# BOARD OF EDUCATION
# MT. DIABLO UNIFIED SCHOOL DISTRICT
## Application Packet for Provisional Appointment

The Mt. Diablo Unified School District is looking to fill a vacancy on its five-member Board of Education. Following former trustee Cherise Khaund's resignation from the Board of Trustees, a vacancy has opened on the Board in Trustees Area # 4. On June 25, 2025, the Board announced its intention to begin the process of provisionally appointing an interested candidate to fill Ms. Khaund's vacated seat. Please see Board of Education Resolution # 24/25-73.

Interested candidates are invited to complete this application packet and submit it to the District Office at 1936 Carlotta Drive, Concord, CA 94519, or via email to Executive Assistant Laura Juranek (juranekl@mdusd.org) by 4:00 P.M. on July 23, 2025.

The Application Packet includes:

1. Exhibit A: Criteria for appointment to the Mt. Diablo Unified School District Board of Education
2. Exhibit B: Timetable for Provisional Appointment to the Mt. Diablo Unified School District Board of Education
3. Application Form
4. Mt. Diablo Unified School District Board of Education Board Bylaw 9223

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, or the duties of a school board, please contact the Superintendent's Office.

**Exhibit A**: Criteria for appointment to the Mt. Diablo Unified School District Board of Education

I. Education Code § 35107 - Who is eligible to serve on a school board?

School boards are nonpartisan. Candidates for boards are not required to belong to a political party. In California, you may be appointed to a governing board of a school district if you are: 1) 18 years of age or older; 2) A citizen of the state; 3) A resident of the school district; 4) A registered voter; and 5) Not disqualified by the constitution or laws of the state from holding a civil office. Additionally, a resident of the Mt. Diablo Unified School District must also qualify by Trustee Area in which the vacancy has occurred.

II. Preferred Qualifications

In evaluating candidates for appointment to the Board to fill the vacancy, the Board shall consider, among other things, the following preferred qualifications:

- Knowledge of School Board Member's fiduciary duties;
- Knowledge of the Mt. Diablo Unified School District; and
- Knowledge and/or practical experience needed to understand publicly funded school district issues – finances, budget, personnel, policies.

In addition to the qualifications listed above, the Board shall also consider, among other things, whether the candidate:

- Has demonstrated leadership qualities, based upon past experience and achievements;
- Has clear knowledge of what a Board Member must do to engage the community in support of the schools and parents in the successful education of their children;
- Has a clear understanding of the ethical responsibilities of his/her role on the Board;
- Has the time and energy necessary to be an informed and effective school Board Member;
- Has demonstrated an understanding of the need to keep confidential matters confidential;
- Has demonstrated an understanding that authority rests with the Board as a whole and not with individuals; and
- Recognizes and respects differences of perspective and style among District Board Members, staff, students, parents, and the community.

**Exhibit B**: Timetable for Provisional Appointment to the Mt. Diablo Unified School District Board of Education

1. As soon as reasonably possible, the Superintendent, or his designee, will make efforts to notify the community of the vacancy and solicit applications for the provisional appointment.

2. Application forms and a copy of Resolution No. 24/25-73 will be made available to all interested persons.

3. To be considered, an application from an interested person must be received at the District Office no later than 4:00 p.m. on July 23, 2025.

4. The Committee shall screen the applications to ensure that the applicant satisfies the legal requirements for appointment. All applications meeting the legal requirements will be processed in accordance with Resolution No. 24/25-73.

5. If more than three candidates meet the legal requirements, then the Committee shall interview the candidates and make a recommendation for three finalists for the full Board to interview.

6. The Board will conduct a special meeting on or before August 15, 2025, at which time it will interview each of the finalists and select the candidate to be provisionally appointed to the Board. The appointee will be sworn in at the beginning of the next regular public meeting.

7. Within sixty (60) calendar days after June 16, 2025 (i.e., not later than August 15, 2025), the Board will make a provisional appointment.

Following the Board's action to make a provisional appointment, the Superintendent is hereby authorized to publish the notice required by Education Code § 5092.

