

VACANCIES

A vacancy occurs when a board member resigns, forfeits, or otherwise leaves the office. A vacancy also includes, but is not limited to, the following:

- failure to be properly elected;
- failure to qualify within the time fixed by law;
- failure to reside in the school district or director district;
- A court order declaring the seat vacant
- Conviction of a felony.
- Violation(s) of the open meetings law.
- Conviction of a public offense in violation of the oath of office.

If a vacancy occurs prior to the expiration of a term of office, the vacancy will be filled by board appointment within thirty (30) days of the vacancy. The board shall publish notice stating that the board intends to fill the vacancy by appointment, but the electors of the school district have the right to file a petition requiring the vacancy be filled by a special election.

A person appointed to fill a vacancy shall hold office until a successor is elected and qualified at the next regular school election, unless there is an intervening special election for the school district, in which event a successor shall be elected at the intervening special election.

If the board is unable to fill the vacancy by appointment within thirty (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 seventy (70) after the vacancy occurred. A board member elected at the special election will serve the remaining portion of the unexpired term.

Legal Reference: Good v. Crouch, 397 N.W.2d 757 (Iowa 1986).
 Board of Directors of Grimes Independent School Dist. v. County Board of
 Public Instruction of Polk Co., 257 Iowa 106, 131 N.W.2d 802 (1965).
 Board of Directors of Menlo Consol. School Dist. v. Blakesburg, 240
 Iowa 910, 36 N.W.2d 751 (1949).
 Iowa Code: §§ 21.6(3)(d); 69; 277.29; 279 (2013).
 1944 Op. Att'y Gen. 39.

Cross Reference: 201 Board of Directors' Elections
 202 Board of Directors Members

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