

**160.190 Process to fill vacancy.**

- (1) Any vacancy in any board of education shall be filled by a majority vote of the remaining members of the local board within sixty (60) days after the vacancy occurs. Within thirty (30) days of the vacancy, the local board shall, for two (2) weeks, have solicited applications by posting a notice announcing the vacancy on the district's website and by placing an advertisement in the newspaper of the largest general circulation in the county. An applicant shall file a letter of intent with the local board affirming that the applicant meets the eligibility requirements as established by KRS 160.180 and shall submit with the application a transcript evidencing completion of the twelfth grade or results of a twelfth grade equivalency examination. After the two (2) weeks of advertisement on the district's website and in the newspaper, the local board shall select from the applicants under this subsection to fill the vacancy.
- (2) If the local board fails to make an appointment under subsection (1) of this section, then the chief state school officer shall fill the vacancy within sixty (60) days of the failure.
- (3) The member chosen under this section shall meet the eligibility requirements as established by KRS 160.180 and shall hold office until his or her successor is elected or appointed, and has qualified.
- (4) Any vacancy having an unexpired term of one (1) year or more on August 1 after the vacancy occurs shall be filled for the unexpired term by an election to be held at the next regular election after the vacancy occurs. The elected member shall succeed the member chosen under subsection (1) or (2) of this section to fill the vacancy. Nominating petitions shall be filed with the county clerk not later than the second Tuesday in August preceding the day for holding the regular election for the unexpired term. Declarations of intent to be a write-in candidate shall be filed with the county clerk in accordance with KRS 117.265.
- (5)
  - (a) If no candidate files a petition of nomination or declaration of intent to be a write-in candidate to fill an unexpired term on a local board of education under subsection (4) of this section, then a new vacancy shall exist on November 1 and the vacancy shall be filled according to subsection (1) of this section.
  - (b) If no candidate files a petition of nomination or declaration of intent to be a write-in candidate for a new term on a local board of education opening pursuant to KRS 118.315 and 118.365, then a vacancy shall exist on January 1 and the vacancy shall be filled according to subsection (1) of this section.

**Effective:** April 27, 2024

**History:** Amended 2024 Ky. Acts ch. 224, sec. 28, effective April 27, 2024. -- Amended 2019 Ky. Acts ch. 24, sec. 1, effective June 27, 2019. -- Amended 1990 Ky. Acts ch. 476, Pt. II, sec. 70, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 376, sec. 2, effective July 13, 1984. -- Amended 1978 Ky. Acts ch. 155, sec. 82, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 57, sec. 1. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4399-30.