



## Qualified Candidates for School Board Encouraged to Apply in District 5

[Manatee County School Board District 5](#), which roughly goes from Lockwood Ridge Rd east to the county line and from State Route 64 south to University Parkway, will shortly have a school board position opening, but if one wishes to run for this position, one must act quickly, timely and pay the filing fee.

Richard Tatem is the current District 5 school board representative and his term runs until 2026. Because Mr. Tatem has announced he is running for Florida state representative district 72, however, by Florida state law, he must submit his resignation at least 10 days before the candidate qualifying period begins, which this year is on June 10. When his resignation is submitted on/before May 31, others can file to run for that position if they fulfill all the necessary steps such as opening a bank account, and paying the filing fee, etc.

Because Mr. Tatem has announced that he will not vacate his position until November, there seems to be some confusion about whether the District 5 position will be part of the 2024 election, or fall to Governor DeSantis to appoint a replacement after the election.

State law (Statute 99-012) dictates that an existing elected official must submit a resignation letter at least 10 days before the candidate qualifying period begins for the new position for which they are running, and if there are more than 28 months left in the term, the position will be replaced in the next election cycle. If there are less than 28 months left in the term, then the Governor is to appoint a replacement for the remainder of the term. In Tatem's case, until the 2026 election, the end of his original term on the school board.

According to a FL Supreme Court advisory opinion ([928 So.2d 1218, Supreme Court of Florida](#)), the "remainder of the term" for elected county officials should be calculated from the date the resignation is tendered, not the date the incumbent intends to vacate the office. So, although Mr. Tatem does not intend to *vacate* the office until November 5, the FL Supreme Court opinion says that the position should be included in the August/November election cycle in Manatee county; as of May 31, 2024 there are more than 28 months left in Mr. Tatum's term on the school board.

What is the intention of the State provision that one must resign from their current position 10 days before the qualifying period begins, may vacate later, but that position is to be filled during the next election? The intention is clear, let the voters decide who represents them.