



Torrance Unified School District
2335 Plaza Del Amo, Torrance, CA 90501
Phone: (310) 972-6500 – Fax: (310) 972-6012
<https://www.tusd.org>

TORRANCE UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES VACANCY APPLICATION

The application constitutes a public record

Deadline for Submission:
Friday, May 3, 2024, 4:00 pm

Board of Trustees
Jasmine Park
Dr. Anil Muhammed
Betty Lieu, Esq.
James Han

Superintendent
Dr. Tim Stowe



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Application for Board of Trustees Appointment

Following the resignation of Trustee Dr. Jeremy Gerson on April 9, 2024 the Torrance Unified School District (TUSD) is looking to fill a vacancy on its five-member Board. Education Code sections 5091 et seq. and Board Bylaw 9223 set forth the procedures to fill a Board vacancy. In order to serve on the Board, a person must meet the eligibility requirements specified in Education Code section 35107 (see below). During the April 15, 2024 Board meeting, the Board of Education discussed a provisional appointment to fill the Board Vacancy. The term of the provisional appointment is through December 16, 2024.

Interested candidates are invited to complete this application packet and submit it to the Superintendent's Office, 2335 Plaza Del Amo, Torrance 90501 or via email to morse.shelley@tusd.org by **4:00 p.m. on May 3 2024**.

The Application Packet includes:

1. Certification of Qualifications (see Attachment A – Disqualifying Offenses and Attachment C-Trustee Area Map)
2. Candidate Information Sheet
3. Candidate Questionnaire
4. Attachment A – Disqualifying Offenses
5. Attachment B – Torrance Unified School District Governing Board Bylaw 9223 – Filling Vacancies
6. Attachment C – By Trustee Area Map

On May 20, 2024, the Board will interview candidates for the vacant position in Open Session of the regular Board Meeting. The Board will, at that time, consider making a provisional appointment. California law requires that candidates meet the following minimum eligibility requirements to be considered for provisional appointment to the Board:

- The candidate must be at least 18 years of age
- The candidate must be a resident of Torrance, Trustee Area E (and remain a resident for the duration of the term)
- The candidate must be a citizen of California
- The candidate must be a registered voter
- The candidate must not be disqualified from holding a civil office
- A person who is not disqualified by the Constitution or laws of the state from holding a civil office (see above)
- Eligible to be elected or appointed a member of a governing board of a school district without further qualifications



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CERTIFICATION OF QUALIFICATIONS

I understand that this application is a public document and may be requested under provision of the Public Records Act and/or be available to the public on the Torrance Unified School District website.

I understand that upon appointment, I would be required to file a Conflict of Interest Statement, [Statement of Economic Interest](#), and take an Oath of Office.

I certify that I am not disqualified from holding this office because of a conviction of any of the crimes as specified in the Constitution and laws of the State, and further certify I am not otherwise disqualified under the California Constitution or statutes from holding public office.

I certify that I am a citizen of California, a resident of the Torrance Unified School District, Trustee Area E, and a registered voter.

I attest the foregoing information is true to the best of my knowledge.

Signature of Candidate

Date

Name of Candidate (Please print)

Information contained on this application may be subject to verification. By typing/printing your signature, you hereby attest that this information is true, accurate, and complete to the best of your knowledge.



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CANDIDATE INFORMATION SHEET

Please complete the information below and return the form to Shelley Morse in the Superintendent's Office by May 3, 2024 at 4:00 pm. Including a copy of your resume is optional.

Date: _____

Last Name

First Name

Date of Birth: _____

Home Address: _____ Phone: _____

Email: _____

Employer/Occupation: _____

No. of Years Residing in District: _____

Do you currently have children who attend TUSD schools, or have you had children who attended TUSD schools in the past? Yes ___ No _____

If yes, ages/grades, and schools of attendance:

Have you participated on any school/district committees or in any school activities? Please list them below including dates.

Other community or business activities?



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CANDIDATE QUESTIONNAIRE

Describe your involvement in activities that demonstrate your understanding and support for public education, such as memberships or committees/organizations, office held, volunteer work, and community service?

Service on the Board requires a significant amount of time for meetings, studying issues, and other activities. How much time do you anticipate you will have to devote to the Board, and what other commitments do you have that would impact your schedule?

Why do you want to be a Trustee? What about this District motivates you to apply for the position?



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Please describe how as a Trustee you would maintain a focus on maximizing the academic success of each student.

