

**POLICY TITLE: Trustee Vacancy**

**POLICY NO: 246**

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A vacancy will be declared by the board when any nominee has been elected but failed to qualify for office, or within thirty (30) days of when any trustee:

1. Dies;
2. Resigns as trustee;
3. Removes himself/herself from his or her trustee zone of residence;
4. Is no longer a resident or district elector of the district;
5. Refuses to serve as a trustee; or
6. Without excuse acceptable to the board, fails to attend four (4) consecutive regular meetings of the board.
7. Be recalled and be discharged from office as provided in Idaho Code §§34-1701 *et seq.*

A vacancy shall also exist when any trustee is recalled and discharged from office in accordance with Idaho Code §34-1712. Such vacancy shall occur at the time of certification of the special recall election and does not require the board of trustees to declare that a vacancy exists. Notwithstanding Idaho Code §§34-1709 and 34-1712, between the time of the special recall election and when the results of the special recall election are proclaimed, the trustee or trustees subject to the special recall election shall not be permitted to participate in any actions that would alter the structure of the board of trustees or create new contractual or financial obligations for the district.

With the exception of a vacancy that occurs due to recall, a declaration of vacancy will be made at any regular or special meeting of the board, at which any of the above-mentioned conditions are determined to exist.

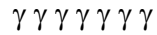
The board will appoint to the vacancy a person qualified to serve as a trustee of the district provided there remains in membership on the board a majority of the membership thereof, and the board will notify the State Superintendent of Public Instruction of the appointment. The appointment must be made within 90 days of the declaration of vacancy. If, after 90 days, the board is unable to appoint a trustee from the zone vacated, the board may appoint a person at-large from within the boundaries of the district to serve as the trustee from the zone where the vacancy occurred. Otherwise, 120 days from the declaration of vacancy, the board will refer the matter to the board of county commissioners in which it is situated or the home county, if a joint district, and request that the board of county commissioners appoint a trustee to fill the vacancy.

Any person appointed as herein provided will serve for the balance of the unexpired term of the office that was declared vacant and filled by appointment.



**LEGAL REFERENCE:**

- Idaho Code Sections
- 33-501 – Board of Trustees
- 33-504 – Vacancies on Boards of Trustees
- 34-1701 *et seq.* – Recall Elections



**ADOPTED:** April 14, 1998

**AMENDED:** June 18, 2024