

Vacancies on the Board of Education - Filling Vacancies

2:70-E Exhibit - Checklist for Filling Board Vacancies by Appointment

The Board of Education 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 [Vacancies on the Board of Education](#), published by a committee of the Ill. Council of School Attorneys, and available at: www.iasb.com/law/vacancies.cfm.

Confirm that the Board must fill the vacancy by appointment.

Guidelines	Explanation
<p>Review Board policy 2:70, <i>Vacancies on the Board of Education - Filling Vacancies</i>, to determine if a vacancy on the Board occurred and, if so, whether the successor will be selected by election or Board appointment.</p> <p>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 <i>held over</i> by the incumbent member, and (2) the process by which the Board will fill the seat.</p>	<p>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, 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 election, at which election a successor is elected to serve the remainder of the unexpired term. See 105 ILCS 5/10-10.</p> <p>The School Code partially addresses the concept of a <i>holdover seat</i>; 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.</p>

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

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

Guidelines	Explanation
<p>At a minimum, a candidate must meet the following qualifications:</p> <ul style="list-style-type: none">• Be a United States citizen	<p>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.</p>

- Be at least 18 years of age
- Be a resident of Illinois and the

For guidance discussing other qualifications that the Board may want to consider, see IASB's *Recruiting School Board Candidates*, available at: www.iasb.com/training/recruiting.cfm

District for at least one year immediately preceding the appointment

For guidance regarding conflict of interest and incompatible offices, see [Conflict of Interest and Incompatible Offices FAQ](#)(ICSA).

- Be a registered voter
- Not be a child sex offender
- Not hold another incompatible public office
- Not have a prohibited interest in any contract with the District
- Not hold certain types of prohibited State or federal employment

When additional qualifications apply, the following items may be included in the Board's list of qualifications:

Board members of some community unit school districts may be subject to historical residential qualifications based on the distribution of population among congressional townships in the district or between the district's incorporated and unincorporated areas. 105 ILCS 5/10-11.

- Meet all qualifications based upon the distribution of population among congressional townships in the district.
- Meet all qualifications based upon the distribution of population among incorporated and unincorporated areas.

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), added by P.A. 100-800.

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

Guidelines	Explanation
The Board President will accept applications.	Who accepts vacancy applications is at the Board's sole discretion. According to 2:110, <i>Qualifications, Term, and Duties of Board Officers</i> , the Board
The Board will discuss, at an open meeting, its process to review the applications and who will contact applicants for an interview.	President is a logical officer to accept the applications, but this task may be delegated to the Secretary or Superintendent's secretary if the Board determines that it is more convenient. Who accepts the applications must be decided prior to posting the vacancy announcement.

□ **Create the Board member vacancy announcement.**

Announcement	Explanation
School District _____ Board Member Vacancy	The contents of a vacancy announcement, how it is announced, and where it is posted are at the Board's sole discretion.
School District is accepting applications to fill the vacancy resulting from [reason for vacancy] of [former Board member's name].	The Board may want to consider announcing the vacancy and its intent to fill it by appointment during its meeting and post it on the District's website and in the local newspaper(s).
The appointment will be from the date of appointment to [date].	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, <i>Vacancies on the Board of Education - Filling Vacancies</i> , to determine the length of the appointment.
School District is [School District's philosophy or mission statement].	See Board policy 1:30, <i>School District Philosophy</i> , 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 <i>Develop a list of qualifications for appointment of a person to fill the vacancy</i> 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 at [locations].	Listing this along with the Board's list of qualifications assists candidates in understanding a School Board member's duties and responsibilities and may facilitate a better conversation during the interview process. See Board policies: 2:20, <i>Powers and Duties of the Board of Education</i> ; Indemnification; 2:80, <i>Board Member Oath and Conduct</i> ; 2:100, <i>Board Member Conflict of Interest</i> ; 2:105 <i>Ethics</i>

Applications may be obtained at [location and address and/or website] beginning on [date and time].

and Gift Ban; and 2:120, Board Member Development.

See action item titled *Decide who will receive completed vacancy applications* above.

Completed applications may be turned in by [time and date] to [name and title of person receiving applications].

- Publicize the vacancy announcement including by placing it on the District's website.**
- 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).**
- Develop interview questions.**

Interview Questions	Explanation
Why do you want to be a Board member?	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.
What specific skills would you bring to the Board?	
Please give specific examples of your ability in interpersonal relationships and teamwork.	See IASB's <i>Recruiting School Board Candidates</i> , available at: www.iasb.com/training/recruiting.cfm
What do you see as the role of a Board member?	A prospective candidate to fill a vacancy may raise other specific issues that the Board will want to cover during an interview.
What have you done to prepare yourself for the challenges of being a Board member?	

Please 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.

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

Interview Plan

In each interview, the Board President will:

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.

Explanation

The Board President will lead the Board as it interviews prospective candidates. See Board policy 2:110, *Qualifications, Term, and Duties of Board Officers*. The president presides at all meetings (105 ILCS 5/10-13).

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.

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, amended by P.A. 101-68, eff. 1-1-20).

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.

Announcement

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.

Explanation

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.*

See Board policy 2:120,
*Board Member
Development,* and 2:120-
E, *Guidelines for Serving
as a Mentor to a New
Board of Education
Member.*

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.

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/principles_popup.cfm.

□ Inform IASB of the newly appointed Board member's name and directory information.

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