



EL CAMINO COMMUNITY COLLEGE DISTRICT
16007 Crenshaw Boulevard, Torrance, California 90506-0001
Telephone (310) 532-3670 or 1-866-ELCAMINO

December 9, 2010

Board of Trustees
El Camino Community College District

Dear Members of the Board and Trustee Area 1 Candidates:

Welcome to the Board packet for the final meeting of 2010. Please note the change of address. The Board meeting will be held on the second floor of the Bookstore Building in the East Dining Room. Parking will be available in the lot just north of the Bookstore building.

After the approval of the Minutes of November 15, 2010, Regular meeting and the Special Board meeting of December 6, 2010, we will be proud to present the El Camino College Cross Country Team and the Men's State Champion, David Cardona.

The first order of business will be the interview, selection and swearing in of a new Trustee for Area 1. All three candidates have been informed of the proceedings and the process. See letter, attachment 1. On advice of counsel and recognition of Education Code 72000(d)(3), please note item IV A on the Board Agenda.

Once a full Board is seated, the Annual Organizational meeting will occur. The Board will select the President, Vice President and Secretary of the Board and representatives to four other organizations. The annual meeting topics include time, date and place of the Board meetings and routine actions.

The consent agenda, item VI, is presented with the following comments:

- A. Academic Affairs, Item C, International Education/Study Abroad Program for Summer 2011, and Item D, Sabbatical Leaves. See memo from Francisco Arce, dated December 8, 2010, providing a summary of the Sabbatical leave projects, attachment 2.
- B. Administrative Services contracts now include descriptions of the work students would perform with various vendors.
- C. Item A-1, page 26, provides contract for International Study Abroad programs. This is the third time we have used Accent International Consortium for Academic Programs Abroad, Ltd. The vendor requires that students pay by credit card thereby providing students more protection than previously afforded.
- D. Measure E, Item E, HPS Mechanical – Phase 3 Infrastructure highlighted by \$81,000 Change Orders issued primarily at the District's request, as shown on attachment 3 prepared by Bob Gann.

E. The Superintendent/President's section proposes Board goals for 2010-2011.

The meeting will conclude with a closed session. Light refreshments will be provided.

Your packet also includes:

1. Board Policy 2350 which currently limits the time allotment for one agenda item to 30 minutes.
2. Memo from Dr. Nishime to me dated December 7, 2010, giving Clarification of Recruiting Fees for Credit versus Non-Credit programs.
3. Memo from Dr. Nishime to me dated December 7, 2010, recognizing need for the Inglewood Center relocation.
4. Credit by Examination Report for 2009-2010, presented by Dr. Arce, November 11, 2010.
5. Memo from the Los Angeles County Office of Education, December 3, 2010, outlining the Process for filling Governing Board Member Vacancies.
6. A Report of the Commission on the Future of the Community College League of California.

Please join us on Tuesday, December 14, 2010, from 3 p.m. to 6 p.m. for Harold Tyler's retirement party in the Student Activities Center, East Lounge.

I wish you a healthy, happy and successful 2011. Even though the Board meeting is at the other end of the campus, I will be available in my office after 3 p.m. if you wish to visit. In the meantime, if you have any questions, comments or concerns, please contact Kathy Oswald or me.

Sincerely,



Thomas M. Fallo
Superintendent/President

TMF/kao

Cc: Vice Presidents, Director of Community Relations



EL CAMINO COMMUNITY COLLEGE DISTRICT

16007 Crenshaw Boulevard, Torrance, California 90506-0001

Telephone (310) 532-3670 or 1-866-ELCAMINO

December 7, 2010

Mr. Kenneth A. Brown
7717 S. Victoria Avenue
Inglewood, CA 90305

Dear Mr. Brown:

The El Camino Community College District Board of Trustees is pleased to inform you of your selection to continue through to the interview process for the Trustee Area 1 Board of Trustees position.

Interviews will take place during our regularly scheduled Board meeting at 4 p.m., on Monday, December 13, 2010, in the Bookstore Building, East Dining Room.

Please park in Lot C located off Manhattan Beach Boulevard with the enclosed parking permit visible on your dashboard.

