

# POLICY

2015

1240  
1 of 1

BY-LAWS

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**SUBJECT: RESIGNATION AND DISMISSAL**

Board members may resign at an annual District meeting, at which time the resignation shall be automatically accepted.

In districts under the supervision of a District Superintendent, a Board member may also resign by filing a written resignation with the District Superintendent. The District Superintendent shall approve the resignation and file it with the District Clerk, at which time the resignation will become effective.

It shall be the duty of each member of the Board of Education to attend all meetings of the Board. A vacancy on the Board may be declared if it is clearly established that a member has failed to attend three consecutive meetings without sufficient excuse or if a member has changed his/her legal residence from that of the school district.

A member of the Board of Education may be removed from office for willful violation or neglect of duty, or for willfully disobeying any decision, order or regulation of the Commissioner of Education. Notice of the charge and an opportunity for defense shall be provided. Official misconduct may be grounds for removal by the Board after a hearing.

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. When 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: 12/3/15