

RESOLUTION NO. 31, 2020-21

**A RESOLUTION OF THE BOARD OF EDUCATION OF THE
ELK GROVE UNIFIED SCHOOL DISTRICT ADOPTING PROCEDURES FOR A
PROVISIONAL APPOINTMENT TO FILL A BOARD VACANCY**

WHEREAS, Trustee Bobbie Singh-Allen, Trustee Area Four, was recently elected to the position of Mayor to the City of Elk Grove;

WHEREAS, pursuant to Education Code section 5090, Government Code sections 1770 and 1099, and Board Bylaw 9223, a vacancy is created when a sitting trustee accedes to a second public office;

WHEREAS, Education Code section 5091 and Board Bylaw 9223 provide that when a vacancy occurs on the Board, the Board may, within 60 days, either order a special election or make a provisional appointment to fill the vacancy;

WHEREAS, the Sacramento County Registrar's office has estimated that a special election will cost the District between \$2 million and \$4 million dollars;

WHEREAS, the Board has determined, therefore, that is in the best interests of the District to make a provisional appointment to fill the vacancy;

WHEREAS: Board Bylaw 9223 provides that when making a provisional appointment, the following process must be followed:

1. The District shall advertise the vacancy in the local media to solicit candidate applications.
2. A committee consisting of less than a quorum of the Board shall screen the applicants and announce the names of the candidates.
3. The Board shall interview candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Elk Grove Unified School District does hereby resolve, determine and order as follows:

1. The Board hereby initiates the provisional appointment process to fill Trustee Singh-Allen's seat on the Board.
2. The Superintendent or his designee shall solicit applications or nominations from eligible person interested in serving on the District Board. Eligible candidates must meet the following minimum criteria as required by Education Code section 35107:
 - a. The candidate must be at least 18 years of age.
 - b. The candidate must be a citizen of California.
 - c. The candidate must be a resident of Trustee Area Four.
 - d. The candidate must be a registered voter.
 - e. The candidate must not be disqualified from holding a civil office.

3. A screening committee consisting of the following Board members shall screen applicants and announce the names of the candidates.
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4. The Superintendent or his designee will notify the Sacramento County Superintendent of Schools of the Board's intent to fill the vacancy, by forwarding an executed copy of this Resolution.
5. The "tentative timeline" attached as Exhibit A shall guide the provisional appointment process. The Superintendent or his designee is authorized to make changes to this timeline if necessary to carry out the purpose of this Resolution.
6. The Superintendent or his designee will publish the notice attached as Exhibit B in a newspaper of general circulation within the District, at the District office, and wherever else he deems appropriate.
7. The Superintendent or his designee shall develop an interview and selection process that promotes fairness and efficiency.
8. The Superintendent or his designee is delegated the authority to take such additional action as may be required to carry out the purpose of this Resolution.

The foregoing Resolution was PASSED and ADOPTED at a regular meeting of the Board of Education of the ELK GROVE UNIFIED SCHOOL DISTRICT on the 15th day of December, 2020 by the following vote:

AYES: _____
 NOES: _____
 ABSENT: _____
 ABSTAIN: _____

Dated: December 15, 2020

 Beth Albiani
 President, Board of Education

 Christopher R. Hoffman,
 Superintendent/Secretary to the Board of Education
 Elk Grove Unified School District

**EXHIBIT A
TENTATIVE TIMELINE
PROVISIONAL APPOINTMENT PROCESS**

December 15, 2020. The Board will announce its intention to begin the process of provisionally appointing an interested candidate to fill the vacated seat.

December 18, 2020 - January 14, 2021. The District will advertise the vacancy and provisional appointment process, and candidates may submit applications.

January 14, 2021. All applications must be completed and submitted to the District Office [9510 Elk Grove-Florin Road, Elk Grove, CA 95624] or via email to Superintendent Christopher Hoffman [*choffman@egusd.net*], by 4:00 pm on January 14, 2021.

January 15, 2021 - January 21, 2021. The screening subcommittee will review and screen the applications.

January 21, 2021. The District will post the names of the candidates to be interviewed by the end of the day.

January 26, 2021. The District will hold a special board meeting to interview candidates in open session. The Board will vote to select the provisional appointee, and the new appointee will be sworn in.

By February 5, 2021. The District will post a notice of the vacancy and the provisional appointment, and publish it in a newspaper of general circulation. Within 30 days of the appointment, registered voters may file a petition for special election with the County Superintendent of Schools in the manner specified in Education Code section 5091, subdivision (c).

**EXHIBIT B
PUBLIC NOTICE**

**ELK GROVE UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEE PUBLIC NOTICE
OF INTENT TO FILL BOARD VACANCY**

NOTICE IS HEREBY GIVEN that the Elk Grove Unified School District is looking to fill a vacancy on its seven-member Board of Education. Following former trustee Bobbie Singh-Allen's election to the position of Mayor of the City of Elk Grove, a vacancy has opened up on the Board in Trustee Area Four. On December 15, 2020, the Board announced its intention to begin the process of provisionally appointing an interested candidate to fill Ms. Singh-Allen's vacated seat.

The Board invites interested candidates from Trustee Area Four to submit an application to the District Office [9510 Elk Grove-Florin Road, Elk Grove, CA 95624] or via email to Superintendent Christopher Hoffman [*choffman@egusd.net*] by **no later than 4:00 pm on January 14, 2021**. Applications can be obtained from the District Office between the hours of 9:00 a.m. and 4:00 p.m. on regular business days, or at the District's website [www.egusd.net]. California law requires that candidates meet the following minimum eligibility requirements to be considered for provisional appointment to the Board:

- The candidate must be at least 18 years of age.
- The candidate must be a citizen of California.
- The candidate must be a resident of Trustee Area Four.
- The candidate must be a registered voter.
- The candidate must not be disqualified from holding a civil office.

If you are unsure if you live within the boundaries of Trustee Area Four, please contact the Office of the Superintendent, or the Sacramento County Registrar of Voters during regular business hours.

The Board is responsible for ensuring the District operates effectively and efficiently. Trustees commit a significant amount of time, energy, effort and dedication to ensure that the District can appropriately serve our community. The Board intends to interview candidates and make the appointment at a special meeting on January 26, unless a different date is later identified. For more information regarding the provisional appointment process, or the duties of a school board member, please contact the Superintendent's Office.