



# SAN LUIS COASTAL

## UNIFIED SCHOOL DISTRICT

### Provisional Appointment Application Packet

The San Luis Coastal Unified School District is looking to fill a vacancy on its seven-member Board of Trustees. Following former Trustee Kathryn Eisendrath-Rogers' resignation, a vacancy has opened up on the Board in Trustee Area 7. On January 12, 2022 the Board announced its intention to begin the process of provisionally appointing an interested candidate to fill Dr. Eisendrath-Rogers' vacated seat.

Interested candidates are invited to complete this application packet, and submit it to the District Office at 1500 Lizzie Street, B-1, San Luis Obispo, CA 93401 or via email to Superintendent Dr. Eric Prater at [boardapplication@slcusd.org](mailto:boardapplication@slcusd.org) **by 4:30 p.m. on February 3, 2023.**

This Application Packet includes:

1. [Provisional Appointment Process and Timeline](#)
2. [Candidate Information](#)
3. [Declaration of Residency](#)
4. [Reference Sheet](#)
5. [Candidate Questionnaire](#)
6. [San Luis Coastal Unified School District Governing Board Bylaw 9223](#)

On February 6, 2023, a screening committee will post the names of candidates who will be invited to participate in an interview. On February 22, 2023, the Board will interview candidates for the vacant position in open session. The Board will, at that time, consider making a provisional appointment. 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 San Luis Obispo or its environs.
- The candidate must be a registered voter.
- The candidate must not be disqualified from holding a civil office.
- Preferred that the candidate be a resident of Trustee Area 7.

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. For more information regarding the provisional appointment process, residency requirements, or the duties of a school board member, please contact the Superintendent's Office.

## TIMELINE FOR PROVISIONAL APPOINTMENT

- Dec. 31** Date of Resignation
- Jan. 12** The Board will announce its intention to begin the process of provisionally appointing an interested candidate to fill the vacated seat.
- Jan. 12 - Feb. 3** The District will advertise the vacancy and provisional appointment process, and candidates may submit applications.
- Feb. 3** All applications must be completed and submitted to the District Office at 1500 Lizzie Street, San Luis Obispo, CA 93401 or via email to Superintendent Eric Prater at [boardapplication@slcusd.org](mailto:boardapplication@slcusd.org) by 4:30 p.m. on February 3.
- Feb. 6** The screening subcommittee will review and screen the applications.
- Feb. 14** The District will post the names of the candidates to be interviewed by the end of the day.
- Feb. 22** 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 Mar. 2** 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).

## CANDIDATE INFORMATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Number of Years Residing in District: \_\_\_\_\_

### Employment Background:

Employer	Position	Dates of Employment

### Education Background:

High School/Institution	Degrees/Units	Date of Attendance

**Please check each statement that applies to you:**

- ☐ I am 18 years of age or older.
- ☐ I am a citizen of the State of California.
- ☐ I am a resident of the San Luis Coastal Unified School District.
- ☐ I am a registered voter in the State of California.
- ☐ I am a resident of San Luis Obispo and its environs.
- ☐ I am not disqualified by the United States Constitution or the laws of the State of California from holding civil office, and I am eligible to be appointed a member of the governing board of the San Luis Coastal Unified School District.
- ☐ I am not an employee of the San Luis Coastal Unified School District.
- ☐ I am willing to file a Conflict of Interest Statement.
- ☐ I reside in Trustee Area 7. (preferred)

\_\_\_\_\_  
Signature of Applicant

Date: \_\_\_\_\_

## RESIDENCY DECLARATION

I, \_\_\_\_\_, hereby declare that I reside within the boundaries of the San Luis Coastal Unified School District, pursuant to the statutory definition of residency provided in Government Code section 244 and applicable law. If there is any change in the status of my residency, I agree to immediately notify the San Luis Coastal Unified School District in writing.