The process for the interviews will be:

- Names will be drawn to determine interview order.
- You may make an opening statement not to exceed 3 minutes.
- Board Members will have 15 minutes to ask questions. You will have 3 minutes to answer each question.
- Candidates will have an opportunity to make closing remarks not to exceed 2 minutes.
- You will not be in the Board Meeting until after your interview.
- The Board agenda packet will be delivered to your home address on Thursday, December 9.
- The candidate chosen for the appointment will take the oath of office at the December 13 meeting and will participate in the remainder of the Board meeting including the closed session

Please contact Kathy Oswald, Assistant to the Superintendent/President, at 310-660-3111, if you have any questions about the interview process.

Sincerely,

Ray Gen

President, Board of Trustees



EL CAMINO COMMUNITY COLLEGE DISTRICT

16007 Crenshaw Boulevard, Torrance, California 90506-0001

Telephone (310) 532-3670 or 1-866-ELCAMINO

December 7, 2010

Ms. Mary H. Bueno
315 ½ W. Manchester Boulevard
Inglewood, CA 90301

Dear Ms. Bueno:

The El Camino Community College District Board of Trustees is pleased to inform you of your selection to continue through to the interview process for the Trustee Area 1 Board of Trustees position.

Interviews will take place during our regularly scheduled Board meeting at 4 p.m., on Monday, December 13, 2010, in the Bookstore Building, East Dining Room.

Please park in Lot C located off Manhattan Beach Boulevard with the enclosed parking permit visible on your dashboard.

The process for the interviews will be:

- Names will be drawn to determine interview order.
- You may make an opening statement not to exceed 3 minutes.
- Board Members will have 15 minutes to ask questions. You will have 3 minutes to answer each question.
- Candidates will have an opportunity to make closing remarks not to exceed 2 minutes.
- You will not be in the Board Meeting until after your interview.
- The Board agenda packet will be delivered to your home address on Thursday, December 9.
- The candidate chosen for the appointment will take the oath of office at the December 13 meeting and will participate in the remainder of the Board meeting including the closed session

Please contact Kathy Oswald, Assistant to the Superintendent/President, at 310-660-3111, if you have any questions about the interview process.

Sincerely,

Ray Gen
President, Board of Trustees



EL CAMINO COMMUNITY COLLEGE DISTRICT

16007 Crenshaw Boulevard, Torrance, California 90506-0001

Telephone (310) 532-3670 or 1-866-ELCAMINO

December 7, 2010

Ms. Marcia M. Wade
532 West Hyde Park Boulevard, Unit 3
Inglewood, CA 90302

Dear Ms. Wade,

The El Camino Community College District Board of Trustees is pleased to inform you of your selection to continue through to the interview process for the Trustee Area 1 Board of Trustees position.

Interviews will take place during our regularly scheduled Board meeting at 4 p.m., on Monday, December 13, 2010, in the Bookstore Building, East Dining Room.

Please park in Lot C located off Manhattan Beach Boulevard with the enclosed parking permit visible on your dashboard.

The process for the interviews will be:

- Names will be drawn to determine interview order.
- You may make an opening statement not to exceed 3 minutes.
- Board Members will have 15 minutes to ask questions. You will have 3 minutes to answer each question.
- Candidates will have an opportunity to make closing remarks not to exceed 2 minutes.
- You will not be in the Board Meeting until after your interview.
- The Board agenda packet will be delivered to your home address on Thursday, December 9.
- The candidate chosen for the appointment will take the oath of office at the December 13 meeting and will participate in the remainder of the Board meeting including the closed session

Please contact Kathy Oswald, Assistant to the Superintendent/President, at 310-660-3111, if you have any questions about the interview process.

