

ELLSWORTH SCHOOL DEPARTMENT

SCHOOL BOARD-DECLARED VACANCY

Any vacancy on the School Board will be declared in accordance with applicable provisions of the Charter of the City of Ellsworth.

The position of School Board member will become vacant upon non-acceptance, resignation, death, or failure to qualify for office.

Section 2.10 of the Charter of the City of Ellsworth provides that determination of vacancy may be based on a finding of abandonment of office, ineligibility, misconduct, or conduct in violation of the Code of Ethics.

A determination of vacancy will require a super-majority (2/3) vote of the full Board.

Members of the School Board are expected to attend all regular meetings of the Board and subcommittees to which they are appointed. Excessive unexcused absenteeism may be considered evidence of misconduct or abandonment of office.

When a member must be absent from a regular meeting of the School Board for any reason, that member shall contact the Board Chair and request to be excused from the meeting; if the Chair must be absent, he/she shall contact the Vice Chair. The Chair shall determine whether or not the request shall be granted, unless otherwise ruled by a majority of the Board. The minutes of each meeting shall reflect the names of the members present, those absent with excuse (if any) and those absent without excuse (if any).

The School Board shall take the following action when a member is absent without excuse.

- A. After two consecutive unexcused absences from regular and subcommittee meetings, the member shall be notified in writing by the School Board informing him/her that a third consecutive unexcused absence from a regular and subcommittee meeting will constitute cause for the School Board to consider declaring his/her seat on the School Board vacant.
- B. After three consecutive unexcused absences from regular and subcommittee meetings, the School Board shall notify said member in writing that the School Board will consider declaring his/her seat vacant at the next regular and subcommittee meeting of the School Board or at a special meeting called for the purpose of considering this matter.
- C. At the meeting where the declaration of a vacancy, in accordance with this policy, is being considered, the School Board member who is the subject of the action shall be provided the opportunity to present his/her reasons why the School Board should not declare a vacancy.

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- D. Following the deliberation outlined in sections B and C of this policy, the School Board shall vote whether or not to declare a vacancy.
- E. Should a vacancy be declared in accordance with this policy, the Board will appoint a person to fill the position until the next regular City election. At that election, a Board member will be elected to serve the remainder of the unexpired term of the vacated position.
- F. An absence for any of the following reasons shall be routinely considered an excused absence: illness of the member or members of his/her immediate family, death in the member's family, a short-term family obligation, or an unavoidable commitment related to the member's employment (so long as such a commitment is not of the type which prevents the member from attending on a regular basis). Absences for reasons other than those identified above shall be considered by the School Board on an individual basis.

Legal Reference: 20-A MRSA §2301
Charter of the City of Ellsworth Article II§2.1; Article IX § 9.03

Adopted: April 8, 2014

Amended: December 14, 2017

Amended: October 14, 2025