

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 will:

- 38559320. Die;
- 38559321. Resign as trustee;
- 38559322. Remove himself/herself from his or her trustee zone of residence;
- 38559323. No longer be a resident or school district elector of the district;
- 38559324. Refuse to serve as a trustee;
- 38559325. Without excuse acceptable to the board, fail to attend four consecutive regular meetings of the board; or
- 38559326. Be recalled and be discharged from office as provided in Section 34-1701, *et seq*, Idaho Code.

The 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 school 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 ninety (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 which was declared vacant and filled by appointment.



**LEGAL REFERENCE:**

*Idaho Code Sections*  
33-501  
33-504  
34-1701 *et seq.*

**ADOPTED:** November 11, 2003

**AMENDED:** October 9, 2018