

Sparta Area School District

Article 103 – Board Vacancy

In the event a vacancy occurs on the Sparta Board of Education due to health, resignation, removal from office of the incumbent, the ceasing to be a resident of the District, or other just cause as outlined by state law (except recall), the vacancy shall be filled by appointment by the remaining members according to Wisconsin Statute 17.26.

To fill a vacancy on the Board, the remaining members shall appoint a replacement after considering the qualifications of qualified electors who have declared an interest in the position. The appointee shall serve the portion of the unexpired term as prescribed by law.

The vacancy shall be announced in the local newspaper for a minimum of two weeks prior to the deadline for applications. If one or no applications are received by the deadline, the deadline may be extended by a majority vote of the Board. If more than six candidates apply for the vacancy, the Board as a whole may review the applications and select six candidates for consideration by the full Board.

The Board, at its discretion, may schedule interviews with the candidates. All applicants will be notified of their interview time and given an equal opportunity to make statements on their behalf and answer Board questions. If a candidate is unavailable during the designated meeting, the candidate may choose another person to represent himself/herself. Applicants will be requested as a courtesy to not be present while other applicants are being interviewed. Interviews of the candidates shall be done in open meeting unless the discussion involves financial, medical, social or personal histories or disciplinary data that, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of the person.

Voting on the candidates shall be done in an open meeting by roll call, voice vote, or signed ballot. The vote of each Board member must be recorded in the minutes in keeping with state law. The candidate receiving the majority vote of the existing Board will be deemed the successful candidate. If the first choice applicant does not wish to accept the appointment, the Board will meet to decide how to proceed.

If the remaining Board members are unable to agree upon a candidate using the procedure outlined above within 60 days of the date on which the vacancy first exists, the following procedure will apply:

1. If an appointment for a vacancy is not made due to a voting deadlock of the Board at the conclusion of the initial 60 day period following the date on which the vacancy first exists, the final selection will be made at the first meeting of the full Board (following the initial 60 day period) by a random drawing of the candidates tied with the highest number of votes during the most recent attempt.
2. If the first solution does not apply for any reason, the Board President will appoint a candidate to fill the vacancy at the first meeting of the full Board which follows the initial 60 day period.

The appointee will receive confirmation in writing and unsuccessful applicants will also be notified in writing of the Board's (or President's) decision. The candidate appointed to the vacancy upon being notified of the selection shall be deemed to have accepted the appointment

unless, within five days thereafter, the person files with the Board Clerk or Board President a written refusal to serve. Pending acceptance and filing the oath of office and Campaign Registration Statement, the appointed Board member shall be seated at the next meeting of the Board. The Board President will assign the appointee to a standing committee and other delegated responsibilities as necessary. Within 10 days after the appointment, the Board Clerk will report the name and post-office address of the new member to the clerk and treasurer of each municipality having territory in the school district.

Legal Reference: Wis. Statutes 17.26; 2015 Wisconsin Act 63
Wis. Statutes 11.0101(1)(c), 11.0202(1)(a) Wisconsin Act 117

Cross Reference: Example School Board Vacancy Notice (Appendix)
Application for Appointment to Fill School Board Vacancy (Appendix)

Approved: March 25, 2003

Revised: December 22, 2015
February 23, 2016