

VACANCIES ON THE BOARD

BBE

APPOINTMENT:

A local school board shall fill vacancies on the Board by appointment, except where an election to a two-year term is required as set forth below. The Board must fill the vacancy within 30 days after it occurs, or the county legislative body or municipal legislative body shall fill the vacancy by appointment.

Utah Code Ann. § 20A-1-511(1) (2017)

INTERIM APPOINTMENT FOLLOWED BY ELECTION FOR TWO-YEAR TERM:

In the event a vacancy on the Board occurs, or a letter of resignation is received by the Board, at least 14 days before the deadline for filing a declaration of candidacy for the Board, and at least two years of the vacated term will remain after the first Monday of January following the next school board election, then the vacancy on the Board shall be filled by an interim appointment for the remaining unexpired term, which term shall be followed by an election to fill a new two-year term for that Board position.

Utah Code Ann. § 20A-1-511(2) (2012)

SCHOOL BOARD TO PROVIDE NOTICE OF PENDING APPOINTMENT AND INTERVIEW CANDIDATES:

Before appointing an individual to fill a vacancy, the Board shall give public notice of the vacancy and the pending appointment. This public notice shall:

1. Be given at least two weeks before the Board meeting where the vacancy will be filled;
2. Inform the public of:
 - a. The date, time and place of the Board meeting at which the vacancy will be filled; and
 - b. The date by which and individual to whom an interested individual may submit his or her name for consideration for appointment to fill the vacancy and any deadline for that submission.

In an open meeting, the Board shall interview each individual whose name was submitted for consideration and who meets the qualifications for office regarding the person's qualifications.

Utah Code Ann. 20A-1-511(3) (2017)

APPOINTMENT PENDING EFFECTIVE RESIGNATION OF BOARD MEMBER

Where a Board vacancy will occur because a member has submitted a letter of resignation to the Board, the Board may make an appointment to fill that vacancy before the vacancy occurs (before the effective date of the resignation). However, the individual so appointed may not take office until on or after the day on which the vacancy occurs. After the Board has made the appointment to fill the pending vacancy, the member may not rescind the letter of resignation, which led to the appointment.

Utah Code § 20A-1-511(4) (2017)