



**PUBLIC NOTICE OF
VACANCY AND PROVISIONAL APPOINTMENT**
(Education Code §5092)

1. A vacancy in the membership of the Governing Board of the Emery Unified School District has occurred by reason of the resignation of Mr. Kurt Brinkman effective November 17, 2009.
2. The resignation was effective with Mr. Brinkman's election to and seating on the City Council of Emeryville on November 17, 2009.
3. Ms. Patricia Hooper was appointed by the Governing Board on January 11, 2010 to fill the above named vacancy.
4. To challenge the appointment and order a special election, the following must be filed in the office of the Alameda County Superintendent of Schools within 30 days from the date of the provisional appointment or the appointment shall become effective:
 - a. File a petition calling for a special election containing the valid signatures of at least 1 ½ percent of the number of registered voters of the district at the time of the last regular election for governing board members held within the Emery Unified School District, or 25 registered voters of the district, whichever is greater, or
 - b. In districts with less than 2,000 registered voters, a petition shall be deemed to bear a sufficient number of signatures if signed by at least 5 percent of the number of registered voters of the district at the time of the last regular election for governing board members.

Governing Board of the Emery Unified School District

Joshua Simon
Governing Board Secretary/Clerk

Date: January 11, 2010