

**Membership**

Elementary School District No. 33 is a third-class district and, as such, has three Board Members. Each Board Member serves a three-year term. Terms are staggered according to law. Trustees are elected at the annual school election.

**Election**

Board elections shall be held on the first Tuesday after the first Monday of May of each year. A person who is a qualified voter of the District is legally qualified to become a trustee. Any five third-class qualified electors may nominate as many trustee candidates, as there are trustee positions subject to election at the ensuing election. The name of each person nominated for candidacy shall be submitted to the Clerk of the District not less than forty (40) days before the regular school election day at which he/she is to be a candidate. If there are different terms to be filled, the term for which each candidate is nominated shall also be indicated. If there are no contested seats and there is no other reason for the election, the district may cancel it.

Any person seeking to become a write-in candidate in a mail ballot election or for a trustee position in a school board election shall file a declaration of intent no later than 5 p.m. on the twenty-sixth (26<sup>th</sup>) day before the 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 trustees may give notice no later than twenty-five (25) days before the election that trustee election will not take place. If a trustee election is not held, the trustees shall declare the candidates elected by acclamation and shall issue a "certificate of election" to each candidate.

**Taking Office**

A newly-elected trustee shall take office as soon as the election results have been certified and the newly-elected trustee has taken and subscribed to an oath that he/she will faithfully and impartially discharge the duties of the office to the best of his/her ability. Such oath shall be filed with the County Superintendent within fifteen (15) days after the receipt of the certificate of election.

**Resignation**

Resignation of a trustee, for whatever reason, must be submitted in writing to the Clerk of the District. A resignation is effective 72 hours after its submission unless withdrawn during that period by the resigner through written notification of withdrawal made to the district clerk. The Board shall then accept the resignation by formal action and proceed to fill the vacancy as provided by statute and Board policy. Trustees retiring from the Board will be recognized for their service to the District by presentation of a service plaque or other appropriate activities.

Legal Reference:	§ 2-16-502, MCA	Resignations
	§20-1-202, MCA	Oath of Office
	§20-3-301, MCA	Election and term of office
	§20-3-302, MCA	Legislative intent to elect less than majority of trustees
	§20-3-305, MCA	Candidates and Qualifications
	§20-3-307, MCA	Qualifications and Oath
	§20-3-324(4), MCA	Powers and duties
	§20-3-341, MCA	Number of trustee positions in elementary school districts
	§20-3-376, MCA	Conduct of Election
	§20-7-344, MCA	Nominating of Candidates
	§20-20-301, MCA	Qualifications of elector
	§Title 20, Chapter 20, MCA	School Elections

**Policy History**

Adopted on: 2008-09

Revised on: 08-2018: