



OFFICE OF THE SUPERINTENDENT
155 Bardin Road, Salinas, CA 93905
(831)753-5700 • FAX (831)753-5709

Board of Trustees
Guadalupe Gilpas Barrera
Leticia García
José Antonio Jiménez
Robert Ocampo

Jim Koenig, Superintendent

May 2024

TO: Applicant

FROM: Alisal Union School District Board of Trustees

RE: Application to Fill Board of Trustees Vacancy, Trustee Area 1

Dear applicant:

If you would like to be considered for appointment to the vacancy, please complete the enclosed application. We are asking each applicant to do this in order to assist the board in the selection process.

Regular board meetings are held every 3 weeks on Wednesdays (except when days conflict with U.S. holidays and school breaks), with occasional special meetings. In addition to preparing for and attending board meetings, some personal time will be necessary for individual study and growth, such as attending regional meetings, trainings, and conferences. Board members may also attend social events, such as graduations, holiday celebrations, and ribbon cuttings in their role as a trustee.

Please return the enclosed form to 155 Bardin Road, Salinas, CA 93905, or by email to jim.koenig@alisal.org by June 5. Enclosed is a copy of Board Bylaw 9223 Filling Vacancies, which describes the board's selection and interview process. If you have any questions about the process, please contact Sofia Ramirez, Administrative Assistant at sofia.ramirez@alisal.org.

Thank you very much for your interest.

Sincerely,

A handwritten signature in blue ink that reads "James R. Koenig".

Jim Koenig
Superintendent
Alisal Union School District



Application to Fill Board of Trustees Vacancy

Please fill out and return this form by June 5, 2024 to the superintendent's office at 155 Bardin Rd, Salinas, CA 93905, or email it to jim.koenig@alisal.org.

Please note that your answers to Questions 1-11 may be disclosed to the public.

Date: _____

_____	_____	_____
Last Name	First Name	Initial
_____	() _____	_____
Home Address, City, Zip Code	Phone Number	Email Address

Employment:

_____	_____
Occupation	Name of Employer / Business
_____	() _____
Business Address, City, Zip Code	Phone Number

Number of Years Residing in District or County: _____

Do you have children or grandchildren in the district's or county office's schools?

Yes _____ No _____ If yes, what school(s)? _____

1. Do you have prior experience serving on a governing board, specifically a school district/county board of education? Please list your prior experience.

2. Have you worked on any school committees (e.g., PTA, school site council) or participated in any school activities recently? Please list your involvement.

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3. Describe any other community or business activities (e.g., employment, business ownership) in which you have participated. Describe your role, and whether your work was volunteer or employment related.

4. Why do you want to be a school board member?

5. What do you see as the basic purpose of public schools?

6. What is the role of the governing board in the fulfillment of that purpose?

7. How does the board's role differ from that of the superintendent?

8. What should the relationship be between the board members and the administration in the handling of school district or county office concerns?

9. Briefly describe your commitment to public education and local school district.

10. What do you see as the strengths of the Alisal Union School District?

11. What do you see as the area(s) most needing improvements in the Alisal Union School District?

Bylaw 9223: Filling Vacancies

Status: Adopted

Original Adopted Date: 11/13/1990 | **Last Revised Date:** 05/19/2021, 5/15/2024 | **Last Reviewed Date:** 5/15/24

Events Causing a Vacancy

A vacancy on the Governing Board may arise from any of the following events:

1. The death of an incumbent (Government Code 1770)
2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of the office for the remainder of the term (Government Code 1770)
3. A Board member's resignation (Government Code 1770)

A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. A Board member may not defer an effective date of resignation for more than 60 days after the date the resignation is filed with the County Superintendent.

Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090, 5091)

4. A Board member's removal from office, by recall (Elections Code 11000; Government Code 1770)
5. A Board member's ceasing to be a resident of the district (Government Code 1770)
6. A Board member ceases to inhabit the trustee area represented on the Board. (58 Ops.Cal.Atty.Gen. 888 (1975))

In 105 Ops.Cal.Atty.Gen 182 (2022), the Attorney General has opined that when the boundaries of a district's trustee areas are adjusted or the district changes from "at-large elections" to "by-trustee area elections," and a vacancy then arises in a seat held by a Board member whose term of office began prior to the change in boundaries or election method, the vacancy should be filled using the boundaries or election method by which the incumbent Board member was elected. See BB 9220 – Governing Board Elections.

However, a vacancy does not arise when the district adjusts the trustee area boundaries or changes from "at-large" to "by-trustee area" election method during a Board member's term.

7. A Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)

- a. Upon district business with the approval of the Board
- b. With the consent of the Board for an additional period not to exceed a total absence of 90 days
- c. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.-
- d. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve during the absence. If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities. The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

- 8. A Board member's ceasing to discharge the duties of the office for the period of three consecutive months, except when prevented by illness or when absent from the state with the permission required by law (Government Code 1770)
- 9. A Board member's conviction of a felony or any offense involving a violation of his/her official duties or conviction of a designated crime resulting in a forfeiture of office (Government Code 1770, 3000-3003)
- 10. A Board member's refusal or neglect to file the required oath within the time prescribed (Government Code 1770)
- 11. The decision of a competent tribunal declaring void a Board member's election or appointment (Government Code 1770)
- 12. A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (Government Code 1770)
- 13. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (Education Code 5090, 5326, 5328)

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action. (Education Code 5093)
2. When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled, a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which the person was elected to fill. (Education Code 5093)
3. When a vacancy occurs outside of the statutory time windows identified in Items #1 and #2 above, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment. (Education Code 5091, 5093)

Eligibility

In order to be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code 35107, as described in BB 9220 – Governing Board Elections.

Provisional Appointments

When authorized by law to make a provisional appointment to fill a vacancy on the Board, 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. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

Within 10 days after the appointment is made, the Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district. (Education Code 5092)

The notice shall contain: (Education Code 5092)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
2. The full name of the appointee
3. The date of appointment
4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent within 30 days

of the provisional appointment, it shall become an effective appointment

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment. (Education Code 5091)

If within 30 days of the Board's appointment, registered voters of the district or, where elections are by trustee areas, of the trustee area submit a petition for special election which the County Superintendent determines to be legally sufficient, the provisional appointment is terminated, and a special election shall be held in accordance with Education Code 5091 to fill the vacancy.

Appointment Due to Failure to Elect

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (Education Code 5328)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures for "Provisional Appointments," as specified above.