Sincerely,

Ray Gen
President, Board of Trustees



EL CAMINO COLLEGE

Office of the Vice President-Academic Affairs
December 8, 2010

TO: President Thomas Fallo

FROM: Francisco M. Arce *FMA*

SUBJECT: Summary of Sabbatical Leave Projects

The Sabbatical Leave Committee is pleased to forward the following leaves of absence for 2011/2012:

One-Semester Sabbatical (one semester at full pay)

Sara Blake – English (Fall 2011)

Type of Sabbatical: program of independent study in the applicant's teaching field other than formal class work

Project: Professor Blake will conduct a study of Directed Learning Activities (DLAs) currently being used in conjunction with basic writing instruction in community colleges, with a focus on California Community Colleges. Based on the results of this study, and in consultation with the basic writing faculty and Writing Center Coordinator, she proposes to (1) design a DLA template for use in the El Camino College Writing Center, and (2) develop a comprehensive set of DLAs to supplement El Camino College's basic writing course, English B (Introduction to College Writing).

Don Brown – Librarian (Spring 2012)

Type of Sabbatical: formal class work in pursuance of an advanced degree or to increase the applicant's proficiency in the applicant's teaching field

Project: Professor Brown plans to take the following two graduate level courses at UCLA: Digital Preservation and Digital Collection Development.

Amy Grant – Chemistry (Fall 2011)

Type of Sabbatical: program of independent study in the applicant's teaching field other than formal class work

Project: Dr. Grant plans to conduct a comprehensive review of safety procedures at six to ten institutions of higher learning. Part of her plan includes conducting interviews, making on-site observations, and collecting materials from these colleges. After compiling and analyzing the information, she plans to overhaul the chemistry student safety procedures at El Camino College. In addition, she will design and post a comprehensive laboratory safety website on the ECC server, and will rewrite the Chemistry Department Faculty Handbook to reflect the new safety information.

Chris Jeffries – Counseling (Spring 2012)

Type of Sabbatical: formal class work in pursuance of an advanced degree or to increase the

applicant's proficiency in the applicant's teaching field

Project: Ms. Jeffries plans to take graduate courses from the following list at California University of Pennsylvania: Issues and Techniques in Counseling, Sports Counseling Programming, Advanced Issues and Techniques in Counseling Athletes, or Contemporary Topics in Counselor Education.

Jennifer Montgomery – Child Development (Fall 2011)

Type of Sabbatical: program of independent study in the applicant's teaching field other than formal class work

Project: Bank Street College and the Educational Development Center, in collaboration with Colorin Colorado, have received a grant to establish the Head Start National Center for Cultural and Linguistic Responsiveness (NCCLR). Professor Montgomery plans to work with the NCCLR to provide services to Head Start and Early Head Start by developing research-based, accessible information, resources, and high-quality professional development. She will review the existing research and resources, modify existing materials, and develop new resources that include multi-media modules, an interactive video library, train-the-trainer materials, and family literacy materials.

Susana Prieto – Physics (Spring 2012)

Type of Sabbatical: program of independent study in the applicant's teaching field other than formal class work

Project: Professor Prieto will assist in some of the studies being conducted by Dr. Vazquez-Abad in order to better learn how research in science education is conducted and how to use the results of this research in the classroom. She will visit the Universite de Montreal's high school teacher training program for pre- and in-service teachers in science. The program makes use of the results of recent research in the pedagogy of science education and emphasizes student-centered cooperative learning activities. She will learn how this pedagogy is implemented in the different courses, and how they use information and communication technologies (ICT) both for teaching and learning in the classroom.

Lijun Wang – Mathematics, Computer Science (Fall 2011)

Type of Sabbatical: program of independent study in the applicant's teaching field other than formal class work

Project: Professor Wang will visit colleges in California and across the country to study ways to improve retention and success rates in the hybrid and traditional mathematics classes. Topics of study will focus on (1) effective ways to develop and use online resources for hybrid classes and traditional classes; (2) effective practices to promote interaction among faculty and students online; (3) studying the factors that affect the retention and success rates for hybrid and online classes in math; (4) studying ways to assess student learning at the visited institutions for hybrid classes; (5) studying ways for faculty development so as to enhance the training programs in the department of mathematics at ECC; and (6) studying ways to enhance the tutoring in the department of math at ECC.

Steve Waterworth – English (Fall 2011)

Type of Sabbatical: program of independent study in the applicant's teaching field other than formal class work

Project: Dr. Waterworth plans to read approximately 150 newspaper, magazine, and journal articles, and to prepare an annotated bibliography for use by department colleagues to refer to when they augment their readings for the English 1A and English 1C courses.

