

Vacancies

Elective office of a Board member becomes vacant before the term's expiration when any of the following occurs:

1. death of the incumbent;
2. resignation, in writing, filed with the Clerk;
3. the incumbent moves his/her residence from the District, or from the nominating district in the case of an additional trustee in a high school district;
4. the incumbent is no longer a registered elector of the District under the provisions of § 20-20-301, MCA;
5. the incumbent is absent from the District for sixty (60) consecutive days;
6. the incumbent fails to attend three (3) consecutive meetings of the trustees without a good excuse;
7. the incumbent has been removed under the provisions of § 20-3-310, MCA; or
8. the incumbent ceases to have the capacity to hold office under any other provision of the law.

A trustee position also shall be vacant when an elected candidate fails to qualify.

In the case of a trustee vacancy, the remaining trustees shall declare such position vacant and fill such vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate to fill the position. Should the Board fail to fill a vacancy within sixty (60) days from the creation of such vacancy, the county superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall qualify by completing and filing an oath of office with the county superintendent within fifteen (15) days after receiving notice of the appointment and shall serve until the next regularly scheduled school election and his/her successor has qualified.

Cross Reference: 1240 Duties of Individual Trustees

Legal Reference: § 20-3-308, MCA Vacancy of trustee position
§ 20-3-309, MCA Filling vacated trustee position – appointee qualification and term of office

Policy History:

Adopted on: August 14, 2000

Revised on: July 8, 2003