

## BOARD OF EDUCATION - Series 200

### 201 General Organization

#### 201.8 Vacancies

A vacancy requiring board action occurs 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 declaring the seat vacant, conviction of a felony, three violations of the open meetings law, or conviction of a public offense in violation of the oath of office.

If a vacancy occurs prior to the expiration of a term of office, the vacancy shall be filled by board appointment within thirty days of the vacancy. The newly-appointed board member shall hold the position until the next regular scheduled school election or a special election set by the board. At that time the appointed board member may run for a four year term, if one is available, or run for the remainder of the unexpired term.

If the board is unable to fill a vacancy by appointment within thirty days after the vacancy occurs, the board secretary shall call a special election to be held no sooner than sixty days and not later than seventy days after the vacancy occurred. The board member elected at the special election shall serve the remaining portion of the unexpired term.

Adoption Date: January 10, 1994

Review Date: October 11, 2010

Revision Date: October 11, 2010

Legal Reference: 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).  
Iowa Code S21.6(3)(d); 69; 277.28-.29; 279.6-.7 (1993). Iowa Code S279.7 (Supp. 1993).  
1944 Op. Atty. Gen. 39.

Cross Reference: 201.4 Elections  
201.5 Membership/Qualifications  
201.6 Term of Office