

**GOVERNING BOARD OF THE
OAKLAND UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 1213-0190

**Provisional Appointment – Board of Education – District 4 Trustee Vacancy –
Term Ending January 5, 2015**

WHEREAS, Gary Yee, Trustee, Governing Board of the Oakland Unified School District (herein after “Board”), District 4, resigned his position as a Member of the Board, effective April 25, 2013, creating a vacancy; and

WHEREAS, the City of Oakland Charter otherwise specifies the qualifications, manner of election and terms of Board Members and provides in Section 404 of the Charter that “The provisions of the Education Code of the State of California shall apply as to matters not provided for in this [City of Oakland] Charter" and;

WHEREAS, the filling of a vacancy on the Board, not provided for in the City Charter, is a matter that applies under the Education Code, specifically Education Section 5091; and

WHEREAS, Education Code Section 5091 specifies that when a vacancy occurs on the Board of a school district, the Board thereof shall, within 60 days of the vacancy, either order an election or make a provisional appointment to fill the vacancy; and

WHEREAS, the Board on April 30, 2013, by [Resolution No. 1213-0158](#), among other provisions, declared and determined that the District 4 Board Trustee Vacancy, for the term ending January 5, 2015, shall be filled by provisional appointment; invited application for the vacancy from eligible District 4 residents/voters to be filed through 5 p.m., May 17, 2013; and set the date of May 29, 2013 as the date for the Board in Public Session to review applications received and to select applicants, as determined, if any, for interview in Public Session on June 5, 2013; and,

WHEREAS, the Board received twelve (12) applications for the District 4 Trustee Vacancy by 5 p.m., May 17, 2013, one each from:

Balfe, Carol

Broadhurst, Jill

Campbell, Washington Anne C.

Carmona, Carlos O.

Debro, Karl G.

DeFreece, Darek Alan

Gipson, Tiffany A.

LaBauve, Carrie

McLane, Catherine H.

Schwartz, Angie C.

Shakir, Atiff Saleem

Tell, Monica

WHEREAS, the Board on May 29, 2013, having reviewed in Public Session each application received, including the certification of eligibility and written verification from the Alameda County Registrar of Voters, that each above-named applicant save one was/is an eligible resident/registered voter in District 4 as of May 17, 2013, and by Resolution No. 1213-0184, determined and declared each applicant, except Carlos O. Carmona, a resident/registered voter in District 5, preliminarily eligible for provisional appointment to the Board District 4 Trustee Vacancy, subject to verification of all other eligibility requirements pursuant to law; and invited each said preliminarily eligible applicant to a Public Session interview on June 5, 2013; and

WHEREAS, the Board on June 5, 2013, at 6:00 P.M., in Public Session, along with participation by the Public, except for candidate Monica Tell, who gave written notice of her candidacy withdrawal to the President of the Board on June 5, 2013, interviewed candidates Anne C. Washington-Campbell, Atiff Saleem Shakir, Carole Balfe, Carrie LaBauve, Catherine H. McLane, Darek Alan DeFreece, Jill Broadhurst, Karl G. Debro, and Tiffany A. Gibson,

NOW, THEREFORE, BE IT RESOLVED, the Board, in Public Session, having considered each application, each applicant's qualifications for office, each candidate's interview, and the governance needs of the District, hereby provisionally appoints **Atiff Saleem Sakir**, as District 4 Trustee, Board of Education, effective upon the administration of and certification of the Oath of Office by the City Clerk of Oakland between June 13, 2013 and June 25, 2013, for the unexpired term ending January 5, 2015, pursuant to Education Code Section 5091; and

BE IT FUTHER RESOLVED, the Secretary of the Board is directed to post Notice of said provisional appointment pursuant to Education Code Section 5092.

PASSED AND ADOPTED at a Regular Meeting of the Governing Board of the Oakland Unified School District held on June 12, 2013, by the following vote:

AYES: Roseann Torres, Jumoke Hinton Hodge, David Kakishiba

NOES: Jody London, Christopher Dobbins, James Harris,

ABSTENTIONS: None

ABSENT: Carmen Jimenez (Student Director), Pierre Salmeri (Student Director)

I declare under penalty of perjury that the foregoing Resolution was duly passed and adopted on the date and by the vote stated.

FAILED



Edgar Rakestraw, Jr.
Secretary of the Governing Board