



**MEETING DATE:** May 14, 2024

**DISCUSSION/ACTION:** 3.1

**SUBJECT:**

Public hearing on the general waiver submission related to the provisional appointment process.

**BACKGROUND:**

California Education Code (EC) sections 33050-33053 permit the State Board of Education (SBE) to waive some EC sections or the California Code of Regulations Title 5 (5CCR), known as the general waiver authority. The Vallecitos School District will consider submission of a General Waiver Request to waive the specific sections (bracketed) of EC5091(a)(1)-(2) as follows: If a vacancy occurs, or if a resignation has been filed with the county superintendent of schools containing a deferred date, the school district or community college district or community college district governing board shall, [within 60 days of the vacancy or the filing of the deferred resignation] either order an election or make a provisional appointment to fill the vacancy. A governing board member may not defer the effective date of his or her resignation for more than 60 days after he or she files the resignation with the county superintendent of schools. [(2) In the event that a governing board fails to make a provisional appointment or order an election within the prescribed 60 day period as required by this section, the county superintendent of schools shall order an election to fill the vacancy.]

State Board of Education (SBE) approval of this waiver request removes the 60-day time limit and provides the Vallecitos Elementary School District additional time to make a provisional appointment. The General Waiver request is being made available for Public Hearing and Comment.

**FISCAL IMPACT:**

None

**RECOMMENDATIONS:**

There is no action needed at this time. This information is for stakeholder input for the General Waiver Process related to the Provisional Appointment of a board member to the open seat for Vallecitos School District.

**NOTICE OF PUBLIC HEARING**  
**VALLECITOS SCHOOL DISTRICT**

NOTICE IS HEREBY GIVEN that the BOARD OF TRUSTEES of the VALLECITOS SCHOOL DISTRICT, at a regular meeting to be held on May 14, 2024, will review, and consider the submission of the State Board of Education General Waiver Request related to the governing board member Provisional Appointment process as outlined in Education Code section 5091.

The General Waiver Request will allow additional time beyond the initial 60-day timeframe to advertise for, review and appoint a board member to the currently open seat in Vallecitos School District.

All individuals wishing to comment on the General Waiver Request are invited to attend the meeting of the Board of Trustees at the following time and location:

DATE: May 14, 2024

TIME: 6:00 PM

LOCATION: 5211 5<sup>th</sup> St. Fallbrook, CA, 92028

POSTED April 28, 2024

Vallecitos District Office  
Vallecitos District Website  
Vallecitos District Marquis