BP 2110 VACANCIES ON THE BOARD

Vacancies on the Board of Trustees may be caused by any of the events specified in Government Code Section 1770 or any applicable provision of the California Elections Code or by a failure to elect. Resignations from the Board shall be governed by Education Code Section 5090.

Within 60 days of the vacancy or filing of a deferred resignation, the Board shall either order an election or make a provisional appointment to fill the vacancy.

If an election is ordered, it shall be held on the next regular election date no less than 130 days after the occurrence of the vacancy.

If a provisional appointment is made, it shall be subject to the conditions in Education Code Section 5091. The person appointed to the position shall hold office only until the next regularly scheduled election for District governing Board members, when the election shall be held to fill the vacancy for the remainder of the unexpired term.

The provisional appointment will be made by a majority public vote of the Board members at a public meeting.

The Superintendent/President shall establish administrative procedures to solicit applications that assure ample publicity to and information for prospective candidates. The Board will determine the schedule and appointment process, which may include interviews at a public meeting.

References: Education Code Sections 5090 et seq.
Government Code 1770

Adopted: 11/16/04
Revised: 4/16/13
Revised: 11/18/14

(Replaces Board Policy 1215)
AP 2110 VACANCIES ON THE BOARD

Filling a Vacancy
When the Board of Trustees determines to fill a vacancy by appointment, the Superintendent/President shall ensure that there is ample publicity to and information for prospective candidates. Publicity shall include posting in three public places in the district and publication in a newspaper of general circulation.

The posted notice of vacancy shall include directions regarding applications or nominations of legally qualified candidates.

Applying for an Appointment
Persons applying or nominated will be required to submit to the Superintendent/President a letter of intent and a candidate information sheet, including a description of qualifications, statement of educational philosophy, and a resume by a specific date. Applicants or nominees must meet the legal qualifications (18 years of age and a U.S. citizen) for membership on the Board.

The Superintendent/President shall provide to applicants and nominees information about the District and the Board.

Interviewing and Selecting Candidates
The Board may request a personal interview with candidates. Interviews shall be conducted in a public hearing scheduled for that purpose. Each Board member will review all candidate information sheets with final selection made by a majority vote of the Board at a public meeting called for that purpose.

Whenever a provisional appointment is made, the Board shall, within ten (10) days of the provisional appointment, post notices of both the actual vacancy or the filing of a deferred resignation and the provisional appointment in three public places in the district. It shall also publish a notice in a newspaper of general circulation. The notice shall state the fact of the vacancy or resignation and the date of occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation. It shall also contain the full name of the provisional appointee to the Board, the effective date of the appointment, and a statement that, unless a petition calling for a special election, containing a sufficient
A provisional appointment confers all powers and duties of a Board member upon the appointee immediately following his/her appointment.

**Term and Powers of Office**

A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for members of the Board of Trustees. An election shall be held to fill the vacancy for the remainder of the unexpired term. A person elected at an election to fill the vacancy shall hold office for the remainder of the term in which the vacancy occurs or will occur.

References:  Education Code Sections 5090 et seq.
           Government Code Sections 1770 and 6061

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Approved: 11/16/04
Revised:  4/16/13
Revised:  10/21/14

(Replaces Administrative Procedure 1215.01)