

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION CALLING SPECIAL ELECTION TO FILL SCHOOL BOARD  
VACANCY**

WHEREAS, as of November 2, 2020, a vacancy will exist in the office of School Board member with a term expiring the first Monday in January, 2023;

WHEREAS, the vacancy has occurred more than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term of the seat;

WHEREAS, under these circumstances, Minn. Stat. § 123B.09, subd. 5b, requires that the vacancy be filled by special election;

WHEREAS, when a future vacancy becomes certain to occur and the vacancy must be filled by special election, Minnesota Statutes, section 351.055, authorizes the School District to begin procedures leading to the special election so that a successor may be elected at the earliest possible time;

WHEREAS, holding an election in conjunction with the general election on November 3, 2020, will permit this vacancy to be filled at the earliest possible time; and

WHEREAS, a person elected at the special election held pursuant to this resolution shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office.

NOW THEREFORE, BE IT RESOLVED by the School Board of Independent School District No. 492, State of Minnesota, as follows:

1. A special election shall be held to elect one (1) individual to fill a vacant seat on the School Board, the term of which shall expire on January 2, 2023.
2. The clerk shall accept affidavits of candidacy for this office between 84 and 98 days before the date of the special election.
3. The special election shall be held on Tuesday, the 3rd day of November, 2020, between the hours of 7:00 o'clock a.m. and 8:00 o'clock p.m.

The precincts and polling places for this election are those precincts and polling places designated by the cities, towns, or counties located in whole or in part within the School District for the statewide general election.

4. The clerk is hereby authorized and directed to cause written notice of said special election to be provided to the county auditor of each county in which the school district is located, in whole or in part, at least seventy-four (74) days before the date of said special election. The notice shall include the date of said special election and the office to be voted on at said special election.

The clerk is hereby authorized and directed to cause notice of said special election to be published in the official newspaper of the district, for two (2) consecutive weeks with the last publication being at least one (1) week before the date of said election.

The clerk is hereby authorized and directed to cause notice of said special election to be posted at the administrative offices of the school district at least ten (10) days before the date of said election.

The notice of election so posted and published shall state the time of the election, the location of each polling place, and the offices to be filled as set forth in the form of ballot below.

The clerk is hereby authorized and directed to cause a sample ballot to be posted at the administrative offices of the school district at least four (4) days before the date of said election and to cause two sample ballots to be posted in each polling place or combined polling place on election day. The sample ballot for a polling place or combined polling place shall reflect the offices, candidates and rotation sequence on the ballot used in that polling place.

The clerk is authorized and directed to cause the rules and instructions for use of the optical scan voting system to be posted in each polling place on election day.

5. Language in substantially the following form shall be included on the election ballot for the school district special election on November 3, 2020:

**SCHOOL DISTRICT VACANCY  
SPECIAL ELECTION  
INDEPENDENT SCHOOL DISTRICT NO. 492  
AUSTIN PUBLIC SCHOOL DISTRICT**

**NOVEMBER 3, 2020**

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**INSTRUCTIONS TO VOTERS**

**To vote, completely fill in the oval(s) next to your choice(s) like this:**



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**SPECIAL ELECTION FOR SCHOOL BOARD MEMBER  
TO FILL VACANCY IN TERM EXPIRING JANUARY 2, 2023**

## VOTE FOR ONE

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- CANDIDATE V
  - CANDIDATE W
  - CANDIDATE X
  - \_\_\_\_\_  
write-in, if any
- 

6. Optical scan ballots must be printed in black ink on white material, except that marks not to be read by the automatic tabulating equipment may be printed in another color ink. The name of the precinct and machine-readable identification must be printed on each ballot. Voting instructions must be printed at the top of the ballot on each side that includes ballot information. The instructions must include an illustration of the proper mark to be used to indicate a vote. Lines for initials of at least two election judges must be printed on one side of the ballot so that the judges' initials are visible when the ballots are enclosed in a secrecy sleeve.

7. The names of candidates to fill a vacancy who have filed an affidavit of candidacy must be listed on the ballot under the separate heading "Special Election for School Board Member to fill vacancy in term expiring January 2, 2023." Their names must be listed as though they had been included by name in this resolution. The clerk shall not include on the ballot the names of individuals who file timely affidavits of withdrawal in the manner specified by law.

8. The name of each candidate to fill the vacancy in office at this special election shall be rotated with the names of the other candidates to fill the vacancy in office in the manner specified in Minnesota law.

9. The school district clerk shall make all Campaign Financial Reports required to be filed with the school district under Minnesota Statutes, Section 211A.02, available on the school district's website. The clerk must post the report on the school district's website as soon as possible, but no later than thirty (30) days after the date of the receipt of the report. The school district must make a report available on the school district's website for four years from the date the report was posted to the website. The clerk must also provide the Campaign Finance and Public Disclosure Board with a link to the section of the website where reports are made available.

10. The individuals designated as election judges for the state general election shall act as election judges for this School District special election at the various polling places and shall conduct said election in the manner described by law. The election judges shall act as clerks of election, count the ballots cast and submit the results to the school board for canvas in the manner provided for School District elections.

11. The School District clerk is hereby authorized and directed to take all necessary actions to ensure that this election is properly submitted to the electorate of the School District.

The motion for the adoption of the foregoing resolution was duly seconded by \_\_\_\_\_ and upon vote being taken thereon the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

RRM: 372487