Half-Pay Sabbatical (one semester at half pay)

Doug Glenn – Computer Aided Design/Drafting (Fall 2011)

Type of Sabbatical: program of independent study in the applicant's teaching field other than formal class work

Project: Professor Glenn plans to build and maintain a web-based system (database) to collect, sort and disseminate information related to Building Information Modeling (BIM) and Green Building for faculty and students in two-year degree programs, who are preparing for design, construction, and technical trades, and in architecture, engineering, and project management.

Board of Trustees Meeting Agenda - Measure E

Item E Change Order – HPS Mechanical – Phase 3 Infrastructure

The following information identifies the causes of the change orders on this project and includes the recommended change order on the December 13, 2010 agenda. An analysis shows 81.6% of the costs have been due to owner requested changes and unforeseen field conditions. A summary of the analysis is shown below.

REASON	AMOUNT
District Requested	\$364,068
Unforeseen field conditions	324,060
Contractor Claims	75,403
Directive from Engineer	67,985
Drawing coordination	42,846
Transfers	45,240
Unresolved	27,761
Value Engineering	<u>-55,293</u>
TOTAL	<u>\$892,070</u>

Board Policy 2350 Speakers

Persons may speak to the Board either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Board.

Oral presentations relating to a matter on the agenda, including those on the consent agenda, shall be heard before a vote is called on the item.

Persons wishing to speak to matters not on the agenda shall do so at the time designated at the meeting for public comment.

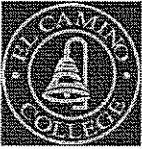
Those wishing to speak to the Board are subject to the following:

1. The President of the Board may rule members of the public out of order if their remarks do not pertain to matters that are within the subject matter jurisdiction of the Board or if their remarks are unduly repetitive.
2. Employees who are members of a bargaining unit represented by an exclusive bargaining agent may address the Board under this policy, but may not attempt to negotiate terms and conditions of their employment. This policy does not prohibit any employee from addressing a collective bargaining proposal pursuant to the public notice requirements of Government Code Section 3547 and the policies of this Board implementing that section.
3. No member of the public may speak without being recognized by the President of the Board.
4. Each speaker will be allowed a maximum of five minutes in the aggregate on all agenda items. Each speaker will be allowed at least five minutes on non-agenda items. Thirty minutes shall be the maximum time allotment for public speakers on any one agenda item regardless of the number of speakers. At the discretion of a majority of the Board, these time limits may be extended.
5. Each speaker coming before the Board is limited to one presentation on agenda items before the Board, and to one presentation per meeting on non-agenda matters.

Reference:

Government Code Sections 54950, *et seq.*;
Education Code Section 72121.5

El Camino College
Adopted: 6/11/01



El Camino College
Office of the Vice President – Student & Community Advancement
Dr. Jeanie Nishime, Vice President

December 7, 2010

TO: President Thomas M. Fallo

SUBJECT: Clarification of Recruiting Fees for Credit versus Non-Credit Programs


In order to reach our goal of enrolling 1,000 credit, international students and to remain competitive in the international recruitment arena, a process was implemented at El Camino College to use the services of educational agents to recruit on behalf of El Camino College. Agents are based in the country of origin, with the exception of a few, and are paid an agreed upon fee. The F-1 Visa program is a credit program; whereas, the El Camino College Language Academy (ECLA) program is not-for-credit. The following is information regarding each program:

F-1 Visa Program (International Student Program) – Credit Program

Under the F-1 Visa program, for each referred full-time student, the agent is paid \$250 at the conclusion of the student's first semester and an additional \$250 at the conclusion of the student's second semester. Semesters must be consecutive. Students are given two to three years to complete their program. The third year is added in case there are emergencies which cause a break in the schedule. However, the agent's fee will not exceed \$500 per student. The program for F-1 Visa students includes Fall, Winter, and Spring. Summer is not included.

