

**KIMBERLY SCHOOL DISTRICT
POLICY 1140
THE BOARD OF TRUSTEES
VACANCIES**

A vacancy shall be declared by the board of trustees within thirty (30) days of when any of the following occurs:

1. a trustee dies;
2. a trustee resigns;
3. a trustee removes him/herself from the trustee's zone of residence;
4. a trustee no longer is a resident or school district elector of the district;
5. a trustee refuses to serve as trustee;
- ~~6. a trustee, without excuse acceptable to the board of trustees fails to attend four (4) consecutive regular meetings of the board; or~~
- ~~7. a trustee is recalled and discharged from office.~~

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

A declaration of vacancy shall be made at any regular or special meetings of the board of trustees when any of the above-mentioned conditions are determined to exist.

If a Trustee is recalled, the vacancy shall exist upon certification of the special recall election by the board of county commissioners. Board action is not required to declare a vacancy upon the board of county commissioner's certification.

In the case of a trustee vacancy, the remaining trustees shall 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 serve for the balance of the unexpired term of office which was declared vacant. In the event the board of trustees is unable to appoint a trustee from the zone vacated after ninety (90) days from the date the board declared the vacancy, the board of trustees may appoint a person at-large from within the boundaries of the school district to serve as the trustee from the zone where the vacancy occurred. For Trustees who are recalled, vacancy period begins upon certification of the recall election. Otherwise, after one hundred and twenty (120) days of the declaration of vacancy, the county commissioners of the county in which the district is situated (or of the home county if the district is a joint school district) shall appoint a qualified person to fill such vacancy.

The authority of a Trustee subject to recall is limited from the period of the special recall election until the time of certification by the board of county commissioners, consistent with 1500P.

Cross Reference:
1240 Duties of Individual Trustees

Legal Reference:
I.C. § 33-501 Board of Trustees
I.C. § 33-504 Vacancies on boards of trustees
I.C. § 67-2345(1)(a) Executive Sessions When Authorized

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