

**Board of Trustees**

**AP 2110 VACANCIES ON THE BOARD**

**Reference:**

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

**Filling a Vacancy**

When the Board of Trustees determines to fill the vacancy by appointment, the District 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.

The posted notice of vacancy must contain the following:

1. The fact of the vacancy or resignation;
2. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation; and
3. Relevant information about the provisional appointment process, including timeline to file an application.

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.

**Applying for an Appointment**

Persons applying for appointment to the Board shall receive a letter from the District Chancellor containing information about the District and the Board, and including a candidate information sheet to be completed and returned by a specific date.

**Interviewing and Selecting Candidates**

The Board may request personal interviews with candidates. Interviews will 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 members at a public meeting called for that purpose.

Whenever a provisional appointment is made, the Board 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.

The public notice of vacancy and provisional appointment must contain the following:

- The fact of the vacancy or resignation;
- The date the vacancy occurred or the date the deferred resignation was filed and the effective date of the resignation; and
- The full name of the provisional appointee to the board and the date of the provisional appointee's appointment.
- A statement that unless a petition calling for a special election, containing a sufficient number of signatures, is filed in the office of county superintendent of schools within thirty (30) days of the date of the provisional appointment, it shall become an effective appointment.

A provisional appointment confers all powers and duties of a Board member upon the appointee immediately following their appointment.

### **Term and Powers of Office**

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.

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**Adopted:** March 19, 2013

**Board Reviewed:** January 21, 2025; May 21, 2019