



Filling a Board Vacancy

/ Options at a Glance



Within 60 days of the vacancy (March 12, 2022), the Board must make a provisional appointment or order an election. (Ed. Code, § 5091(a).) If the Board does not take either action within 60 days, the County Superintendent will order an election to fill the vacancy.



Process

Special Election

If the Board chooses to order an election to fill the vacancy, it must take action to order an election to be held on the next established election date provided in Elections Code section 1000, at least 130 days after the election is ordered by the Board. (Ed. Code, § 5091(b).)

Provisional Appointment

If the Board takes action within the 60-day timeline to fill the seat with a provisional appointment, it must follow the rules and guidelines outlined in its Bylaw 9223.

Expense to CUSD

EST. **\$300,000**

\$0



Timeline

A special election, if ordered, would take place in June 2022 at the earliest. Otherwise, the next available election is in November 2022. The person elected holds office for the remainder of the term (2024) in which the vacancy occurs.

A provisional appointee would only hold the seat until the November 2022 regular election.



Steps

If the Board chooses to order an election to fill the vacancy, it must take action to order an election to be held on the next established election date provided in Elections Code section 1000, at least 130 days after the election is ordered by the Board. (Ed. Code, § 5091(b).)

For 2022, the three established election dates under the Elections Code § 1000 are as follows:

- (1) April 12, 2022. (CUSD could not meet this timeline)
- (2) June 7, 2022. (Board would need to order election by January 28th)
- (3) November 8, 2022.

The person elected holds office for the remainder of the term (2024) in which the vacancy occurs.

If the Board takes action within the 60-day timeline to fill the seat with a provisional appointment, it must follow the rules and guidelines outlined in its Bylaw 9223. That procedure includes:

- The Board shall advertise in the local media to solicit candidate applications or nominations.
- A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates.
- At a public meeting, the Board shall (a) interview the candidates, (b) accept oral or written public input, and (c) select the provisional appointee by a majority vote.

Eligibility Requirements

- 18 years or older
- A resident of the school district
- Registered voter
- District employees are ineligible