

VACANCIES ON THE GOVERNING BOARD

Whenever a vacancy occurs, the Governing Board shall within 60 days of the vacancy either order an election or make a provisional appointment to fill the vacancy. Should a vacancy occur following the resignation of a Governing Board member, he or she may not defer the effective date of his or her resignation for more than 60 days after official notification is received.

When an election is ordered to fill the vacancy, it shall be held on the next established election date provided pursuant to Chapter 1 (commencing with Section 1000) of Division 1 of the Elections Code not less than 130 days after the order of the election.

Should the Governing Board decide to fill the vacancy by making a provisional appointment, the following steps shall be taken.

Announcement of the Vacancy

Upon the Governing Board's decision to fill a board vacancy by provisional appointment instead of an election, the chancellor shall assure there is ample publicity 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 to complete the provisional appointment 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 provisional appointment to the Governing Board shall receive a letter from the chancellor containing information about the District and the Governing Board including the Governing Board Provisional Appointment Application Form (Exhibit A) which may include supplemental questions, to be completed and returned by a specific date.

Review of Applications and Selection of the Provisional Appointment

In a public session, Governing Board members will review and discuss all provisional appointment applications to determine applicants to be interviewed. Interviews and final selection of the provisional appointment shall be made by a majority vote of the Governing Board members at a public meeting called for that purpose.

Announcement of the Provisional Appointment Decision

When the 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 District. A notice of the appointment shall be published 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 vacancy.

It shall also contain the full name of the provisional appointee to the 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 the county superintendent of schools within 30 days of the date of the provisional appointment, it shall become an effective appointment.

In the event the Governing Board fails to make a provisional appointment or order an election within the prescribed 60-day period, the county superintendent of schools shall order an election to fill the vacancy.

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

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



GOVERNING BOARD PROVISIONAL APPOINTMENT APPLICATION FORM

Name _____

Home Address _____

City, State, Zip _____

Phone: Home _____ Business _____

E-mail address _____

Occupation _____

Company _____

Business Address _____

City, State, Zip _____

Please complete the following or attach a current resume.

Education (List degrees or highest year completed and the college or school.)

Employment History (last 10 years)

Public and Community Service

☐ (Check if applicable) I am related to a current employee of the District. If yes, name of employee and your relationship _____

I understand that I cannot be an employee of the District while serving as a member of the Board.

I certify that I meet all eligibility requirements. (Note: To be eligible, an individual must be at least 18 years old; must be a resident [of the district/of the area]; must be a registered voter, and must not be disqualified from holding civil office by the Constitution or any law of the state.)

Signature: _____

Date: _____

Deadline for applications is _____

Please return this form to:

**Chancellor's Office
Contra Costa Community College District
500 Court Street
Martinez, CA 94553**