

### UNEXPIRED TERM FULFILLMENT

When a vacancy occurs on the board due to the failure to elect a person to succeed a school board member whose term has expired, or an elected school board member's failure to qualify, or a school board member's resignation, the vacancy shall be filled by all school board members, including the vacating member.

When a vacancy occurs on the board due to death of a board members, is removed from the board pursuant to law, ceases to be a resident of the school district or representation area where elected, is convicted of any infamous crime or of any offense involving a violation of the member's official oath, has a judgment obtained against the member for breach of the member's official bond, is incapacitated and is unable to attend to the duties of the position, or assumes the duties of an office incompatible with the duties of a school board member, the remaining board members are responsible for the appointment of a new board member.

The new appointee will qualify as if elected, at or before the next school board meeting. The appointee will serve until the next succeeding election, at which time a successor will be elected to serve the unexpired term.

#### Legal References:

SDCL 13-8-23 (Events creating vacancy on board)  
SDCL 13-8-25 (Appointments to fill vacancies on board)  
SDCL 3-14 (Expiration of term of office)  
POLICY BBEA (Unexpired term fulfillment procedure)

1<sup>st</sup> Reading-11/17/2015  
2<sup>nd</sup> Reading-12/15/15  
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