



McClellan Park, California

**RESOLUTION NO. 1359**

**RESOLUTION OF THE BOARD OF TRUSTEES ADOPTING  
PROCESS FOR A PROVISIONAL APPOINTMENT TO FILL A  
BOARD VACANCY**

**WHEREAS**, 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 a failure to elect. 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 effective on that date. A written resignation, whether specifying a deferred effective date or otherwise, shall, upon being filed with the county superintendent of schools, be irrevocable. (Ed. Code, § 5090; Govt. Code, §1770);

**WHEREAS**, Michelle Rivas, long time member of the Twin Rivers Unified School District Board of Trustees, submitted her deferred resignation on May 20, 2024, resulting in a vacancy in the Trustee Area 2 seat on the Board;

**WHEREAS**, Education Code section 5091 and Board Bylaw 9223 provide that when a vacancy occurs on a school district governing board, the Board may make a provisional appointment to fill the Board vacancy;

**WHEREAS**, the Board has determined that it is in the best interest of the District and the community to make a provisional appointment;

**WHEREAS**, Board Bylaw 9223 provides the following process to bring forth nominees and/or applicants for the provisional appointment:

- (1) The Board shall advertise in the local media to solicit candidate applications or nominations;
- (2) 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;
- (3) 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.

**NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE TWIN RIVERS UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

- Section 1.** Each of the above recitals is true and correct.
- Section 2.** The Board adopts the Criteria for Appointment to the Twin Rivers Unified School District Board of Trustees that is attached to this Resolution as Exhibit A.
- Section 3.** The Board adopts the above as the process that will be utilized to bring forth applicants for the provisional appointment.
- Section 4.** The committee shall consist of three (3) Board Members.
- Section 5** The Board adopts the Timetable for Provisional Appointment to the Twin Rivers Unified School District Board of Trustees that is attached to this Resolution as Exhibit B.
- Section 6.** The Superintendent is authorized and directed to notify the Sacramento County Superintendent of Schools of the Board's decision to fill the vacancy by way of a provisional appointment, by forwarding to him an executed copy of this Resolution.
- Section 7.** The Board hereby delegates authority to the Superintendent and/or his designee to take such additional action as may be required to carry out the purpose of this Resolution.

**PASSED and ADOPTED** this 25th day of June 2024 by the Twin Rivers Unified School District Board of Trustees, Sacramento County, California.

AYES: 7  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

Christine Jefferson  
Clerk, Board of Trustees

ATTEST:  
[Signature]  
Secretary, Board of Trustees

**CRITERIA FOR APPOINTMENT TO**

**THE TWIN RIVERS UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES**

I. Education Code Section 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:

- 18 years of age or older;
- A citizen of the state;
- A resident of the school district;
- A registered voter; and
- Not disqualified by the constitution or laws of the state from holding a civil office.

Additionally,

- A resident of the Twin Rivers Unified School District must also qualify by residing in the Trustee Area in which the vacancy has occurred. In this case, the vacancy has occurred in Trustee Area 2.

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 Twin Rivers 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 TWIN RIVERS UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES**

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.

Application forms and a copy of Resolution No. 1359 will be made available to all interested persons.

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 1, 2024.

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. 1359.

By July 9, 2024, 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 section 5092.

This Timeline is Subject to Change  
**TWIN RIVERS UNIFIED SCHOOL DISTRICT  
TIMELINE FOR PROVISIONAL APPOINTMENT PROCESS TO FILL BOARD  
VACANCY IN TRUSTEE AREA 2 AS ADOPTED  
BY THE BOARD OF TRUSTEES IN SECTION 7 OF RESOLUTION NO. 1359**

**May 20, 2024**

Board President Michelle Rivas submitted her deferred resignation.

**June 25, 2024**

Dr. Steven Martinez, Superintendent, presents available options to the Board of Trustees to fill the vacancy in Trustee Area 2; Board of Trustees selects and approves the process to fill the Board vacancy by provisional appointment through a Resolution; the Board of Trustees adopts the process and timeline for the provisional appointment

A Board ad hoc committee is determined to ensure applicants qualify and to announce the names of the eligible applicants

Discussion is held to determine the logistics of the application process

**June 26 – July 1, 2024**

The Board advertises through the local media and on the District's website, inviting qualified applicants to submit applications for appointment to represent Trustee Area 2

**July 1, 2024**

Applications due by 4:00 p.m. in the Board of Trustees' Office, located at 5115 Dudley Boulevard, McClellan, California 95652 or emailed to [yasmina.flores@trusd.net](mailto:yasmina.flores@trusd.net)

**July 2, 2024**

The Board ad hoc committee meets to screen out applicants who do not comply with the minimum requirements as specified in Ed. Code 35107(a) and who are not residents of Trustee Area 2

**July 3, 2024**

Applications meeting the eligibility criteria will be provided to the Board of Trustees for review prior to July 8, 2024 Special Board meeting

**July 8, 2024**

A Special Board meeting is held for the Board to interview qualified applicants, to accept oral or written public input, and to select the provisional appointment by a majority vote or to move the top applicants forward for consideration at a regular Board meeting on **July 9, 2024**

**July 9, 2024**

Board action is taken to approve the successful applicant by provisional appointment

**July 9, 2024**

The new Board member is sworn in and seated with the Board of Trustees at the **July 9, 2024**, Regular Board meeting

**By July 23**

Within 10 business days after the appointment is made, the Board shall post notice of the actual vacancy 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: 1) the fact of the vacancy and the date of the occurrence of the vacancy; 2) the full name of the appointee; 3) the date of the appointment; 4) a statement notifying the voters that unless a petition calling 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