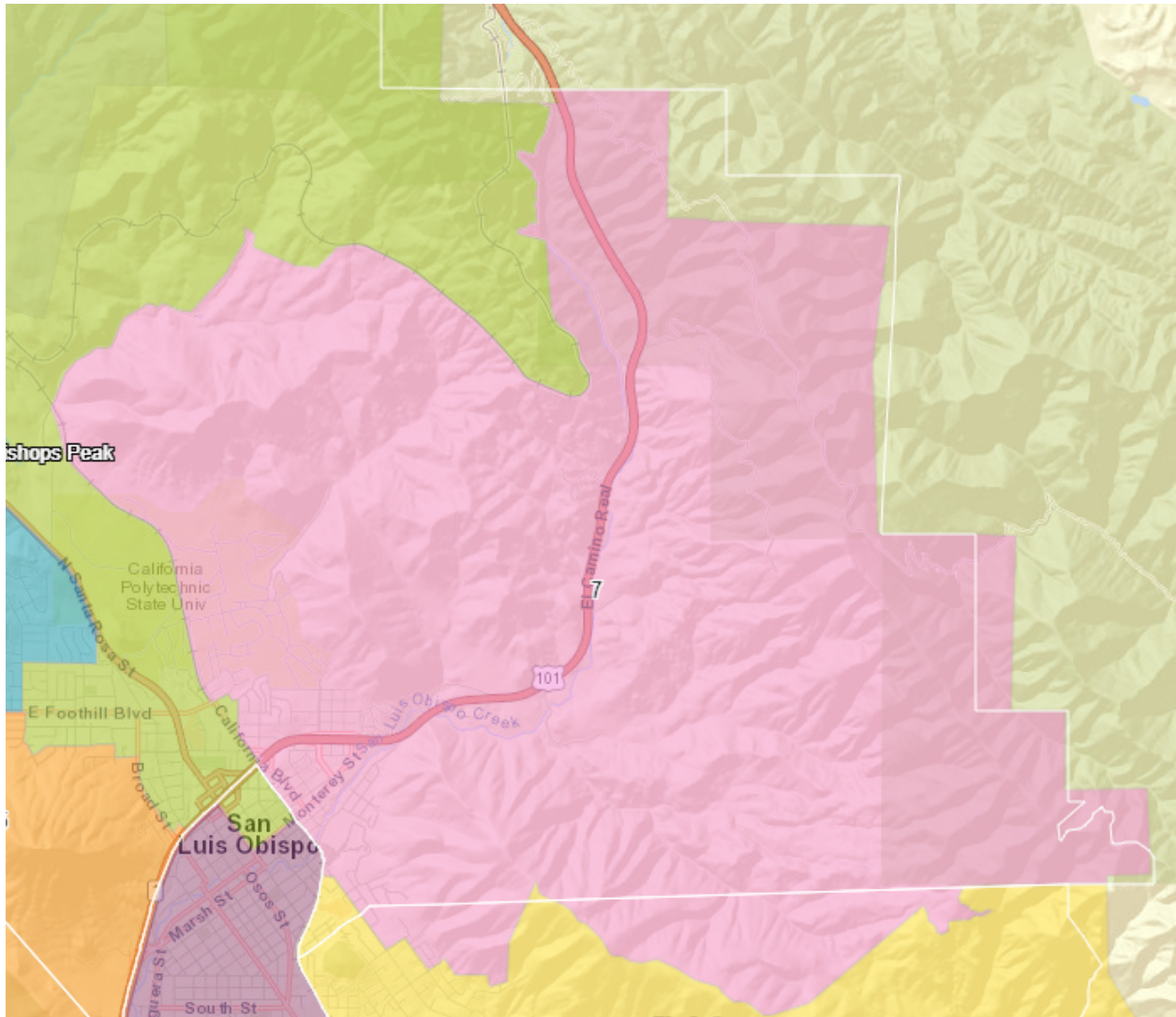
\_\_\_\_\_  
Signature of Candidate

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

## Attachment A

### Map of Trustee Area



## REFERENCES

Please provide the name and contact information for up to three people who are residents of the District that are willing to affirm their support of your application to serve as a board member.

