

1 Vacancies

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3 A trustee position becomes vacant before the expiration of a term, when any of the following
4 occurs:

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- 6 1. Death of the trustee;
- 7 2. The effective date stipulated in the written resignation of the trustee filed with the Clerk;
- 8 3. Trustee moves out of the nominating district, establishing residence elsewhere;
- 9 4. Trustee is no longer a registered elector of the District under the provisions of § 20-20-
- 10 301, MCA;
- 11 5. Trustee is absent from the District for sixty (60) consecutive days;
- 12 6. Trustee fails to attend three (3) consecutive meetings of the trustees without good reason;
- 13 7. Trustee has been removed under the provisions of § 20-3-310, MCA; or
- 14 8. Trustee ceases to have the capacity to hold office under any other provision of law.

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

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18 When a trustee vacancy occurs, the remaining trustees shall declare such position vacant and fill
19 such vacancy by appointment. The Board will receive applications from any qualified persons
20 seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate
21 to fill the position.

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23 Should the Board fail to fill a vacancy within sixty (60) days from the creation of a vacancy, the
24 county superintendent shall appoint, in writing, a competent person to fill such vacancy. An
25 appointee shall qualify by completing and filing an oath of office with the county superintendent
26 within fifteen (15) days after receiving notice of the appointment and shall serve until the next
27 regularly scheduled school election and a successor has qualified.

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31 Cross Reference: 1240 Duties of Individual Trustees
32 1112 Resignations

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34 Legal References: § 2-16-501(3), MCA Vacancies created
35 § 20-3-308, MCA Vacancy of trustee position
36 § 20-3-309, MCA Filling vacated trustee position – appointee
37 qualification and term of office
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39 Policy History:

40 Adopted on: February 2007
41 Revised on: January 2016, March 2020

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43 January 2016 revision notes: replaced word “incumbent” with “Trustee”