

SCHOOL BOARD BYLAWS

MEMBERS

§2-5 Election, Term of Office, and Vacancy in OfficeA. Election

School Board members are elected to the Loudoun County School Board. One member is elected from each election district in the county and one member is elected from the school division at large.

The election of School Board members shall be held to coincide with the election of the Loudoun County Board of Supervisors in November. The term of office of School Board members is the same as members of the Loudoun County Board of Supervisors. The term of office for all School Board members shall begin on January 1 following their election.

A vacancy in the office of School Board member is filled by appointment by the School Board to fill the office until the vacancy is filled by a special election or general election.

Any person elected, reelected, appointed or reappointed as a member of the School Board shall:

(a) be furnished with copies of the following by the Superintendent or Division Counsel within two weeks following election, reelection, appointment or reappointment:

1. The Virginia Freedom of Information Act, §§ [2.2-3700](#) to [2.2-3714](#);
2. The Virginia Public Records Act, §§ [42.1-76](#) to [42.1-91](#);
3. The State and Local Government Conflict of Interest §§ [2.2-3100](#) to [2.2-3131](#); and
4. Such other provisions of the Code of Virginia as shall be directed by the General Assembly.

As all of the foregoing may from time-to-time be amended or reenacted by the General Assembly; and

(b) read and become familiar with the provisions thereof.

SCHOOL BOARD BYLAWS

MEMBERS

§2-5 Election, Term of Office, and Vacancy in Office (continued)B. Procedure to Fill Vacancy in School Board

Within fifteen (15) days of the occurrence of a vacancy, the School Board shall petition the circuit court to issue a writ of election to fill the vacancy. However, no petition is necessary if the general election at which the vacancy is to be called is scheduled in the year in which the member's term expires. Further, no election to fill a vacancy shall be held if the general election at which it is to be called is scheduled within sixty (60) days of the end of the term of the office to be filled.

Within forty-five (45) days of the vacancy, the remaining members of the School Board must appoint a qualified voter of the election district in which the vacancy occurred to fill the vacancy. As soon as practical after the vacancy occurs, the School Board shall place an advertisement in a newspaper(s) having a general circulation within the school division, seeking qualified candidates. The School Board shall set a deadline for the submission of applications to fill the vacancy. Applications shall include a description of the individual's qualifications and any other pertinent information. These applications shall be used to verify with the Registrar's office that the applicants are qualified voters of the district.

At least seven (7) days prior to the appointment by the School Board, the School Board must hold a public hearing to receive the views of citizens. Notice of this hearing must be given at least ten (10) days prior to the hearing by publication in a newspaper having a general circulation within the school division. No person whose name has not been considered at the public hearing shall be appointed to fill the vacancy.

At the public hearing, the School Board will receive public comment on the applicants and their qualifications. After public comment, each qualified applicant shall be given five (5) minutes to address the School Board. The School Board will have the opportunity to ask questions of the applicants, each of whom will be asked the same questions.

At the conclusion of the public hearing, the School Board shall establish a meeting date to select an applicant to fill the vacancy, which date shall be within forty-five (45) days of the vacancy. All qualified applicant names will be submitted for nomination. The applicant names will be called in random order, with each name entered in the School Board minutes as a separate motion. Each Board Member shall be limited to one vote per motion. The first applicant to achieve a majority vote from the existing School Board members shall be appointed to fill the vacancy. The appointed candidate shall remain in the position until the vacancy is filled by special or general election. The individual appointed to fill the vacancy must qualify within thirty (30) days of their appointment as provided in [§15.2-1522-23](#) of the Code of Virginia (1950), as amended.

(continued)

SCHOOL BOARD BYLAWS

MEMBERS

§2-5 Election, Term of Office, and Vacancy in Office (continued)

If a majority of the School Board members cannot agree or do not act, the judges of the circuit court shall make the appointment.

If the vacancy occurs within 120 days prior to a general election, the election must be scheduled for a second ensuing general election.

Legal Reference: Code of Virginia §§[2.2-3702](#), [42.1-76.1](#), [2.2-3100.1](#), [15.2-1522-23](#), [22.1-57.3](#), [24.2-226](#), [24.2-227](#), [24.2-228](#)

Adopted: 10/12/76

Revised: 8/27/85, 6/22/93, 6/25/96, 9/28/99, 4/09/03

Current Revision: 5/25/10