El Camino College Language Academy (ECLA) – Non-Credit Program

Under the ECLA agreement, international students are referred by overseas educational agents who recruit and select students for El Camino College's language program. For students who enter the program, the ultimate goal is to learn English. They are given 18 months to complete the program. Educational agents are paid a one-time fee of \$500 per student for either fall or spring semester, and a \$300 fee for summer session attendance. If the student does not attend, no payment is made to the agent. Ten to 12% of students stay for a year and then return to their home country. Approximately 80% transfer into the El Camino College credit program. Others move or go to other programs or locales. However, the intent is to have the student transfer into the credit program at El Camino College.



Jeanie M. Nishime, Ed.D.
Vice President



El Camino College
Office of the Vice President – Student & Community Advancement
Jeanie Nishime, Vice President

December 7, 2010

TO: President Thomas M. Fallo

SUBJECT: Inglewood Center Lease

The current three-year lease on the Inglewood Center is scheduled to expire on January 31, 2011. The location and signage have been problematic, parking space limited, and the space configuration inadequate. Therefore, I am recommending non-renewal of the lease. As an alternative, we are looking at various partnership opportunities including the Inglewood Adult School, Century Center for Economic Opportunity (CCEO) YouthBuild, and Lennox School District.

In addition, the Community Advancement staff is looking at a community-based model in which resources can be shared and grant opportunities can be pursued collaboratively. The plan is to close the Inglewood Center in mid-January 2011, and move the existing assets into a storage facility pending a recommendation to the Board of Trustees on an alternative location. The new Inglewood Center will emerge early next year at a partner location to offer academic and career technical education programs.

A handwritten signature in cursive script, appearing to read "Jeanie Nishime".

Jeanie M. Nishime, Ed.D
Vice President



EL CAMINO COLLEGE
 Vice President – Academic Affairs
 11 November 2010

CREDIT BY EXAMINATION - 2009-10

Fall 2009:

Division			# of Hours	Amount Paid
Behavioral & Social Sciences			No expenditures for Credit by Exam	
Business				
L. Billici	4	(240.72)	4	240.72
Fine Arts			No expenditures for Credit by Exam	
Health Sciences & Athletics			No expenditures for Credit by Exam	
Humanities				
Evelyne Berman	2	(120.36)		
Anne Cummings	2	(120.36)		
Donna Factor	7.5	(451.35)		
Tom Fonte	9	(541.62)		
Pete Marcoux	2	(120.36)		
Bruce Peppard	2	(120.36)		
Bernie Rang	2	(120.36)		
David Shan	11	(661.98)		
Carmen Sotolongo	8	(481.44)		
Chris Stevens	6	(361.08)	51.5	3,099.27
Industry & Technology				
Vic Cafarchia	2.5	(150.45)		
Dale Ueda	3	(180.54)	5.5	330.99
Learning Resources Unit			No expenditures for Credit by Exam	
Mathematical Sciences			No expenditures for Credit by Exam	
Natural Sciences			No expenditures for Credit by Exam	

Semester total: **\$3,670.98**

Winter 2010:

Division	# of Hours	Amount Paid
Behavioral & Social Sciences	No expenditures for Credit by Exam	
Business		
L. Billici 4 (240.72)	4	240.72
Fine Arts	No expenditures for Credit by Exam	
Health Sciences & Athletics	No expenditures for Credit by Exam	
Humanities		
Bernie Rang 2 (120.36)	2	120.36
Industry & Technology	No expenditures for Credit by Exam	
Learning Resources Unit	No expenditures for Credit by Exam	
Mathematical Sciences	No expenditures for Credit by Exam	
Natural Sciences	No expenditures for Credit by Exam	

Semester total: **\$361.08****Spring 2010:**

Division	# of Hours	Amount Paid
Behavioral & Social Sciences	No expenditures for Credit by Exam	
Business		
Randy Harris 4 (240.72)	4	240.72
Fine Arts	No expenditures for Credit by Exam	
Health Sciences & Athletics	No expenditures for Credit by Exam	
Humanities		
Alicia Class 12 (722.16)		
Donna Factor 9 (541.62)		
Tom Fonte 10 (601.80)		
Rossella Pescatori 2 (120.36)		
Bernie Rang 3 (180.54)		
David Shan 11 (661.98)		
Carmen Sotolongo 36 (2,166.48)		
Industry & Technology		
Vic Cafarchia 15 (902.70)		
Raymond Lewis 6 (361.08)		
Dale Ueda 2 (120.36)		
	23	1,384.14
Learning Resources Unit	No expenditures for Credit by Exam	
Mathematical Sciences	No expenditures for Credit by Exam	
Natural Sciences	No expenditures for Credit by Exam	