**Application**

Requesting Interested Candidates to apply before the submission deadline at 4:00 p.m. on July 23, 2025, in the office of the Superintendent or by email to: juranekl@mdusd.org. Candidates may submit a statement as part of their candidate application.

Name: Brian Lawrence Date: 7/17/2025

Address: [redacted] Phone: [redacted]

Email: [redacted]

Employment:

| Employer | Position | Dates of Employment |
|---|---|---|
| Functionize | SVP of Global Sales | 5/25- Present |
| Clazar | VP of Sales | 6/23-5/25 |
| airSlate | VP of Sales | 6/19-3/23 |
| HelloSign (now Dropbox) | VP of Sales | 9/14-6/19 |
| | | |

Education:

| Institution | Degress | Dates of Attendance |
|---|---|---|
| UC Berkeley | MBA | 2010 Graduation |
| UC Santa Barbara | BA- Political Science | 1997 Graduation |
| | | |
| | | |
| | | |

**Candidate Questions (each with a 300-word Limit):**

1) Why do you want to be a school board member?

I'd like to be of service. My two daughters will be at Northgate this year- I have a vested interest in helping MDUSD continue to make strides.

I believe my prior service would allow me to hit the ground running and have a shorter ramp time.

I have twice been elected district wide and both times my strongest support came from Area 4. Many of our community members have encouraged me to step forward and I believe that is a reflection of broad support.

2) What specific experience do you have that would qualify you to serve as a member of the Mt. Diablo Unified School District?

I served for 8 years as a MDUSD Board Member. I have served on the Budget Advisory Committee, Technology Committee, School Site Council for Monte Gardens and PFC at Walnut Acres.

I have detailed knowledge of working with complex budgets in the hundreds of millions of dollars.

3) What specific strengths, skills, or abilities, both personal and professional, would you contribute to the board? Do you have input on how the school district should align financial resources to improve student achievement, equity, and wellness?

I'm willing to ask hard questions and stand up for my beliefs. However, I blend that with an ability to work well with other Board Members and the broader community.

There were many instances where I disagreed with my fellow members but we were able to have respectful disagreements.

I believe that the budget is a reflection of the Board priorities and that how we spend funds is much more important than what we merely say about things.

I have been able to help build trust with our community through transparent and effective communication.

My background in technology and AI also helps as education continues to evolve.

4) How have you been engaged with members of the Mt. Diablo Unified School District community (staff and parents)?

In addition to the previously mentioned service, I have coached for Walnut Creek Surf for 11 seasons. I have coached SJV basketball for 9 years and served as Athletic Director for the last 5 years.

I'm currently the Booster rep for Girls Lacrosse at Northgate High School. I served as the Varsity Head Coach for softball at Northgate in 2021.

5) What do you see as the strengths of the Mt. Diablo Unified School District?

Amazing students. Amazing families. Amazing teachers and staff.

This is a vibrant and diverse district. We should not shy away from that but instead embrace it.

We serve a wide range of needs- that can be a huge challenge. But it is also a measure of the impact that we can have in serving the families of this community.

6) What do you see as the area(s) most needing improvement in the Mt. Diablo Unified School District?

First and foremost, we should not shy away from addressing the learning losses and social and emotional toll that a once in a lifetime (hopefully) global pandemic took on our students. Those impacts are still being felt and we need to continue to work to address them.

The budget is an ongoing issue for MDUSD. A decrease in federal funds, rising retirement and benefit costs and a volatile state budget means that every dollar needs to be spent very carefully. We should maximize putting as many dollars into the classrooms as possible.

Trust and transparency are areas that can always be improved and should remain a central focus.

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:

I'm not privy to all of the details, but I don't think that the changes to the proposed Measure J oversight committee was handled very well. It seemed confusing and punitive. Strong community oversight of bond spending is a pillar of community trust.

I appreciate that the District attempted to reconsider and then remedy the situation but I believe damage was still done.

8) What do you see as the basic purpose of public schools?

To educate all the students of our community.

9) What is the role of the governing board in the fulfillment of that purpose?

