

BOARD MEMBER OR DISTRICT OFFICER RESIGNATION

Category: Optional

Any citizen who files for and seeks election to the Mascoma Valley Regional School Board or other District office should do so with full knowledge of and appreciation for the investment in time, effort, and dedication expected for District officers and that the citizen's intent is to serve a full term of office.

However, if, for reasons of health, change in domicile, or any other compelling reason a Board member or other officer does decide to terminate service, the Board requests earliest possible notification of intent to resign so that the Board may plan appropriately for filling the vacancy.

- A. Tender of Resignation.** Ideally, a board member intending to resign will provide a written letter of resignation to the School District Clerk, c/o the Superintendent, with a copy to the School Board Chair (or Vice Chair if the Chair is the one submitting the resignation). Alternatively, a board member may submit a letter of resignation at a meeting of the Board. In the event that a board member tenders a resignation orally, outside of a public meeting, the Board member will be requested to confirm the resignation in writing, and submit the same as stated above.
- B. Board Acknowledgement.** Whether submitted in writing or not, the Board shall address the tendered resignation either at the meeting at which the tender is received or at the next public meeting of the Board. There is no need for the Board to formally “approve” the resignation, as a Board may not compel a member to serve a full term by way of a negative vote on a motion to “accept”. However, the Board, through the Chair or presiding officer, should acknowledge the tendered resignation at the meeting and assure that the same is reflected in the minutes.
- C. Effective Date.** The letter/statement of resignation should indicate when the resignation will be effective. If the tendered resignation does not state a date, then the letter shall be deemed to express an intent that the resignation take immediate effect. Also, pursuant to RSA 652:12, some vacancies (e.g., moving out of the district, conviction of a felony while in office, etc.) arise by operation of law upon a specific occurrence, and therefore are effective upon the occasion of that occurrence.
- D. Withdrawal of a Resignation.** A tendered resignation, whether made in writing or orally, may not be withdrawn after the Board’s acknowledgement without the consent of a majority of remaining Board members upon vote taken in a public meeting prior to a successor being appointed.
- E. Copies to District Clerk.** The Superintendent shall as soon as practicable assure that the District Clerk is provided with a copy of any letter of resignation and/or of the minutes of the meeting at which the resignation is acknowledged by the Board.
- F. Filling of Vacancy Upon Resignation.** Board member vacancies shall be filled in accordance with applicable law.

Legal References:

RSA 652:12, Vacancy (applicable by way of RSA 652:1, Elections).

RSA 671:33, School District Elections: Vacancies

Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

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