

AP 2110 Vacancies on the Board

Reference:

Education Code Section 5090 et seq.;
Government Code Section 1770 and 6061

- 1.0 When the Board of Trustees determines to fill the vacancy by appointment, the Chancellor shall assure that there is ample publicity to and information for prospective candidates. Publicity shall include posting in three public places in the District, publication in a newspaper of general circulation, and posting a notice on the District's website. Pursuant to Government Code Section 6061 this posting is only required to be published once.
 - 1.1 The posted notice of the vacancy should contain the following:
 - 1.1.1 The fact of the vacancy or resignation;
 - 1.1.2 The date the vacancy occurred or the date the deferred resignation was filed, and the effective date of the resignation and
 - 1.1.3 Relevant information about the provisional appointment process, including the timeline to file an application.
 - 1.2 The posted notice of vacancy shall include directions regarding applications or nominations of legally qualified candidates. Persons applying or nominated must meet the qualifications required by law for members of the Board of Trustees.
- 2.0 Persons applying for appointment to the Board of Trustees shall receive a letter from the Chancellor containing information about the District and the Board of Trustees, and including a candidate information sheet to be completed and returned by a specific date.
- 3.0 The Board of Trustees shall request personal interviews with candidates, to be conducted in a public hearing scheduled for that purpose.
 - 3.1 Each Board member will review all information submitted by those applying for the appointment. Final selection will be made by a majority vote of the Board members at a public meeting called for that purpose.
- 4.0 Whenever a provisional appointment is made, the Board of Trustees shall, within 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. Pursuant to Government Code Section 6061 this notice is only required to be published once.
 - 4.1 The public notice of vacancy and provisional appointment must contain the following:
 - 4.1.1 The fact of the vacancy or resignation;
 - 4.1.2 The date the vacancy occurred or the date the deferred resignation was filed and the effective date of the resignation;

AP 2110 Vacancies on the Board

- 4.1.3 The full name of the provisional appointee to the Board of Trustees and the date of the provisional appointee's appointment; and
 - 4.1.4 A statement that unless a petition calling for a special election, containing a sufficient number of signatures, is filed in the office of the county superintendent of schools within thirty (30) days of the date of the provisional appointment, it shall become an effective appointment.
- 5.0 A provisional appointment confers all powers and duties of a governing board member upon the appointee immediately following their appointment.
- 6.0 A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for governing board members. 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.

See Board Policy 2010, Board Membership; Board Policy 2110, Vacancies on the Board; and Board Policy 2750, Board Member Absence from the State.

Date of Adoption: June 24, 2003

Date of Last Revision: January 27, 2025 District Consultation Council
November 26, 2018 District Consultation Council