

CHAPTER 29

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 93-1081

BY REPRESENTATIVES Sullivan, Hagedorn, Knox, and Williams;
also SENATORS Ament, Schaffer, and Tebedo.

AN ACT**CONCERNING BOARD OF EDUCATION APPOINTMENTS FOR THE SIX-MONTH TERMS CREATED BY
ELECTION DATE CHANGES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 22-31-104 (2) (b), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended to read:

22-31-104. Regular biennial school election. (2) (b) (I) The appointment of school district directors for six-month terms as provided in paragraph (a) of this subsection (2) shall be made by the board of education of the school district; except that no school district director whose term is expiring and who is seeking appointment to a six-month term shall participate in proceedings conducted by the board CONCERNING THE POSITION HELD BY THAT DIRECTOR pursuant to the provisions of this paragraph (b). A DIRECTOR WHOSE TERM IS EXPIRING MAY NOTIFY THE BOARD IN THE TIME AND MANNER PRESCRIBED BY THE BOARD OF SUCH DIRECTOR'S INTENTION TO BE CONSIDERED FOR THE APPOINTMENT. IF THE DIRECTOR WHOSE TERM IS EXPIRING NOTIFIES THE BOARD AND IS OTHERWISE QUALIFIED UNDER THIS ARTICLE, THE BOARD MAY APPOINT SUCH DIRECTOR. IF THE BOARD IS NOT NOTIFIED WITHIN THE TIME PROVIDED THAT THE DIRECTOR WHOSE TERM IS EXPIRING INTENDS TO SEEK THE APPOINTMENT OR SUCH DIRECTOR IS NOT APPOINTED TO THE SIX-MONTH TERM, the secretary of the board of education shall cause notice of the appointment to be published for no less than two consecutive weeks in some newspaper having general circulation in the school district, the first publication of such notice to be made not less than thirty days before the expiration of the term of office of the director in May of 1993 or May of 1995, whichever is applicable. Any person who meets the qualifications otherwise required by this article for the election of directors and who desires to be considered for the appointment shall file a written notice of such intention with the secretary of the board of education within the time and in the

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

manner prescribed by the board. ~~A director whose term is expiring may notify the board of such director's intention to be considered for the appointment, but the board shall not, in any manner, show a preference for such person over the other applicants for the appointment. Following the consideration of~~ THE BOARD SHALL CONSIDER all applicants ~~the board~~ AND shall make the appointment no later than ten days following the expiration of the term of office of the director in May of 1993 or May of 1995, whichever is applicable. IN THE EVENT THAT THE NUMBER OF QUALIFIED APPLICANTS IS LESS THAN THE NUMBER OF APPOINTMENTS TO BE MADE, THE BOARD MAY APPOINT ANY QUALIFIED PERSON TO ANY POSITION FOR WHICH THERE IS NO QUALIFIED APPLICANT.

(II) ~~The~~ AN appointment MADE PURSUANT TO THIS PARAGRAPH (b) shall be evidenced by an appropriate entry in the minutes of the meeting of the board of education and the delivery of the certificate of appointment to the person so appointed with a copy of such certificate forwarded to the department of education.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 22, 1993