SCHOOL DISTRICT ORGANIZATION

Resignations and Other Vacancies

Any elected trustee position shall be vacant whenever the incumbent:

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

A trustee position also shall be vacant when an elected candidate fails to qualify under the provisions of § 20-3-307, MCA. A resignation of a trustee, for whatever reason, must be submitted in writing to the Clerk of the District and shall specify an effective date.

When a trustee vacancy occurs, the remaining trustees shall declare the position vacant and shall fill such vacancy by appointment. The Board may request applications from any qualified persons seeking to fill the position, and may appoint one (1) candidate to fill the position. Should the Board fail to fill a vacancy within sixty (60) days from the declaration 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 with fifteen (15) days after receiving notice of appointment and shall serve until the next regularly scheduled school election and a successor has qualified.

Legal Reference:	§ 2-16-502, MCA	Resignations
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-309, MCA	Filing vacated trustee position – appointee qualification and term of office

Cross References:

Policy History:
Adopted on: 2.8.2011
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