



## Filling School Board Vacancies

When a school board has a vacancy for any reason there are specific steps and timelines that must be followed in order to fill the vacancy. School boards must publish notice of their intent to fill the vacancy by appointment and provide a process by which citizens can petition to require a special election under certain circumstances. Below is an overview of the steps boards should consider when filling a school board vacancy.

### Filling a Vacancy:

A vacancy occurs when a board member dies, resigns or leaves office, fails to reside in the school district or director district, or meets other parameters established in law.

**Appointment:** Once a vacancy occurs, the board may fill the vacancy by board appointment within 30 days of the vacancy.

**Publication Required:** To fill a vacancy by appointment, the board must publish notice stating the board intends to fill the vacancy by appointment, but that the electors of the school district have the right to file a petition requiring that the vacancy be filled by a special election. Here is recommended language for published notice:

Pursuant to Iowa Code 279.6, the \_\_\_\_\_ School Board publishes this notice of its intent to appoint a person to fill a vacancy on the Board. Eligible electors of the \_\_\_\_\_ School District have the right to file a petition requiring that this vacancy be filled by special election. Petitions must be received by the board secretary within 14 days after the publication of this notice. For details and signatory requirements, contact the board secretary.

**Petition Deadline and Requirements:** Electors have 14 days after the published notice to file a petition calling for the vacancy to be filled by special election. The petition must contain signatures of at least 100 eligible electors, or 30 percent of the number of voters at the last regular school election, whichever is greater.

**Special Election Requirement:** If the board is unable to fill a vacancy by appointment within 30 days after the vacancy occurs *or* if a valid petition is submitted, the board secretary will call a special election to be held no sooner than 60 days and not later than 70 days after the vacancy occurred. A board member elected at the special election will serve the remaining portion of the unexpired term.

**Term of Seat Filled by Appointment:** The person appointed to fill the vacancy will hold the office until a successor is elected at the next regular or special election.

Districts should contact the controlling county auditor for information on petition forms and to discuss scheduling dates for special elections if a petition were to be filed.

# Process for Filling a Vacancy by Appointment

Though the law specifies a timeline, it does not identify a process for boards to follow when filling a vacancy. Below are some suggestions for boards to consider in developing a process. An important starting point is for boards to review relevant board policies at the board table and encourage dialogue on the topic so everyone understands the process.

## Share Information

Your school community may not be familiar with the roles and responsibilities of a board member. It can be valuable to share information about the nature of board service and time commitments required of board members. Talk at the board table about ways to share this information with the community. Consider multiple avenues for sharing including posting information on the district's website or social media accounts, electronic communications, conducting an interview of a current board member sharing their favorite aspects of board service, and even attending other community gatherings and clubs to inform groups of the vacancy.

## Written Statements

Some boards choose to use simple 2-3 question applications to better understand the experiences different candidates will bring to board service while other boards may allow applicants to submit their resume. The board should determine who will collect this information and by what timeline. Application questions should be open ended, as valuable experience and insight comes in many forms. Some examples include:

- Why is the person interested in serving on the board?
- How will current experiences be helpful to board work?

## Interviews of Candidates

The board could ask each interested candidate to respond to a set of questions posed by the board at a board meeting. One question could be given to each candidate ahead of time and one could be asked by a member of the board during a board meeting. All interested persons should be given the same question with the same amount of time to answer. Remember this is not a conversation but rather an opportunity to hear from your candidates. Here are a few sample questions to consider.

- Tell us about your desire to serve on the board.
- What is the most important issue facing public education today?
- What is the thing you are the proudest of in our district?

## **Closed Session Deliberation**

Boards may enter into closed session to discuss individual candidates if applicable legal requirements are met. However, board members may not compare/contrast candidates in a single closed session.

Because board members are publicly elected, many boards choose instead to discuss candidates during an open meeting. Boards should be encouraged to consider having a conversation where the positives of various candidates are discussed. In that way, many boards will find a candidate they believe best suits the needs of the district.

Every student deserves a governance driven school board to steer and guide the district. Spending time thoughtfully working together at the board table to fill a board vacancy will make a positive difference for all students.

**Questions:** Contact IASB at (515) 288-1991 or [IASB@ia-sb.org](mailto:IASB@ia-sb.org).