

AP 2105 Election of Student Member(s)

Reference:

Education Code Section 72023.5

NOTE: This procedure is legally required . Local practice may be inserted here.

The following paragraph is provided as language that complies with the requirement of the Education Code that all students enrolled be permitted to participate in the selection of the student member. (See 62 Ops. California Attorney General 126 (1979).) If Districts did not include similar language in Board Policy 2105, it is advised that it be included here:

The student member shall be elected by a plurality vote of those voting in a regular election of the student body. All members of the student body may vote. Normally, the election will be conducted during the spring semester and will be completed in time for the student member to take office on **[insert date, either May 15 or June 1]**.

Districts are mandated to have procedures to recall student trustees and to declare and fill vacancies. The following are suggested as good practice, although other procedures may be used. Similar language was provided in BP 2105 as an option. If Districts included the language in policy, then they do not need to repeat it in these Administrative Procedures.

The Student Member may be recalled in an election conducted in the same manner as the election to office. An election will be called upon presentation to the **[CEO]** of a petition signed by at least **[indicate percentage, such as 20%]** of the students enrolled at the time of filing the petition. No recall election will be held if the petition is received within **[indicate number of days, such as 30]** days of a regularly scheduled election for student member.

The office shall become vacant if the student member becomes ineligible for the office, resigns, is recalled, or dies. If the seat of a student member becomes vacant during his/her term, the governing board may authorize the officers of student body associations established pursuant to Education Code Section 76060 at each community college in the District to appoint a student to serve the remainder of the term in accordance with procedures established by the governing board.

[OR]

Upon notice to the **[CEO]** that a vacancy has occurred, the **[CEO]** or designee may arrange for a special election that provides for:

- Notice communicated to the student body of the result of the recall election, if the vacancy has occurred as the result of a recall election, and arrangements for a special election;
- An application period for students to submit an application to become a candidate for the open position that will be open for at least [***indicate number of days, such as 5***] days on which classes are regularly held;
- Following such application period, a period of time no less than [***indicate number of days, such as 5***] days upon which classes are regularly held for campaigning, and;
- Voting for the special election to be concluded within [***indicate number of days, such as 30***] days following the date upon which the position became vacant.

No special election will be called if the vacancy occurs within [***indicate number of days, such as 30***] days of a regularly scheduled election for student member.

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