

SOLANO COMMUNITY COLLEGE DISTRICT

VACANCY

1013

POLICY:

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

Within sixty (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 not 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/

AUTHORITY:

California Education Code Sections 5090 et seq., 72023.5

California Government Code Section 1770

California Elections Code

Solano Community College District Governing Board

BP1013

ADOPTED:

July 7, 1982

REVISED:

March 18, 1987; May 19, 1999; June 6, 2007;
Reviewed October 20, 2010; April 2, 2014

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PROCEDURES

All applicants will be required to submit the following materials/information:

1. Current résumé.
2. A written statement of qualifications for the Governing Board seat. The statement, not to exceed five double-spaced, typewritten pages, to include the following information:
 - a. Why the applicant is interested in Solano Community College.
 - b. Why the applicant is interested in being appointed to the Governing Board.
 - c. What the applicant considers to be five major issues confronting the District/College.
 - d. Information on past and current public/civic involvement and service to the community.
3. List of three references with current addresses and current phone numbers should be sent to the Office of the Superintendent-President or designee.

Any person, regardless of sex, who is 18 years of age or older, a citizen of the state, a resident of the vacant Trustee area; a registered voter, and who is not disqualified by the Constitution or laws of the state from holding a civil office, is eligible to be elected or appointed as a member of a county governing board. All candidates interested in eligibility for the vacant position in the vacant trustee area must be a registered voter and a resident of the city where the vacant seat exists. The Solano County Registrar of Voters will verify eligibility.

Applicants will be given three minutes for an opening statement to include a presentation of interest and qualifications, followed by ten minutes to answer questions from the Board.

According to Education Code Section 5091(a), within sixty (60) days of the vacancy, the remaining members of the SCC Board may:

Make a Provisional Appointment –

When the Governing Board determines to fill the 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 District and publication in a newspaper for 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 or members of the Governing Board.

Each Board member will review all candidate information sheets, with final selection made by a majority vote of the Governing Board members at a public meeting called for that

purpose. At the conclusion of the interviews, the Board will make a decision and swear in the provisional Board member.

The appointed person shall hold office until the next regularly scheduled election for governing board members (Education Code §5091[e]). The individual appointed to fill the vacancy would hold office until the first meeting in December of the election year when the Trustee's term would have ended.

A provisional appointment confers all powers and duties of a Governing Board member upon the appointee immediately following his/her appointment.

Order an Election to be Held on the Next Established Election Date –

Per Education Code §5093(c), "If a special election pursuant to Education Code §5091(e) could be consolidated with the next regular election for governing board members, and the vacant position is scheduled to be filled at such regular election, there shall be no special election." The next established election for governing board members is November of a given year when the Trustee's seat would be scheduled to be filled in that election. Under this option, the Board would operate with only six members until the first meeting in December of a given year when the Trustee's term would have ended.

Failure to Make an Appointment for Call for an Election –

If the Board fails to appoint or call an election within the required 60-day period, the County Superintendent of Schools shall call an election to fill the position and the matter will be placed on the ballot of the next established election date, which would be in November of a given year. The Governing Board would operate with only six members until the first meeting in December of a given year when the Trustee's term would have ended.

REFERENCES/

AUTHORITY: California Code of Regulations, Title 5, Sections 55030-55034

Education Code Sections 5091(a), 5091(e), 5093(c)

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REVIEWED: May 21, 2014