To create and maintain a District that is staffed and resourced to fulfill that mission and in a manner that can be quantified so that the community can be aware of the progress.

10) How does the board's role differ from that of the superintendent?

The role of the Board is to hire, direct and manage the Superintendent. The Superintendent is tasked with running the District on a day to day basis and being accountable to the Board and the community.

I declare under penalty of perjury under the laws of the State of California that the forgoing Application for a Provisional Appointment is true and correct. Executed July 17, 2025 at Walnut Creek California.

Name: Brian Thomas Lawrence Signature: B T Lawrence

**This application is public information**

Complete the Verification of Education Code § 3517 requirement:

| Please verify by indicating Yes or No to the following: | Yes | No |
|---|---|---|
| Are you 18 years of age or older? | Y | |
| Are you a U.S. citizen? | Y | |
| Do you reside within Trustee Area # 4 of Mt. Diablo Unified School District? | Y | |
| Are you a registered voter? | Y | |
| 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 Mt. Diablo Unified School District. | Y | |
| I am willing to file a Conflict of Interest Statement. | Y | |
| **Are you disqualified by the Constitution and/or the laws of the state from holding a civil office for any of the following reasons:** | **Yes** | **No** |
| Have you ever received a reward for an appointment to an office? | | N |
| Have you ever asked for or received a bribe for the purposes of obtaining an office or election? | | N |
| Have you ever been convicted of embezzlement or falsification of accounts? | | N |
| Have you ever been convicted of forgery? | | N |
| Have you ever been convicted of racketeering, extortion, or conspiracy? | | N |
| Have you ever been impeached from office? | | N |
| Have you ever served as a legislator and been found in contempt of the legislature? | | N |
| Have you ever been convicted for neglect or violation of official duty? | | N |
| Have you ever been convicted of illegal participation in public contracts and conveyances? | | N |
| Have you ever been convicted of perjury? Have you ever taken an oath of assumption of foreign obligations? | | N |
| Signature: | B T Lawrence | |
| Date: | 7/17/25 | |

