

Board Vacancies

A vacancy occurs, as provided by law, 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

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 and consistent with Iowa law. If the Board chooses to appoint, the Board Secretary shall post notice of the Board's intent to fill the vacancy by appointment in a newspaper having general circulation in the District. The notice must state that the electors of the school district have the right to file a petition within 14 days of the publication of the notice requiring that the vacancy be filled by special election.

The Board may appoint to fill the vacancy after the notice is published or after the vacancy occurs, whichever is later. The newly appointed Board member will 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. However, if the next regular school election is within 180 days or less, then an appointment to fill the vacancy until the next regular school election may be made.

If the Board is unable to fill a vacancy by appointment within 30 days after the vacancy occurs, or if a valid petition is filed within 14 days of notice, 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. Candidates for a seat created by a vacancy must file their nomination papers 25 days before the special election. A Board member elected at the special election will serve the remaining portion of the unexpired term.

Each candidate shall be a qualified voter of the District and of the designated director District, if appropriate, a citizen of the District, an eligible elector of the District, and free from a financial conflict of interest with the position.

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).

Approved 05-27-80
 Reviewed: 02-27-89
 06-08-92
 Revised: 10-10-94
 Reviewed: 09-25-95
 10-12-98
 04-14-03
 Revised: 12-08-08
 11-10-14
 02-22-16
 11-18-19
 11-14-2022