



# **ADMINISTRATIVE PROCEDURE**

**2110**

**DESERT COMMUNITY COLLEGE DISTRICT**

## **VACANCIES ON THE BOARD**

Whenever a vacancy occurs, or whenever a resignation has been filed with the County Superintendent of Schools containing a deferred effective date, the Board of Trustees shall within 60 days of the vacancy or the filing of the deferred resignation, either order an election or make a provisional appointment to fill the vacancy. A governing board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent of Schools.

When an election is ordered, it shall be held on the next regular 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 occurrence of the vacancy or after the written resignation is filed with the County Superintendent of Schools.

If a provisional appointment is made within the 60-day period, the registered voters of the district may, within 30 days from the date of the appointment, petition for the conduct of a special election to fill the vacancy. The petition list shall meet the requirements of Education Code §5091.

When the 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 of 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 to serve as a member of the Board.

Persons applying for appointment to the Board shall receive a letter from the Superintendent/President containing information about the District and the Board and a candidate information sheet to be completed and returned by a specific date.

The Board may request personal interviews with candidates. Interviews will be conducted in a public hearing scheduled for that purpose.

Each Board member will review all candidate information sheets from candidates who are deemed eligible for appointment under applicable statutes. Should the Board request personal interviews with candidates at a public hearing, prior to the public hearing, the Board may set a reasonable limit on the number of candidates it will interview. The Board may delegate to the Superintendent/President the creation of an equitable process for identifying the top candidates to proceed to interviews.

A with final selection made by a majority vote of the Board members at a public meeting called for that purpose. Prior to engaging in the final selection process, the Board will decide by a majority vote, the process by which they will make the final selection.

Whenever a provisional appointment is made, the 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. It shall also publish a notice 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 resignation. 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 county superintendent of schools within 30 days of the date of the provisional appointment, it shall become an effective appointment.

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

A person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for district 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.

There shall be no special election or appointment to fill a vacancy on a governing board if the vacancy occurs within four months of the end of the term of that position.

**Reference:**

**Education Code Section 5090 et seq.;**  
**Government Code Sections 1770 and 6061**

Administrator: Superintendent/President

Executive Cabinet Review: 5/5/2025

College Planning Council Review/Approval, 1<sup>st</sup> Reading: 5/9/2025

College Planning Council Review/Approval, 2<sup>nd</sup> Reading: 5/23/2025

Board of Trustees Review: 6/12/2025

Next Review: 2032-2033