

## **SUBJECT: VACANCIES ON THE BOARD**

Should a vacancy in the membership of the Board of Cooperative Educational Services occur (as, for example, through the death, resignation, or removal from office of a member, or under such other circumstances in which the office would otherwise be deemed vacant under applicable law), the following procedures shall be followed to fill the vacancy:

- a) If the vacancy occurs on or after January 1st and prior to the fifth day preceding the date designated for submission of nominations of candidates, the Board of Cooperative Educational Services may fill such vacancy by appointment. Such position may be filled only by majority vote of the full Board membership. The individual so appointed shall hold office until the next annual election.
- b) If the vacancy occurs before January 1st in any school year, or, during the period beginning five days prior to the date designated for submission of nominations of candidates and ending on the last day of the school year, the vacancy shall be filled by special election, no later than 45 days after the date the vacancy occurred.

A member of the BOCES who refuses or neglects to attend three successive meetings of the BOCES of which he/she is duly notified, without rendering a good and valid excuse therefore to the other members of the BOCES, vacates his/her office by refusal to serve.

### **Board Member Resignations/Removal From Office**

#### Resignations

A member who resigns shall file a resignation with the District Superintendent of Schools who shall file same with the Clerk of the Board. Dependent school districts must file resignation with the District Superintendent. The BOCES can file with the Clerk only if desired.

#### Removal

A Board member or officer may be removed from office by the Commissioner of Education and/or under specific conditions as enumerated in law or regulation.

Education Law Section 1950(2-a)(f)  
Public Officers Law Section 30

Adopted: 7/10/02