Semester total: **\$6,616.80**

Summer 2010:

Division	# of Hours	Amount Paid
Behavioral & Social Sciences	No expenditures for Credit by Exam	
Business	No expenditures for Credit by Exam	
Fine Arts	No expenditures for Credit by Exam	
Health Sciences & Athletics	No expenditures for Credit by Exam	
Humanities		
Alicia Class 7 (421.26)		
David Shan 4 (240.72)		
Carmen Sotolongo 6 (361.08)	17	1,023.06
Industry & Technology	No expenditures for Credit by Exam	
Learning Resources Unit	No expenditures for Credit by Exam	
Mathematical Sciences	No expenditures for Credit by Exam	
Natural Sciences	No expenditures for Credit by Exam	

Semester total: **\$1,023.06**Grand total: **\$11,671.92**



RECEIVED

DEC - 6 2010

December 3, 2010

TO: Superintendents and Presidents
Members of Governing Boards
Los Angeles County School and Community College Districts

FROM: Melvin Iizuka, Director
Division of Business Advisory Services

SUBJECT: Process for Filling Governing Board Member Vacancies

This bulletin is in response to inquiries received by the Los Angeles County Office of Education (LACOE) from districts facing governing board vacancies. Districts have inquired about the statutory procedures for filling vacancies, as well as the timing and options available to their governing boards for filling a vacancy. This information applies to all school districts, with the exception of some city charter school districts, as outlined below.

City Charter School Districts

For school districts operating under the provisions of a city charter, the procedures to fill governing board vacancies are guided by the relevant charter. These city charters, and the procedures and guidelines they contain, take precedence over the Education Code (EC) for city charter school districts. If the charter is silent relative to the procedures for filling governing board vacancies, then the Education Code provisions prevail.

Vacancies

EC §5090 defines governing board vacancies as follows:

"Vacancies on school district governing boards or community college district boards are caused by any of the events specified in Section 1770 of the Government Code or by failure to elect. A vacancy resulting from a 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 effective on that date. A written resignation, whether specifying a deferred resignation date or otherwise, shall, upon being filed with the county superintendent of schools be irrevocable."

Please note that a letter of resignation provided by a governing board member to district officials and/or a governing board does not constitute a vacancy. A vacancy becomes effective when written notice of the resignation is filed with the Los Angeles County Superintendent of Schools (County Superintendent) or when the deferred resignation date, communicated in such written notice to the County Superintendent, has passed.

A governing board member may not defer the effective date of his or her resignation for more than 60 days from the date of filing the notice with the County Superintendent. **Resignations filed with the County Superintendent are irrevocable.**

Vacancies can also occur under circumstances other than a governing board member's resignation, such as in the event of the death or felony conviction of such member. In instances such as these, the procedures to fill the resulting vacancies would also be guided by the Education Code.

Process to Fill a Vacancy

Provisions related to filling the governing board vacancies are contained in EC §§5091-5095. EC §§5091-5093 provides three scenarios (summarized below) in the event of a vacancy. The time frame within which an election can be held to fill a vacancy depends upon the date on which the vacancy occurs (including the date on which the County Superintendent is notified), as well as on the governing board's decision whether to appoint or call for an election.

The course of action chosen by a district to fill a vacancy may result in different election dates. Available election date options should be considered carefully as election costs associated with governing board vacancies are borne by the district and can vary substantially, depending on the date of and voter participation in the election.

Vacancy Options and Regular Election

In accordance with EC §5091(a), a governing board has 60 days from the date of the vacancy or the filing of the deferred resignation within which to make a provisional appointment or to call an election. In the event the governing board fails to make an appointment or order an election within the prescribed time frame, the County Superintendent shall call an election to fill the vacancy.

