

The following resolution was moved by _____ and second by _____

RESOLUTION FILLING SCHOOL BOARD VACANCY BY APPOINTMENT

WHEREAS, a vacancy exists in the office of school board member with a term expiring the first Monday in January [insert year]; and

[NOTE: Pick ONE of the following three WHEREAS Clauses as it applies]

WHEREAS, the vacancy occurred more than ninety (90) days prior to the first Tuesday after the first Monday in November in the year the vacancy occurred in the first or second year of the vacant term;

[NOTE: Option 1 would result in a special election in the CURRENT year.]

WHEREAS, the vacancy occurred less than ninety (90) days prior to the first Tuesday after the first Monday in November in the first or second year of the vacant term;

[NOTE: Option 2 would result in a special election in the FOLLOWING year.]

WHEREAS, the vacancy occurred January 1 or afterwards in the third year of the vacant term or on any date during the fourth year of the vacant term;

[NOTE: Option 3 does not require a special election.]

THEREFORE, BE IT RESOLVED by the School Board of [insert name of district], Independent School District No. ____, State of Minnesota, as follows:

[NOTE: Pick ONE of the following two paragraphs as it applies to the choice above. The first paragraph should be selected for the first two WHEREAS Clauses above. The second paragraph shall be selected for the third WHEREAS Clause above.]

Pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b, (insert name of appointee) is hereby appointed to fill the vacancy and to serve until a successor is elected and qualified. The appointment shall be effective thirty (30) days after the adoption of this resolution unless a valid petition to reject the appointee is filed with the school district clerk pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b(b) within that thirty (30) day time period.

Pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b, (insert name of appointee) is hereby appointed to fill the vacancy and to serve the remainder of the unexpired term. The appointment shall be effective thirty (30) days after the adoption of this resolution unless a valid petition to reject the appointee is filed with the school district clerk pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b(b) within that thirty (30) day time period.

The vote on adoption of the Resolution was as follows:

Aye:

Nay:

Absent:

Whereupon, said Resolution was declared duly adopted.

By: _____

Board Chair

By: _____

Board Clerk