GOVERNING BOARD ELECTIONS

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

(cf. 9110 - Terms of Office)

Any person is eligible to be a Board member 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)
(cf. 9220 - Calendar Covering School District Board Elections)

Statement of Qualifications

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

Whenever a candidate files a statement of qualifications to be printed and forwarded to the voters along with the sample ballot, each candidate availing himself/herself of this service shall pay to the County Registrar-Recorder, in advance of this service, a sum not greater than the actual prorated costs of translating, printing and handling the candidate’s statement as a condition of having the statement included in the voter’s pamphlet. The candidate’s statement shall be limited to no more than 400 words.

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

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)
GOVERNING BOARD ELECTIONS (continued)

Limitation of Campaign Contributions and Expenditures

Candidates for Board elections shall accept campaign contributions within the limits prescribed by Government Code 85301.

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 (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

Bylaw adopted: March 9, 2006

EL RANCHO UNIFIED SCHOOL DISTRICT
Pico Rivera, California