officer to accept the applications, but this task may be delegated to the Secretary or Board Clerk if the Board determines that it is more convenient. Who accepts the applications must be decided prior to posting the vacancy announcement.

☐ **Create Board member vacancy announcement.**

Guidelines	Explanation
Unit 5 Board Member Vacancy The District is accepting applications to fill the vacancy resulting from [*reason for vacancy*] of [*former Board member's name*]. The individual selected will serve on the School Board from the date of appointment to [*date*].	• The contents of a vacancy announcement, how it is announced, and where it is posted are at the Board's sole discretion. • The Board may want to announce the vacancy and its intent to fill it by appointment during an open meeting and post it on the District's website and in the local newspaper(s). • The length of the appointment depends upon when during the term of office the vacancy occurred. See 105 ILCS 5/10-10 and Board Policy 2.70, *Vacancies on the School Board – Filling Vacancies*, to determine the length of the appointment. Consult the Attorney for the District as needed.

Guidelines	Explanation
The District's Mission is [*insert current mission statement*]	• See Board Policy 1.30, *School District Philosophy*, for the District's mission statement that is specific to the community's goals.
Applicants for the Board vacancy must be: [*Board's list of qualifications*].	• See checklist item titled *Develop List of Qualifications for Appointment of a Person to Fill Vacancy* above.
• Applicants should show familiarity with the Board's policies regarding general duties and responsibilities of a Board and a Board member, including fiduciary responsibilities, conflict of interest, ethics and gift ban. • The Board's policies are available on the District's website: www.unit5.org • Applications may be obtained at [*location and address and/or website*] beginning on [*date and time*]. • Completed applications must be submitted by [*time and date*] to [*name and title of person receiving applications*]. • An incomplete application may result in an applicant not being considered.	• Listing this along with the Board's list of qualifications assists candidates in understanding a Board member's duties and responsibilities and may facilitate a better conversation during the interview process. See *Board policies:* 2.20*, Powers and Duties of the School Board;* 2.80*, Board Member Oath and Conduct;* 2.100*, Board Member Conflict of Interest;* 2.105*, Ethics and Gift Ban;* and 2.120*, Board Member Development*. See action item titled *Decide who will receive completed vacancy applications* above.

☐ **Publicize vacancy announcement by placing it on the District's website, announcing it at a meeting, and/or advertising it in the local newspaper(s).**

☐ **Accept and review applications from prospective candidates (see *Decide who will receive completed vacancy applications* above).**

☐ **Contact appropriate applicants for interviews (see *Decide who will receive completed vacancy applications* above).**

☐ **Announce to the public names of candidates that submitted applications and names of those selected to be interviewed.**

☐ **Develop interview questions.**

Guidelines	Explanation
• Why do you want to be a Board member? • What specific skills would you bring to the Board? • Give specific examples of your ability in interpersonal relationships and teamwork. • What do you see as the role of a Board member? • What have you done to prepare	• Interview questions are at the Board's sole discretion. • This list is not exhaustive, but it may help the Board tailor its questions toward finding a candidate who will approach Board membership with a clear understanding of its demands and expectations along with a constructive attitude toward the challenge. • The Board may also want to consider allowing an equal amount of time for each interview.

Guidelines	Explanation
yourself for the responsibilities and challenges of being a Board member? • Describe your previous community or non-profit experiences. • What areas in the district would you like to see the Board strengthen? • What is your availability to meet the time, training commitments, and other responsibilities required for Board membership? • Describe what legacy you would like to leave behind.	• See IASB's *A School Board's Guide to Identifying, Recruiting, and Mentoring Future School Board Members,* available at: www.iasb.com/about-us/publications/pamphlets-and-tools/recruiting-school-board-members. • A prospective candidate to fill a vacancy may raise other specific issues that the Board will want to cover during an interview.

☐ **Conduct interviews with candidates (interviews may occur in closed session pursuant to 5 ILCS 120/2(c)(3)).**

Guidelines	Explanation
• The President will discuss the following items with each candidate during the interview: • Introduce Board members to the candidate at the beginning of the interview. • Describe the Board's interview process, selection process, and ask the candidate if he or she has questions about the Board's process for filling a vacancy by appointment. • Describe the District's philosophy or mission statement. • Describe the vacancy for the candidate by reviewing the: (1) qualifications, and (2) general duties and responsibilities of the Board and the Board members, including fiduciary responsibilities, conflict of interest, ethics and gift ban, and general Board member development. • Begin asking the interview questions that the Board developed. • Ask the candidate whether he or she has any questions for the Board. • Thank the candidate and inform the candidate when the Board expects to make a decision and how the candidate will be contacted regarding the Board's decision.	• The President will lead the Board as it interviews prospective candidates. Board Policy 2.110, *Qualifications, Term, and Duties of Board Officers.* The President presides at all meetings (105 ILCS 5/10-13). • The Board may also want to consider allowing an equal amount of time for each interview.

☐ **Fill vacancy by a vote during an open meeting of the Board before the 60th day or notify the Regional Superintendent that the vacancy still exists (105 ILCS 5/10-10).**

☐ **Assist the appointed Board member in filing his or her statement of economic interest (5 ILCS 420/4A-105(c)).**

☐ **Announce the appointment to District staff and community.**

Guidelines	Explanation
The announcement should include: • The Board appointed [*appointee's name*] to fill the vacancy on the Board. • The appointment will be from [*date*] to [*date*]. • The Board previously established qualifications for the appointee in a careful and thoughtful manner. [*Appointee's name*] meets these qualifications and has demonstrated the willingness to accept the duties and responsibilities of a Board member. [*Appointee's name*] brings a clear understanding of the demands and expectations of being a Board member along with a constructive attitude toward the challenge.	• The contents of the appointment announcement and length of time it is displayed are at the Board's sole discretion. The Board may want to consider announcing the appointment during its meeting and also by posting it in the same places that it posted the vacancy announcement. • See Board Policy 8.10, *Connection with the Community*.

☐ **Administer the Oath of Office and begin orientation.**

Guidelines	Explanation
See *Board policy 2.80, Board Member Oath and Conduct.*	Each individual, before taking his or her seat on the Board, must take an oath in substantially the form given in 105 ILCS 5/10-16.5.
See Board Policy 2.120, *Board Member Development*, and Exhibit 2.120-E1*, Guidelines for Serving as a Mentor to a New School Board Member.*	Orientation assists new Board members to learn, understand, and practice effective governance principles. See the IASB *Foundational Principles of Effective Governance*, available at: www.iasb.com/training-and-events/training/training-resources/foundational-principles-of-effective-governance.

☐ **Inform IASB of the newly appointed Board member's name and directory information.** For instructions, see iasb.com/memberships-and-divisions/membership/member-database-instructions/how-to-update-your-district-roster.

CROSS REF.: 1.30, 2.20, 2.70, 2.80, 2.100, 2.105, 2.110, 2.120, 8.10
ADMIN. PROC.: 2.70-E2, 2.120-E1

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