(Note: The District does not anticipate calling these references but reserves the right to do so.)

1. Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Relationship to you: \_\_\_\_\_

2. Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Relationship to you: \_\_\_\_\_

3. Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Relationship to you: \_\_\_\_\_

## CANDIDATE QUESTIONS

Please answer the following questions using 150 words or less per question. Please use additional paper, if needed.

- 1. In what ways would you support the Board's Vision, Mission, and Guiding Principles and its Annual Priorities?**

- 2. Do you have prior experience serving on a governing board, specifically a school district board? Please list such prior experience.**

- 3. What school district, community or business activities have you been involved in?**



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

**5. What do you feel you can contribute as a school board member?**

**6. What experience, education, training, or volunteer work do you think qualifies you to be appointed as the board member?**

7. Identify a recent board decision that you felt strongly about, and describe how you would balance community concerns, student needs, state and federal law, staff considerations, and your personal values and beliefs to determine how to vote on the issue.

8. What do you see as the strengths of the school district?

9. What do you see as the area(s) most needing improvement in the school district?

**FILLING VACANCIES**

A vacancy on the Board of Education may occur for any of the events specified in Government Code 1770 or by a failure to elect. (Education Code 5090) Removal by recall election shall also create a vacancy on the Board. (Elections Code 11384)

A vacancy on the Board also occurs when a Board member ceases to inhabit the trustee area which he/she represents on the Board. (58 Ops.Cal.Atty.Gen. 888 (1975))

If a vacancy occurs less than four months before the end of a Board member's term, the Board shall take no action. (Education Code 5093)

If a vacancy occurs four or more months before the end of a Board member's term, 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, unless a special election is mandated as described below. (Education Code 5091)

**Mandated Special Election**

If 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 he/she was elected to fill. (Education Code 5093)

**Provisional Appointments**

When the special election described above is not required, the Board may make a provisional appointment. (Education Code 5091, 5093)

In order to draw from the largest possible number of candidates, 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.

*(cf. 9130 - Board Committees)*

*(cf. 9220 - Governing Board Elections)*

*(cf. 9323.2 - Actions by the Board)*

The Board shall accept nominations for Board membership at a public meeting and shall select the provisional appointee from among these nominees by a majority vote.

*(cf. 9220 - Governing Board Elections)*

*(cf. 9323.2 - Actions by the Board)*

**FILLING VACANCIES** (continued)

**Notice and Duration of Provisional Appointment**

Within 10 days after the appointment is made, the Board shall post notices of the vacancy or resignation and the provisional appointment. The notice shall be published in the local newspaper 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 of Schools 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)

*Legal Reference: (see next page)*

**FILLING VACANCIES (continued)**

*Legal Reference:*

**EDUCATION CODE**

5019-5019.5 *Trustee areas*

5090 *Definition (vacancy)*

5091 *Special election or provisional appointment*

5092 *Public notice of vacancy and provisional appointment*

5093 *Re vacancies occurring near end of term and incumbent not reelected*

5094 *Power of president of county board of education when majority of offices vacant*

5095 *Powers of remaining board members and new electees or appointees*

5200 *Districts governed by boards of education*

5304 *Duties of the governing board (re school district elections)*

5325 *Publication of information regarding district elections*

5420-5426 *Cost of elections, especially:*

5424 *Expenses of conducting legal recall election*

35107 *Eligibility*

35178 *Resignation with deferred effective date*

**ELECTIONS CODE**

10603-10604 *School district elections*

11384 *Vacancy in office if majority vote for recall*

**GOVERNMENT CODE**

1064 *Absence from state*

1770 *Vacancies: definition*

3060-3074 *Removal other than by impeachment*

6061 *One time*

54950-54962 *The Ralph M. Brown Act, especially:*

54953 *Meetings open and public; secret ballots*

**ATTORNEY GENERAL OPINIONS**

58 *Ops.Cal.Atty.Gen.* 888 (1975)