

Browning Public Schools

Policy #1113

Policy Name: *Vacancies*

Regulation: -----

1. Any elected trustee position shall be vacant whenever the incumbent:
 - a. death of the trustee;
 - b. **the effective date stipulated in the written resignation of the trustee** filed with the clerk;
 - c. trustee moves out of the nominating district establishing residence elsewhere;
 - d. trustee is no longer a registered elector of the District under the provisions of 20-20-301 MCA;
 - e. trustee is absent from the District for sixty (60) consecutive days;
 - f. trustee fails to attend three (3) consecutive meetings of the trustees without ~~an acceptable~~ **excuse good cause**. The trustee will call the chairperson and/or secretary in order to validate an acceptable excuse;
 - g. trustee has been removed under the provisions of 20-3-310; or
 - h. trustee ceases to have the capacity to hold office under any other provision of the law.
 - i. trustee position shall also be vacant when an elected candidate fails to qualify under MCA 20-3-307.
2. When a trustee vacancy occurs, the remaining trustees shall **declare such position vacant and** 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 until the next regularly scheduled election. Should the Board fail to fill a vacancy within sixty (60) days from the creation of such vacancy the county superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall meet the requirements provided by law **within fifteen (15) days after receiving notice of appointment** and shall serve until the next regularly scheduled school election and ~~his/her~~ a successor has qualified.

Cross Reference: #1112 Resignation
#1240 Duties of Individual Trustees
#1455 Absences of Board Members

Legal Reference: § 20-3-307 MCA Qualification and Oath
§ 20-3-308 MCA Vacancy of Trustee Position
§ 20-3-309 MCA Filling Vacated Trustee Position
§ 20-20-301 MCA Qualifications of Electors

Policy History:

Adopted on: 6/30/97

Amended on: 1/12/99, 1/10/06, 3/26/14, 3/27/19