

1 **Bainville K-12 Schools**

2
3 **THE BOARD OF TRUSTEES**

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5 Vacancies

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7 A trustee position becomes vacant before the expiration of a term, when any of the following
8 occurs:

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- 10 1. Death of the incumbent;
- 11 2. Resignation, in writing, filed with the Clerk;
- 12 3. Incumbent moves out of the nominating district, establishing residence elsewhere;
- 13 4. Incumbent is no longer a registered elector of the District under the provisions of § 20-
- 14 20-301, MCA;
- 15 5. Incumbent is absent from the District for sixty (60) consecutive days;
- 16 6. Incumbent fails to attend three (3) consecutive meetings of the trustees without good
- 17 reason;
- 18 7. Incumbent has been removed under the provisions of § 20-3-310, MCA; or
- 19 8. Incumbent ceases to have the capacity to hold office under any other provision of law.
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21 A trustee position also shall be vacant when an elected candidate fails to qualify.

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23 When a trustee vacancy occurs, the remaining trustees shall declare such position vacant and fill
24 such vacancy by appointment. The Board will receive applications from any qualified persons
25 seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate
26 to fill the position.

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28 Should the Board fail to fill a vacancy within sixty (60) days from the creation of a vacancy, the
29 county superintendent shall appoint, in writing, a competent person to fill such vacancy. An
30 appointee shall qualify by completing and filing an oath of office with the county superintendent
31 within fifteen (15) days after receiving notice of the appointment and shall serve until the next
32 regularly scheduled school election and a successor has qualified.

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36 Cross Reference: 1240 Duties of Individual Trustees

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38 Legal References: § 20-3-308, MCA Vacancy of trustee position
39 § 20-3-309, MCA Filling vacated trustee position – appointee
40 qualification and term of office

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42 Policy History:

43 Adopted on:

44 Reviewed on: 2/25/08

45 Revised on: Fall 2003