

**Billings School District 2**

**THE BOARD OF TRUSTEES**

Election

At each annual election provided for by law, each trustee candidate in a single-member trustee district must be a qualified elector in that district and must have resided in the trustee district to be represented for at least one (1) year prior to becoming a candidate for the trustee position. Elections conducted by the District are nonpartisan and are governed by general election laws of the State of Montana. The ballot at such elections may include candidates for trustee positions, various public policy propositions, and advisory questions.

Board elections shall take place on the first (1st) Tuesday after the first (1st) Monday in May of each year. Any person who is a qualified voter of the District is legally qualified to become a trustee. A Declaration of intent to be a candidate shall be submitted to the Election Administrator at least forty (40) days before the regular school election day. If different terms are to be filled, the term for the position for which each candidate is filing must also be indicated. Any person seeking to become a write-in candidate must file a declaration of intent no later than 5:00p.m. on the 26th day before the election. The District may declare an election by acclamation no fewer than twenty-five (25) days before an election. If the number of candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is equal to or less than the number of positions to be elected, the Board may give notice that a trustee election will not take place. Notice of a cancellation must be given no later than thirty (30) days before the election date. If no trustee election takes place, the trustees shall declare the candidates elected by acclamation and shall issue a "certificate of election" to each candidate. An election for a trustee is considered a separate trustee election for the purpose of declaring election by acclamation as provided for in this section.

A candidate intending to withdraw from the election shall send a statement of withdrawal to the clerk of the district containing all information necessary to identify the candidate and the office for which the candidate filed. The statement of withdrawal must be acknowledged by the clerk of the district. A candidate may not withdraw after 5:00p.m. the day before the election ballot certification deadline in 20-20-401. MCA.

In the event of an unforeseen emergency occurring on the date scheduled for the funding election, the district will be allowed to reschedule the election for a different day of the calendar year. In years when the Legislatures meets in regular session or in a special session that affects school funding, trustees may order the election on a date other than the regular school election day in order for the electors to consider a proposition requesting additional funding under 20-9-353, MCA.

Taking Office

A newly-elected trustee shall take office as soon as election results have been certified and the newly-elected trustee has taken and subscribed to an oath to discharge faithfully and impartially the duties of the office to the best of one's ability. Such oath shall be filed with the county superintendent within fifteen (15) days after receipt of a certificate of election.

Trustee District Boundaries

Trustee boundaries shall be reviewed and if necessary reestablished every ten years based on new decennial census data collected each decade. In the event the Board of Trustees decides to reestablish boundaries, the Board shall appoint a committee to make recommendations on the guidelines for reestablishing boundaries.

Cross Reference: Policy 1113

Vacancies

Legal References:

§ 1-6-101, MCA Officers who may administer oaths

§ 2-16-116, MCA

Power to administer oaths

§ 20-1-202, MCA

Oath of office

Annual election

Candidate qualification, nomination and withdrawal

Qualification and oath

Vacancy of trustee position

Election by acclamation – notice

§ 20-3-304, MCA

§ 20-3-305, MCA

§ 20-3-307, MCA

§ 20-3-308, MCA

§ 20-3-313, MCA

§ 20-3-324(4), MCA

§ 20-3-338, MCA

Powers and duties

Trustees elected by single-member district

§ 20-3-344, MCA

Nomination of candidates by petition in first-class elementary district

§ 20-20-301, MCA

Qualifications of elector

Policy History:

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