

# *Document Status: Draft Update*

## **BOARD OF EDUCATION**

### **2:70 Vacancies on the Board of Education - Filling Vacancies**

#### Vacancy

Elective office of a Board of Education member becomes vacant before the term's expiration when any of the following occurs:

1. Death of the incumbent,
2. Resignation in writing filed with the Secretary of the Board,
3. Legal disability; including mental health,
4. Conviction of a felony, bribery, perjury, or other infamous crime or of any offense involving a violation of official oath or of a violent crime against a child,
5. Removal from office,
6. The decision of a competent tribunal declaring his or her election void,
7. Ceasing to be an inhabitant of the District or a particular area from which he or she was elected, if the residential requirements contained in the School Code are violated,
8. An illegal conflict of interest, or
9. Acceptance of a second public office that is incompatible with Board membership.

#### Filling Vacancies

Whenever a vacancy occurs, the remaining members shall notify the Regional Superintendent of Schools of that vacancy within five days after its occurrence and shall fill the vacancy until the next regular board election, at which election a successor shall be elected to serve the remainder of the unexpired term. However, if the vacancy occurs with less than 868 days remaining in the term or less than 88 days before the next regularly scheduled election, the person so appointed shall serve the remainder of the unexpired term, and no election to fill the vacancy shall be held. Members appointed by the remaining members of the Board to fill vacancies shall meet any residential requirements as specified in the School Code. The Board shall fill the vacancy within 60<sup>45</sup>PRESSPlus1 days after it occurred by a public vote at a meeting of the Board.

Immediately following a vacancy on the Board, the Board will publicize it and accept résumés from District residents who are interested in filling the vacancy. After reviewing

the applications, the Board may invite the prospective candidates for personal interviews to be conducted during duly scheduled closed meetings.

LEGAL REF.:

[105 ILCS 5/10-10](#) and [5/10-11](#).

CROSS REF.: 2:40 (Board Member Qualifications), 2:60 (Board Member Removal from Office), 2:120 (Board Member Development)

### **PRESSPlus Comments**

[PRESSPlus 1](#). Updated in response to 105 ILCS 5/10-10, amended by P.A. 101-67, eff. 1-1-20. Questions arise when fewer individuals run for seats on the board than are up for election. For more information, see f/n 8 of sample policy 2:70, available at PRESS Online by logging in at [www.iasb.com](http://www.iasb.com). **Issue 102, October 2019**