**This application is public information**

## RESIDENCY DECLARATION

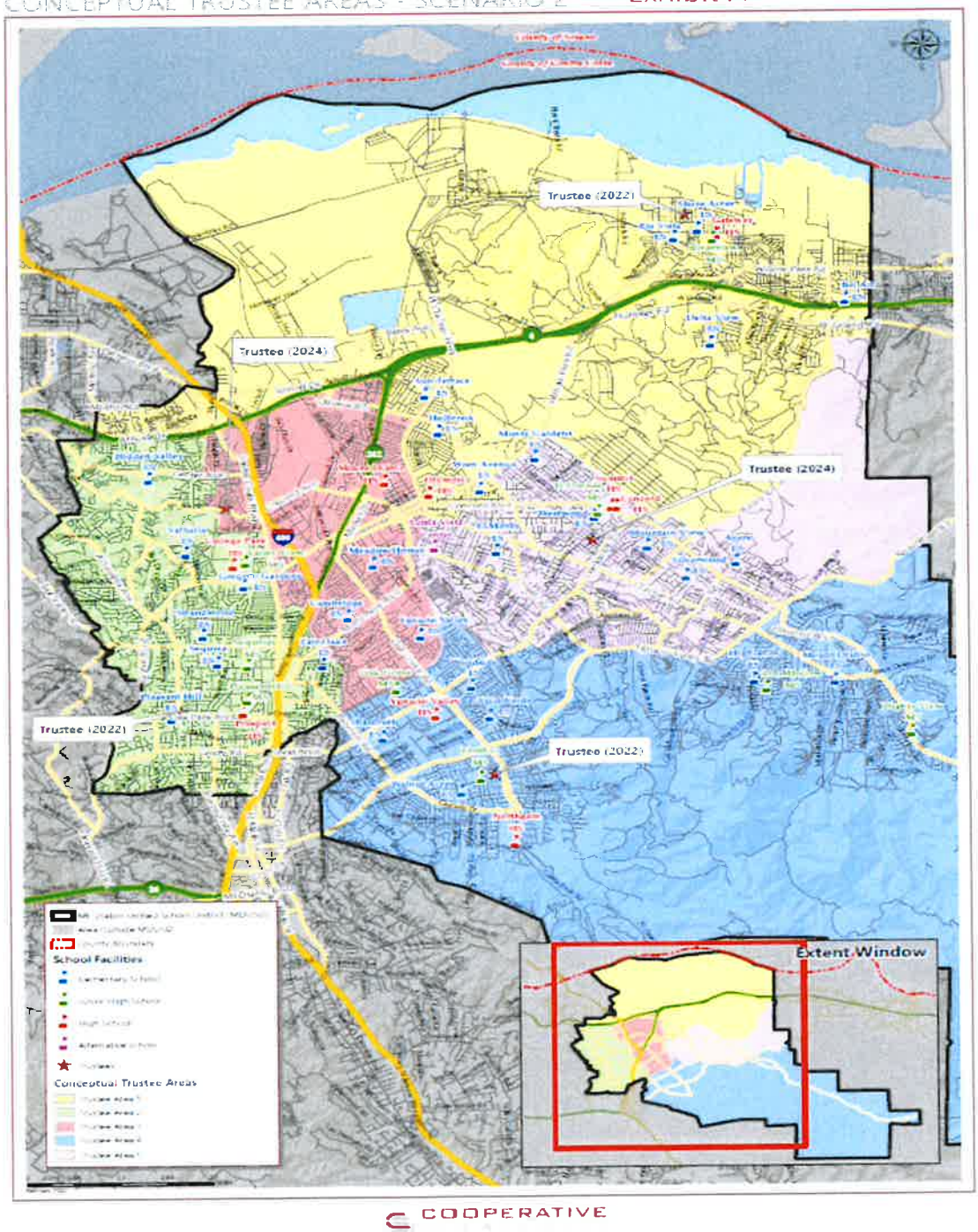
I, Brian Thomas Lawrence, hereby declare that I reside within the boundaries of Trustee Area Four of the Mt. Diablo Unified School District, pursuant to the statutory definition of residency provided in Government Code § 244 and applicable law. Trustee Area Four includes the Walnut Creek, Clayton and Concord Areas. A map of Trustee Area Four is enclosed. If there is any change in the status of my residency, I agree to immediately notify the Mt. Diablo Unified School District in writing.

Name: Brian Lawrence Signature: B T Lawrence

Date: 7/17/25

MT DIABLO UNIFIED SCHOOL DISTRICT
CONCEPTUAL TRUSTEE AREAS - SCENARIO 2

Exhibit A




COOPERATIVE

## Bylaw 9223: Filling Vacancies

**Status:** ADOPTED

**Original Adopted Date:** 08/01/2014 | **Last Revised Date:** 10/16/2024 | **Last Reviewed Date:** 10/16/2024

### Events Causing a Vacancy

A vacancy on the Governing Board may occur for 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 his/her office for the remainder of his/her term (Government Code 1770)

3. A Board member's resignation in accordance with Board Bylaw 9222 - Resignation (Government Code Section 1770)

4. A Board member's removal from office by recall (Elections Code 11386; Government Code 1770)

5. A Board member's ceasing to be a resident of the district (Government Code 1770)

6. A board member's ceasing to inhabit the trustee area represented by the Board member. (Government Code Section 1770)

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

      With the consent of the Board for an additional period not to exceed a total absence of 90 days

   b. In the case of illness or other urgent necessity, and upon a proper showing thereof, for more than 90 days.

   c. 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 Board members 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 sickness 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 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 between six months and 130 days before a regularly scheduled Board election at which the vacant position is not scheduled to be filled, the vacancy shall be filled by a special election 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 was elected to fill. (Education Code 5093)
3. When a vacancy occurs any time outside of the statutory time windows identified in Items #1 and #2 above, the Board shall either order an election or make a provisional appointment within 60 days of the date of the vacancy or the filing of the member's deferred resignation, whichever is sooner. (Education Code Section 5091, 5093)

**Eligibilityfor Appointment**

In order to be appointed to fill a vacancy on the Board, a person must meet the eligibility requirements specified in law and Board Bylaw 9220-Governing Board Elections.

