

SAN LUIS OBISPO COUNTY SUPERINTENDENT OF SCHOOLS

Revised Resolution No. 22-34

Resolution Ordering a Special Election for the Paso Robles Joint Unified School District Vacancy and Establishing Specifications of the Election Order

December 22, 2022

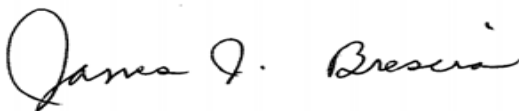
- WHEREAS,** effective August 25, 2022 Chris Bausch resigned from the Paso Robles Joint Unified School District (“District”) Board of Trustees (“Board”), resulting in a vacancy on the District Board; and
- WHEREAS,** on October 11, 2022 in accordance with California Education Code Section 5091, subdivision (a)(1), the District provisionally appointed Kenney Enney to fill said Board vacancy; and
- WHEREAS,** on pursuant to Education Code Section 5091, subdivision (c), a Petition for Special Election for Paso Robles Joint Unified School District (the “Petition”) was submitted to the San Luis Obispo County Superintendent of Schools (“Superintendent”), seeking to terminate said provisional appointment and hold a special election to fill the vacancy; and
- WHEREAS,** pursuant to Education Code Section 5091, subdivision (c), the Superintendent is required to review a petition for special election in order to ascertain whether the petition is legally sufficient; and
- WHEREAS,** Education Code Section 5091, subdivision (c)(2) provides that if the Petition is determined to be legally sufficient by the Superintendent, the provisional appointment is terminated, and the Superintendent must order a special election to be conducted no later than the 130th day after the determination; and
- WHEREAS,** Education Code Section 5091, subdivision (c) requires that the Petition be signed by at least the number of registered voters of the District equal to 1.5% of the number of registered voters of the District at the time of the last regular election for governing board members; and
- WHEREAS,** the total number of registered voters for the District was thirty thousand, three hundred and fifty-seven (30,357) and
- WHEREAS,** 1.5% of registered voters in the District amounts to four hundred fifty-five (455) and
- WHEREAS,** of the signatures presented with the Petition, the San Luis Obispo County Clerk determined that five hundred and twelve (512) signatures were valid; and
- WHEREAS,** therefore, the Petition was signed by at least 1.5% of the registered voters in the area proposed for the special election as required by Section 5091 of the Education Code; and
- WHEREAS,** the Superintendent has otherwise found the Petition to be sufficient and signed as required by law pursuant to Education Code Section 5091; and

WHEREAS, Education Code Sections 5321 and 5322 require the Superintendent to prepare specifications of the election order following a determination that the Petition is sufficient.

NOW, THEREFORE, BE IT RESOLVED:

1. Recitals. The above recitals are true and correct.
2. Order of Election. The San Luis Obispo County Superintendent of Schools hereby orders that a special election shall be held to fill the vacancy on the Paso Robles Joint Unified School District Board of Trustees.
3. Specifications of Election Order. Pursuant to Education Code Section 5322, the Superintendent hereby orders an election to be held with the following specifications:
 - (a) The election shall be held on Tuesday, April 18, 2023 pursuant to Elections Code 10603 or an appropriate date as determined by the County Clerk Recorder.
 - (b) The purpose of the election is to fill the vacancy on the Paso Robles Joint Unified School District Board of Trustees.
 - (c) The authority for ordering the election is contained in Education Code Section 5091, including subdivision (c)(2).
 - (d) The authority for these Specifications of the Election Order is contained in Education Code Sections 5321 and 5322.
 - (e) In accordance with the Paso Robles Joint Unified School District's Board Bylaws, the following specifications are also ordered:
 - i. Candidate statements shall be limited to no more than 400 words; and
 - ii. Candidate statements shall be paid for by the candidate; and
 - iii. In the event of a tie vote, the winner of the election shall be determined by lot at a time and place to be designated by the Paso Robles Joint Unified School District Board of Trustees.
4. Notice of Election. The Notice of Election, attached as Exhibit "A", shall be posted or published in the manner provided pursuant to Education Code section 5360, *et seq.*

APPROVED by the San Luis Obispo County Superintendent of Schools on this 22nd of December, 2022.



James J. Brescia, Ed.D.
San Luis Obispo County Superintendent of Schools

Exhibit A

FORMAL NOTICE OF SPECIAL ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the Paso Robles Joint Unified School District that on **Tuesday April 18, 2023** pursuant to Elections Code 10603 or an appropriate date as determined by the County Clerk Recorder, a special election will be held within the Paso Robles Joint Unified School District at which the following office will be filled:

**ONE (1) TRUSTEE ON THE
PASO ROBLES JOINT UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES**

Any person is eligible to be a member of the Board of Trustees, without further qualifications, if: 18 years of age or older; a citizen of California; a resident of the Paso Robles Joint Unified School District; a registered voter; and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or elected as a Board member except when he/she has been granted a pardon in accordance with law. (Education Code Section 35107, subdivision (a); Elections Code Section 20.)

This notice is provided pursuant to Education Code Sections 5361 and 5636.