Pursuant to EC §5091(b):

"When an election is ordered, it shall be held on the next established election date . . . not less than 130 days after the order of election."

The election dates in each year, as established pursuant to Elections Code §1000, are as follows:

- “(a) The second Tuesday of April in each even-numbered year.
- (b) The first Tuesday after the first Monday in March of each odd-numbered year.

- (c) The first Tuesday after the first Monday in June in each odd-numbered year.
- (d) The first Tuesday after the first Monday in November of each year.
- (e) The first Tuesday in February of each even-numbered year evenly divisible by the number four.”

Scenario One: Provisional Appointment

Pursuant to EC §5091(e), in the event that a governing board decides to fill a vacancy by making a provisional appointment, the appointee will serve only until the next regularly scheduled governing board election for that district.

If an appointment is made during the first two years of the term for the vacant seat, the appointee shall serve until the next regularly scheduled governing board election (November of odd-numbered years). A person elected at such an election will serve the remaining two years of the term for this governing board seat. Appointments made to fill a vacancy during the last two years of a term are appointed to serve until the end of the term for that vacant seat.

Whenever a governing board chooses to utilize the provisional appointment process to fill a vacancy, they must adhere to the notice requirements of the Education Code. Within ten days of the appointment of a person to fill the vacancy, the district must post notices of both the actual vacancy or the filing of a deferred resignation, as well as the provisional appointment, in three places within the district, as well as publish a notice in a newspaper of general circulation in accordance with EC §5092 and Government Code §6061.

Scenario Two: Petition for a Special Election

In the event that a provisional appointment is made within the 60-day period, pursuant to EC §5091(c), 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. A valid petition requires signatures of at least one and one half percent of the number of registered voters of the district on the date of the last regular election for governing board members, or 25 registered voters, whichever is greater. In a district with less than 2,000 registered voters, a valid petition requires signatures of at least five percent of the number of registered voters.

A completed petition is filed with the County Superintendent who will then verify signatures and within 30 days determine the petition's legal sufficiency. Upon the determination of legal sufficiency, the provisional appointment is immediately terminated. A special election is called for and is conducted no later than 130 days after the determination. However, if an established election date occurs between the 130th day and the 150th day following the order of the election, the County Superintendent may call the special election to be conducted on the regular election date. The candidate receiving the most votes will serve for the remainder of the term. If a petition is determined to be insufficient, the appointment stands and the person holding the seat will continue to serve. A flowchart of the “Timeline for a Special Election Petition” is attached to this bulletin.

(Over)

Scenario Three: Special Provisions—Governing Board Vacancies Occurring During Regular Governing Board Election Year

EC §5093 provides for a mandatory election to fill a governing board vacancy under specific circumstances. Under these circumstances, a district governing board is prohibited from making a provisional appointment or requesting an election on a date other than the next regularly scheduled governing board election date. The Education Code describes these circumstances as follows:

- (a) *"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 term."* (For governing board members whose terms end on the first Friday of December 2011, the cut-off date is August 1, 2011.)
- (b) *"Section 5091 [provisional appointment or special election] shall not apply to a vacancy on a governing board if the vacancy occurs, or a resignation specifying a deferred effective date is filed with the county superintendent of schools, during the period between six months and 130 days prior to a regularly scheduled governing board election and the position is not scheduled to be filled at such election. In such a case, the position shall be filled at a special election for that position to be consolidated with the regular election. A person elected to fill a position under this subdivision shall take office at the next regularly scheduled meeting of the governing board following the certification of the election and shall serve only until the end of the term of the position which he or she was elected to fill."* (For the November 8, 2011, regular governing board member election, the period is May 8 to July 1, 2011.)
- (c) *"If a special election pursuant to Section 5091 could be consolidated with the next regular election for governing board members, and the vacant position is scheduled to be filled at such regular election, there shall be no special election."*

