



Policy: 3.05

SUBJECT: **UNEXPIRED TERM FULFILLMENT**

Supersedes: BBE
Effective: September 8, 2008
Page: 1 of 2
Approved by: Detroit Board of Education

1.0 Policy

If a vacancy occurs on the Board, the law establishes that it will be filled for the remainder of the unexpired term by a majority vote of the remaining Board members. However, the Board may not fill an at-large vacancy later than 60 days before a primary election at which at-large Board members will be nominated, or a voting-district vacancy later than 60 days before a primary election at which voting-district members will be elected.

A person appointed to fill a vacancy must meet residency requirements for the particular opening (at-large or voting-district), as well as other qualifications set by law.

Procedures

The Board will publicly announce any vacancy on the Board and invite applications from qualified persons interested in Board service. The Board, or the whole committee, will review applications and interview those persons who appear to be particularly well qualified.

The following voting procedures will be used at a special meeting called by the President to fill the vacancy and conducted in accordance with Robert's Rules of Order, Revised:

1. The president will call for nominations. Any member may nominate. A nomination does not require a second.

2. Nominations will remain open for a sufficient time to permit all members who wish to make a nomination to do so. After such reasonable time, the president will declare nominations closed or will entertain a motion that nominations be closed, if such formality is deemed necessary. Nominations, once closed, will remain closed unless a motion is duly made to reopen nominations. Such a motion is undebatable and may carry by a simple majority vote.

3. Voting will be by roll call and will continue until a nominee has a majority of the remaining members of Board.
4. The votes will be tallied after each roll call and the results of the tally will be announced. If no nominee has the above majority after the first roll call, the president will instruct the secretary to commence a new roll call without deleting the names of any nominee or adding new nominees.
5. After the fifth roll call, if no nominee has received a majority vote of the remaining members, the president will ask for a motion to reduce the number of nominees to the two highest vote-getters on the fifth roll call. Such a motion will be adopted if carried by a majority vote of the remaining members.
6. In the event of a tie for the position of second highest vote getter on the fifth roll call, a sixth roll call will be conducted and the president will then ask for a motion to reduce the number of nominees to the two highest vote-getters on the sixth roll call.
7. In the event the sixth roll call also results in a tie for the position of second-highest vote getter, the chairman will ask for a motion to permit a runoff for the second position. Such motion will be adopted if carried by a majority vote of the remaining members.
8. In the event a motion (see 5 and 7) to reduce the nominees to the two highest vote-getters is not made, or if made, is not carried, the president will instruct the secretary to continue successive roll calls until a nominee has received a majority vote of the remaining members.

Attachments to Policy 3.05: None

See also: None

Legal References: MCLA § 380.411a
MCLA § 380.412a

Labor Contract References: None