

TITLE 1: GOVERNMENT
DIVISION 2: EXECUTIVE BRANCH

§ 2263. Board of Education: Vacancies.

(a) Any vacancy on the board caused by the death, resignation, or removal of an appointed member shall be filled in the same manner as the original appointment to serve the unexpired term of that vacancy. Upon a vacancy on the board caused by the death, resignation, or removal of an elected member, the Governor shall appoint the candidate who received the next highest number of votes in the same election and district where the former board member was elected regardless of the time remaining in the term of office.

(b) If no candidate is interested in filling the vacancy or no person is certified as a candidate during a general election, a vacancy on the Board of Education shall be filled by a special election. The Commonwealth Election Commission shall conduct a special election to fill such a vacancy within 30 days after a vacancy on the board is declared or the general election results are certified if no person is certified as a candidate during a general election.

(c) Elected members who are employed by the Public School System, shall resign from their employment upon certification that they are duly elected as a member of the Board of Education by the Board of Elections.

(d) In the event the appointed Teacher Representative is not able to serve the complete term, or resigns, the Commissioner shall submit the name of the second candidate in the last run-off election to the Governor to appoint as the new Teacher Representative to complete the remaining period of the term.

Source: PL 6-10, § 1 (§ 1520); (c) enacted by PL 19-07 § 3 (Sept. 23, 2015), modified; amended by PL 22-04, § 3 (Aug. 20, 2021), modified.

Commission Comment: See 1 CMC § 6502(d).

The Commission designated the leading paragraph as (a) and designated the paragraph from PL 19-07 as (b), pursuant to 1 CMC § 3806(a). The Commission rearranged the sections of PL 19-07 to fit harmoniously within the code pursuant to 1 CMC § 3806(b), and accordingly renumbered the sections pursuant to 1 CMC § 3806(a): PL 19-07 Section 3, subsection “b.” was codified at 1 CMC § 2263(b).

In codifying PL 22-04, the Commission omitted drafting marks pursuant to 1 CMC § 3806(g).