This bulletin and its attachment are posted on the LACOE Web site at the following address:

www.lacoe.edu/bas

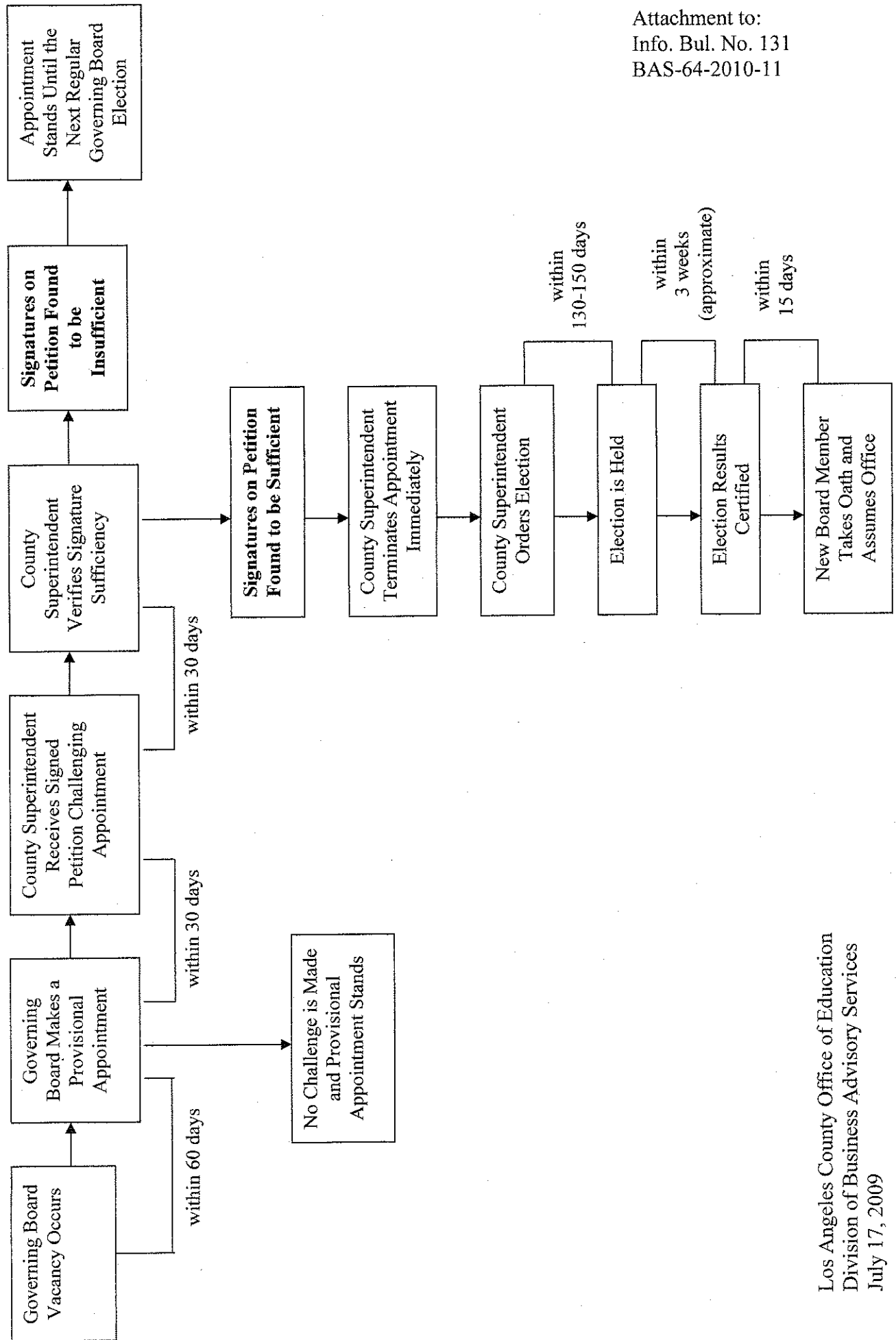
Select "Bulletins" on the left side of the screen under the heading "BAS Resources," and then use the "Find" function to locate a specific bulletin by number or keyword.

Should you have questions regarding this bulletin, governing board vacancies, or require additional information, please contact Mr. Matthew Spies at (562) 922-6336.

MI/AD:mb
Attachment

Info. Bul. No. 131
BAS-64-2010-11

Timeline for a Special Election Petition
Education Code §5091(c)



Attachment to:
Info. Bul. No. 131
BAS-64-2010-11