

## VACANCIES ON THE GOVERNING BOARD

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

When the Governing Board determines to fill a vacancy by appointment, the Superintendent/President shall assure that there is ample publicity to and information for prospective candidates. Publicity shall include posting in three public places in the College 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. Persons applying or nominated must meet the qualifications required by law for members of the Governing Board.

Persons applying for appointment to the Governing Board shall receive a letter from the Superintendent/President containing information about the College District and the Governing Board, and including an application to be completed and returned by a specific date.

Each Governing Board member will review all applications with final selection made by a majority vote of the Governing Board members at a public meeting called for that purpose.

The Governing Board shall request personal interviews with candidates selected as finalists.

Whenever a provisional appointment is made, the Governing 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 College 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 the 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 Governing Board, the date of appointment, and 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 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 Governing Board member upon the appointee immediately following his or her appointment.

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Pursuant to Education Code section 5091(e), a person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for Governing Board members, whereupon 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.