

BOARD OF DIRECTORS

Board Vacancies

Board vacancies shall be filled by appointment by the remaining members of the Board, in open session, within 30 days after the vacancy occurs. A person so appointed holds office until a successor has been elected and has qualified, at the next election, at which time the voters of the district will choose a director to complete the unexpired term. Any so appointed member of the Board shall qualify within 10 days after the appointment, in the manner specified by law.

If the remaining members of the Board do not fill the vacancy within 30 days, the secretary is required to call a special election. A vacancy will exist if there is a failure to elect at the proper election or to appoint within the time fixed by law; an incumbent ceases to be a resident of the district or sub-district; an incumbent or officer-elect resigns or passes away; an incumbent forfeits his office, or a competent tribunal declares his office vacant; or an incumbent is convicted of an infamous crime or of any public offense involving the violation of his oath of office; or a court order removed a Board member for engaging in, and having had damages assessed against, the Board member for three violations of the Open Meetings law.

Revised and adopted: 11-12-84

Reviewed: 6-25-90, 11-15-93, 11-18-96, 8-16-99, 01-20-03, 01-15-07

LEGAL REFS.: Iowa Code Sections 28A.63(d); 69.12; 279.6; 279.7; 277.29;
277.30, HF 448

**A Board member may stay on the Board if he/she moves from one county to another, provided he or she remains within the school district and provided he/she ran and was elected at-large. (Atty. General's Opinion, 5/1/58.) However, a vacancy is created when a Board member moves from one director district to another in the same school district. (Atty. General's Opinion, 4/6/69.)