

**GOVERNING BOARD ELECTIONS
(Qualifications, Etc.)**

Any person is eligible to be a 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.

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.

Whenever possible, the Board shall consolidate Board elections with the local municipal or statewide primary or general election.

The Governing Board election procedures shall be conducted in accordance with the California Education Code and Elections Code.

Statement of Qualifications

The Board shall assume no part of the cost of printing handling, translating, or mailing candidate statements. As a condition of having candidate statements included in the voter's pamphlet, the District may require candidates to pay their estimated pro rata share of these costs to the District in advance pursuant to Elections Code 13307.

On the 125th day prior to the day fixed for the general District election, the Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and District seal, to the county elections official describing both of the following:

(Elections Code 10509)

1. The elective offices of the District to be filled at the general election and which offices, if any, are for the balance of an unexpired term.
2. Whether the District or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307.

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 the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. *(Education Code 5016)*

Legal References**EDUCATION CODE**

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| 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

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

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
- 85300-85313 Contribution Limitations
- 85400-85404 Voluntary Expenditure Ceilings
- 85706 Local Regulation

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