

BOARD BYLAWS

BOARD MEMBER RESIGNATION/REMOVAL FROM OFFICE

Vacancies may occur on the board because of a member's resignation, death, his/her moving outside of the district or other reasons provided by law. Or a member may be recalled or removed from office for such reasons as specified in law.

A Board or Education director office shall be deemed to be vacant upon the occurrence of any one of the following events prior to the expiration of the term of office:

- (a) If for any reason a school director is not elected to a school director office by the eligible electors as may be required at a regular biennial school election;
- (b) If the person who was duly elected or appointed fails, neglects, or refuses to subscribe to an oath of office as provided in section 22-31-125 within ten days after receipt of the certificate of election or appointment (C.R.S. 22-31-129);
- (c) If the person who was duly elected or appointed submits a written resignation to the board of education and such resignation has been duly accepted by the board of education; The resignation shall take effect at the time specified in the notice and upon acceptance by the board;
- (d) If the person who was duly elected or appointed is or becomes during the term of office a nonresident of the school district in which the person was elected or, in the event the district has a director district plan of representation or a combined director district and at-large plan of representation, if the director is or becomes during the term of office a nonresident of the director district which the director represents unless the director has been elected at the time of or prior to the adoption of a director district plan of representation or a combined director district and at-large plan of representation by the electors or prior to a revision and re-designation of director district boundaries;
- (e) If the person who was duly elected or appointed is found guilty of a felony;
- (f) If a court of competent jurisdiction voids the officer's election or appointment or removes the person duly elected or appointed for any cause whatsoever, but only after his right to appeal has been waived or otherwise exhausted;
- (g) If a court of competent jurisdiction determines that the person duly elected or appointed is insane or otherwise mentally incompetent, but only after the right to appeal has been waived or otherwise exhausted, and a court enters, pursuant to part 3 or part 4 of article 14 of title 15 or section 27-10-109 (4) or 27-10-125, C.R.S., an order specifically finding that the insanity or mental incompetence is of such a degree that the person is incapable of serving as a school director;
- (h) If the person who was duly elected or appointed does not attend three consecutive regular meetings of the board of education, unless the board by resolution shall approve any additional absences or unless the absences are due to a temporary mental or physical disability or illness;
- (i) If the person who was duly elected or appointed dies during the term of office.

Upon request by the absent board member, the board shall take action to determine if the absence is excused. The absence shall be considered excused unless two-thirds of the entire board votes to treat such absence as not excused no later than the first regular board meeting which begins at least 72 hours after such request.

In case a director fails to take the oath within the required period, the office shall be deemed vacant, and thus vacancy shall be filled in the same manner as other vacancies in the office of a director.

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Statutory

Adopted February 1995
Revised October 2003

LEGAL REFS.: C.R.S. 22-31-129

CROSS REF.: BE/BEA/BEB/BF-E School Board Meetings/Regular Meetings/Special Meetings/Work Sessions