

*****244 – Trustee Nomination and Election.** The legislature in 2018 amended the time when trustees are elected from May to November in odd-numbered years. The amendment also provides that, effective July 1, 2018, the terms of incumbent trustees will expire on January 1 following the November election of their successors. This update reflects the 2018 statutory amendments.

NOMINATION OF TRUSTEES

Any person legally qualified to hold the office of school trustee may file a declaration of candidacy for the office. The declaration must bear the name of the candidate, state the term for which declaration of candidacy is made, and bear the signature of not less than five (5) school district electors resident of the trustee zone of which the candidate is resident. The declaration of candidacy must be filed with the clerk of the board of trustees not later than five (5) o'clock p.m. on the ninth (9th) Friday preceding the day of election of trustees. [The clerk of the board of trustees will verify the qualifications of the nominees and shall, not more than seven \(7\) days following the filing, certify the nominees to be placed on the ballot.](#)

Any person interested in being a write-in candidate for a school trustee position must file a declaration of intent indicating that the person desires the trustee office and is legally qualified to assume the duties of school trustee if elected. The declaration of intent for write-in candidates and signatures of five (5) electors of the candidate's specific zone must be filed with the clerk of the board of trustees not later than forty-five (45) days before the day of election. No write-in vote will be counted unless a declaration of intent has been properly filed.

Any person who filed a declaration of candidacy may withdraw from the election by filing a notarized statement of withdrawal with the clerk of the board of trustees. The notarized statement must contain all the information necessary to identify the person and the office sought, and the reason for the withdrawal. The candidate may not withdraw later than forty-five (45) days prior to the day of the election. The board is prohibited from appointing any candidate who filed a statement of withdrawal, unless the vacancy occurs because of the death of a previous candidate.

ELECTION OF TRUSTEES

If a district is located in one (1) county, the election of the trustees shall be conducted by the county clerk in which the district is located, in compliance with Title 34, Idaho Code.

If the district is a joint district located in two (2) counties, the election of the trustees shall be conducted by the county clerks of the respective counties in which the district is located, in compliance with Title 34, Idaho Code.

If the date for filing written nominations for the office of trustees has expired, and it appears that only one (1) qualified candidate has been nominated for a trustee position, or if only one (1) candidate has filed a write-in declaration of intent as provided in Idaho Code §34-1407, and the candidate has provided to the district’s board clerk the signatures of five (5) electors of the candidate’s specific zone, then no election will be held for that position, and the board, or the school district clerk with the written permission of the board, will declare such candidate elected as trustee. A certificate of election bearing the seal of the district will be prepared by the school district clerk and delivered to the person declared as elected.

Trustee elections will be held on the ~~third (3rd) Tuesday in May~~ Tuesday following the first Monday in November in odd-numbered years. In each trustee zone, the person receiving the greatest number of votes cast in his or her trustee zone will be declared by the board as the trustee elected from that trustee zone. The elected trustee will assume office on ~~July~~ January 1, next following the election.

If any two (2) or more persons residing in the same trustee zone have an equal number of votes ~~in any trustee zone~~ and a greater number than any other nominee residing in that trustee zone, then the board will determine the winner by a toss of a coin.

Effective July 1, 2018, the terms of incumbent trustees will expire on January 1 following the November election of their successors.

TRUSTEE CANDIDATE REPORTING REQUIREMENTS

In school districts with 500 or more students, the candidate disclosure and reporting requirements of sections 67-6601 through 67-6616, Idaho Code, and sections 67-6623 through 67-6630, Idaho Code shall apply to all elections of school district trustees. Any report or filing required to be filed by or for a candidate shall be filed as required by law.



LEGAL REFERENCE:

Idaho Code Sections

- 33-401 – Legislative Intent
- 33-501 – Board of Trustees
- 33-502 – Declarations of Candidacy for Trustees
- 33-502B – Board of Trustees – One Nomination – No Election
- 33-503 – Election of Trustees – Uniform Date
- 34-1401, *et seq.* – Uniform District Election Law
- 67-6601 – 67-6630 – Election Campaign Contributions and Expenditures – Lobbyists

ADOPTED:

AMENDED: