

BOARD OF TRUSTEE MEMBERSHIP, ELECTION AND VACANCIES	1030
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Except as otherwise provided, the Board of Trustees shall consist of five members elected at large and by trustee District, by the qualified voters of the District, and a non-voting student member as stipulated in Board Policy 1034 Student Representative within the Board of Trustees.

Notice of the elections shall be posted. The election shall be held on the first Tuesday after the first Monday in November of even-numbered years. Terms start on the first Friday in December in the even-numbered years. Terms of the members shall be staggered so that as nearly as practicable one-half of the members shall be elected in each even-numbered year.

Any person who meets the criteria contained in law is eligible to be elected or appointed a member of the Board.

An employee of the District may not be sworn into office as an elected or appointed member of the Board unless he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. This section does not apply to an individual who is usually employed in an occupation other than teaching and who also is employed part-time by the District to teach no more than one course per semester in the subject matter of that individual's occupation; and only when the contract to teach has already been executed at the time of the election to the Board.

No member of the Board shall, during the term for which he or she is elected, hold an incompatible office.

Any member of the Board whose term has expired shall continue to discharge the duties of the office until his or her successor has been sworn into office. The term of the successor shall begin upon the expiration of the term of his or her predecessor.

Vacancies

Any vacancy on the Board shall be filled by provisional appointment made by the remaining members of the Board for the remainder of the unexpired term. If the remaining members of the Board fail to fill the vacancy within sixty (60) days, the County Superintendent of Schools shall call an election to fill the vacancy. In the event of a provisional appointment made by the Board, within thirty (30) days from the date of such provisional appointment by the Board, a petition for a special election to fill the vacancy may occur in accordance with the requirements set forth in the Education Code. If the County Superintendent of Schools determines the petition to conduct a special election to be legally sufficient in accordance with the requirements set forth in the Education Code, the provisional appointment shall immediately be terminated, and a special election to fill the vacancy on the Board shall be conducted pursuant to the requirements set forth in the Education Code.

Reference: E.C. 5000.5(a)(1), 5090-5095, 5325, 72103, 72023, AB 3543-Chapter 1161-1990, Board Resolution 90-29, CCLC 2010, 2100

(Revised: 11/25/74, 10/17/90, 10/03, 1/5/2005)

(Board Approval: 1/5/2005)

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The Superintendent/President or designee shall swear in newly-elected members of the Board of Trustees within a fifteen (15) day period following the first Friday in December. The designee shall be either the Assistant Superintendent/Vice President or a designee of the San Luis Obispo County Clerk Recorder.