

Billings School District 2

THE BOARD OF TRUSTEES

Resignation

Resignation of a trustee, for whatever reason, must be submitted in writing to the Clerk. A resignation is effective seventy-two (72) hours after its submission unless withdrawn during that period by the resigner through written notification of withdrawal made to the Clerk.

The Board shall accept a resignation at its next regularly scheduled meeting and shall proceed to fill a vacancy as provided by statute and Board policy.

Vacancies

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

1. death of the incumbent;
2. resignation, in writing, filed with the Clerk;
3. incumbent moves out of the nominating district, establishing residence elsewhere;
4. incumbent is no longer a registered elector of the District under the provisions of § 20-20-301, MCA;
5. incumbent is absent from the District for sixty (60) consecutive days;
6. incumbent fails to attend three (3) consecutive meetings of the trustees without a good reason;
7. incumbent has been removed under the provisions of § 20-3-310, MCA; or
8. incumbent ceases to have the capacity to hold office under any other provision of law.

A trustee position also shall be vacant when an elected candidate fails to qualify.

When a trustee vacancy occurs, the remaining trustees shall fill such vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate to serve until the next regularly scheduled election. Should the Board fail to fill a vacancy within sixty (60) days from the creation of a vacancy, the county superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall meet the requirements provided by law and shall serve until the next regularly scheduled school election and a successor has qualified.

Cross References: 1240 Duties of Individual Trustees

Legal References: § 2-16-502, MCA Resignations
§ 20-3-308, MCA Vacancy of trustee position
§ 20-3-309, MCA Filling vacated trustee position – appointee qualification and term of office

Policy History:

First Reading: January 19, 2004 – Board of Trustees
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