**Provisional Appointments**

When, as authorized by law, the Board has opted to make a provisional appointment to fill a vacancy, the Board, by resolution, may approve the procedures for selecting the person to be provisionally appointed to fill the vacancy. These procedures may, but are not required to, include the following:

1. Advertising in the local media to solicit candidate applications.
2. Establishing a committee consisting of less than a quorum of the Board to ensure that applicants are eligible for Board membership and announce the names of the eligible candidates.
3. Interviewing the candidates at a public meeting.

Within 10 days after the Board makes a provisional appointment to fill a Board vacancy, the Superintendent or designee, on behalf of the Board shall post a notice of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The Superintendent or designee shall post the notice as follows: (Education Code Section 5092)

1. In three public places within the district or, if applicable, trustee area.
2. On the district's website
3. In a newspaper of general circulation published in the district, if such a newspaper exists.

The notice shall contain: (Education Code 5092)

1. The fact of the vacancy or resignation
2. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
3. The full name of the provisional appointee to the Board and the date of the provisional appointee's 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, the appointment shall become an effective appointment

The person appointed shall only hold office until the next regularly scheduled election for district Board members(Education Code 5091)

If within 30 days of the Board's appointment, registered votes of the district or, where elections are by trustee areas, of the trustee area, submit a petition for special election that 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 Section 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, 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)

When, as authorized by law, the Board seeks to make an appointment because of a failure to elect, the Board, by resolution, may approve any additional procedures for selecting the person to be appointed to fill the vacancy.

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| State | Description |
|---|---|
| Ed. Code 35107 | School district employees |
| Ed. Code 35178 | Resignation with deferred effective date |
| Ed. Code 5000-5033 | Election of school district board members |
| Ed. Code 5090-5095 | Vacancies on the board |
| Ed. Code 5200-5208 | Districts governed by boards of education |
| Ed. Code 5300-5304 | General provisions; conduct of elections |
| Ed. Code 5320-5329 | Order and call of elections |
| Ed. Code 5340-5345 | Consolidation of elections |
| Ed. Code 5360-5363 | Election notice |
| Ed. Code 5420-5426 | Cost of elections |
| Ed. Code 5440-5442 | Miscellaneous provisions |
| Elec. Code 10600-10604 | School district elections |
| Elec. Code 11000-11386 | Candidates for recall |
| Gov. Code 1064 | Absence from state |
| Gov. Code 1770 | Vacancy of office |
| Gov. Code 3000-3003 | Forfeiture of office |
| Gov. Code 3060-3075 | Removal other than by impeachment |
| Gov. Code 54950-54963 | The Ralph M. Brown Act |
| Gov. Code 6061 | Manner of notice as prescribed in designated section |
| Pen. Code 88 | Crimes against legislative power |

| Federal | Description |
|---|---|
| 18 USC 704 | Military medals or decorations |

| Management Resources | Description |
|---|---|
| Attorney General Opinion | 105 Ops.Cal.Atty.Gen. 182 (2022) |
| Attorney General Opinion | 58 Ops.Cal.Atty.Gen. 888 (1975) |
| CSBA Publication | Filling a Board Vacancy, rev. 2022 |
| Website | CSBA District and County Office of Education Legal Services |
| Website | California State Attorney General's Office, Quo Warranto Applications |
| Website | CSBA |

| Cross References | Description |
|---|---|
| 1113 | District And School Websites |
| 1113 | District And School Websites |
| 1113-E PDF(2) | District And School Websites |
| 1340 | Access To District Records |
| 1340 | Access To District Records |
| 9100 | Organization |
| 9110 | Terms Of Office |
| 9130 | Board Committees |
| 9220 | Governing Board Elections |
| 9220-E(1) | Governing Board Elections |
| 9222 | Resignation |
| 9224 | Oath Or Affirmation |
| 9230 | Orientation |
| 9323.2 | Actions By The Board |
| 9323.2-E(1) | Actions By The Board |
| 9323.2-E PDF(4) | Actions By The Board |