

GOVERNING BOARD ELECTIONS

Any person is eligible to be a Governing Board member, without further qualifications, if he/she is 18 years of age or older, a citizen of the state, a resident of the school District, a registered voter and not legally disqualified from holding civil office. (Education Code 35107)

A District employee elected to the Board shall resign his/her position before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

(cf. 9270 - Conflict of Interest)

When possible, Board election procedures shall be conducted in accordance with the California Education Code and Elections Code.

(cf. 9110 - Terms of Office)

Statement of Qualifications

The District shall assume no part of the cost of printing, handling, translating or mailing candidate statements filed pursuant to Elections Code 13307.

The Board secretary shall notify the county clerk of this policy on or before the 125th day before each Board member election. (Elections Code 10509)

Candidate statements shall be limited to no more than 200 words.

Tie Votes in Board Member Elections

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where lots shall be cast to determine the winner. (Education Code 5016)

Legal References Next Page

GOVERNING BOARD ELECTIONS

Legal Reference:

EDUCATION CODE

- 5000 *Biennial election*
- 5016 *Selection in tie vote*
- 5017 *Term*
- 5019 *Trustee areas and size of governing boards*
- 5019.5 *Trustee areas; adjustment of boundaries*
- 5300-5304 *General provisions (conduct of elections)*
- 5320-5329 *Order and call of elections*
- 5340-5345 *Consolidation of elections*
- 5360-5363 *Election notice*
- 5380 *Compensation (of election officer)*
- 5390 *Qualifications of voters*
- 5420-5426 *Cost of elections*
- 5440-5442 *Miscellaneous provisions (re returns, recounts, etc.)*
- 35107 *Eligibility; school district employees*
- 35177 *Campaign expenditures or contributions*

ELECTIONS CODE

- 1302 *Local elections, school district election*
- 2201 *Grounds for cancellation*
- 2220-2226 *Residency confirmation procedures*
- 10400-10418 *Consolidation of elections especially:*
- 10403.5 *Municipal election consolidated with statewide election or school district election*
- 10509 *Notice of election by secretary*
- 10600-10604 *School district elections*
- 13307 *Candidate's statement*
- 13309 *Candidate's statement, indigency*

GOVERNMENT CODE

- 1021 *Conviction of crime*
- 1097 *Illegal participation in public contract*
- 3035 *Impeachment*
- 85706 *Local regulation*
- 85301-85313 *Contribution limitations*

PENAL CODE

- 68 *Bribes*
- 74 *Acceptance of gratuity*
- 424 *Embezzlement and falsification of accounts by public officers*
- 661 *Removal for neglect or violation of official duty*

CALIFORNIA CONSTITUTION

- Article 2, Section 2 *Voters, qualifications*
- Article 2, Section 4 *Prohibition certain persons as electors*
- Article 7, Section 7 *Conflicting offices*
- Article 7, Section 8 *Disqualification from office*
- Article 7, Section 10 *Libelous or slanderous statements against opposing candidates*

COURT DECISIONS

California ProLife Council Political Action Committee v. Jan Scully et. al., CIV S-96-1965 (E.Dist. CA 1998)

Bylaw
Adopted: October 23, 2000

BREA OLINDA UNIFIED SCHOOL DISTRICT
Brea, California