

**Vallivue School District #139**

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 shall:

1. Die;
2. Resign as trustee;
3. Remove himself/herself from his or her trustee zone of residence;
4. No longer be a resident or school district elector of the district;
5. Refuse to serve as a trustee;
6. Without excuse acceptable to the board, fail to attend four consecutive regular meetings of the board; or
7. Be recalled and be discharged from office as provided in Section 34-1701, et seq.

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 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 ninety (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, after one hundred twenty 120 days from the declaration of vacancy, the board will refer the matter to the board of county commissioners in which it is situated and request that the board of county commissioners appoint a trustee to fill the vacancy.

Any person appointed as herein provided will serve until the annual meeting of the board next following the appointment. At the annual election a trustee will be elected to complete the unexpired term of the office which was declared vacant and filled by appointment.

The board of trustees 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.

The elected trustee will assume office on July 1, next following the election.



**LEGAL REFERENCE:**

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

**ADOPTED: 1/13/09**

**AMENDED: 9/14/10, 4/9/13**