

Board Policy

Code No. 202.4

BOARD VACANCIES

A vacancy occurs as provided by law, which includes but is not limited to when a board member dies, resigns or leaves office, or fails to reside in the school district or director district.

If a vacancy occurs prior to the expiration of a term of office, the vacancy will be filled by board appointment within 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 within 14 days of the publication of the notice 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 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.

Legal Reference:

Iowa Code §§ 69; 277.29; 279.

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).

1944 Op. Att'y Gen. 39.

Cross Reference:

201 Board of Directors' Elections

202 Board of Directors Members

202.3 Term of Office

Approved: October 15, 1984

*Reapproved: January 21, 1991
February 3, 1997
February 3, 2003
June 19, 2006
February 3, 2014
May 20, 2019*

*Revised: August 17, 1987
February 7, 1994
April 17, 1995
July 10, 2000
June 15, 2009
November 18, 2019*