Please describe how as a Trustee you would make decisions that support the District's positive fiscal status.

What other attributes do you feel are important for a Trustee?

Attachment A DISQUALIFYING OFFENSES

The following is a list of crimes, conviction of which precludes a person from holding public office in the State of California. Conviction of these crimes renders a person “forever disqualified from holding any office in this state.”

- *Bribing executive officer (Penal Code § 67)*
- *Officer asking or receiving bribes (Penal Code §§ 68, 88)*
- *Receiving gratuity for appointment to office (Penal Code § 74)*
- *Judicial Officer who has asked for or received emoluments, gratuities, rewards, or the fee of a stenographer (Penal Code § 94)*
- *Giving or offering bribe to Councilmember or Supervisor (Penal Code § 165)*
- *Misappropriation of public funds (Penal Code § 424)*
- *Interference with work or discipline of, or giving certain articles to prisoners (Penal Code § 2772)*
- *Interference with or giving certain articles to convicts (Penal Code § 2790)*
- *Officer making contracts in which he or she is interested (Government Code § 1097)*
- *Members of the Legislature convicted of any crime (Government Code § 9055)*
- *Corrupting the voting process (Elections Code § 18501)*
- *Convicted of a felony involving accepting, giving, or offering of any bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, except if a pardon had been granted in accordance with law (Elections Code § 20)*

Please note that in addition to the above restrictions Government Code § 1126 prohibits any local agency official from engaging “in any employment activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions or responsibilities of his or her appointing power or the agency by which he or she is employed.

BB 9223

FILLING VACANCIES

A vacancy on the Board of Education may occur for any of the events specified in Government Code 1770 or by a failure to elect or by the prohibition of simultaneous occupation of incompatible public offices provided in Government Code section 1099. (Education Code 5090) Removal by recall election shall also create a vacancy on the Board. (Elections Code 11384)

Events causing vacancy before expiration of term (Government Code 1770)

An office becomes vacant on the happening of any of the following events before the expiration of the term:

1. The death of the incumbent (Government Code 1770)
2. The adjudication pursuant to a quo warranto proceeding declaring that the 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 (Government Code 1770)

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 operative on that date. A Board member may not defer an effective date of resignation for more than 60 days after the date the resignation is filed with the County Superintendent. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090, 5091)

4. A Board member's removal from office
5. A Board member's ceasing to be a resident of the District
6. A Board member ceases to inhabit the trustee area which he/she represents on the Board. (58 Ops.Cal.Atty.Gen. 888(1975))
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
 - b. With the consent of the Board for an additional period not to exceed a total absence of 90 days
 - c. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board
 - d. 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 in his/her absence. If two or more members of the Board 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 next regularly scheduled election for that office, whichever occurs first.

8. A Board member's ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by illness 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 his/her 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 his/her 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 by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate or stimulant addict; in this event, 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 less than four months before the end of a Board member's term, the Board shall take no action. (Education Code 5093)
2. If a vacancy occurs between six months and 130 days before a regularly scheduled Board of Education election in which the position would not normally be filled, a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board of Education meeting following the certification of the election and shall serve only until the end of the term of the position that he/she was elected to fill. (Education Code 5093)
3. When a vacancy occurs four or more months before the end of a Board member's term, the Board of Education shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, make a provisional appointment, unless a special election is mandated as described below.

Eligibility

In order to be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code 35107, as described in BB 9220 – Board of Education Elections.

Provisional Appointments

When authorized by law to make a provisional appointment to fill a vacancy on the Board, the Board shall advertise in the local media to solicit candidate applications or nominations. 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. 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.

(cf. 9220 - Board of Education Elections)
(cf. 9323.2 - Actions by the Board)

Within 10 days after the appointment is made, the Board of Education shall post notices of the actual vacancy, or the filing of a deferred resignation 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: (Education Code 5092)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
2. The full name of the appointee
3. The date of 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, it shall become an effective appointment.

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board of Education member upon appointment. (Education Code 5091)

If within 30 days of the Board's appointment, registered voters of the district or, where elections are by trustee areas, of the trustee area submit a petition for special election which 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 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 (i.e., a failure to elect), and a District election will not be held, the Board of Education 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)

(cf. 9100 - Organization)

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)

The procedure for selecting and interviewing candidates shall be the same as the procedures for "Provisional Appointments," as specified above.

Attachment C

