

## **BYLAWS OF THE BOARD**

### **District Elections**

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

#### **Calling the Election**

Elections are called by resolution of the Board of Trustees, passed by majority vote at an official Board meeting.

Any person is eligible to be a Board of Trustees 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)*

#### **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.

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

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  
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

Court Decisions

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

Policy 9500 Adopted: March 28, 1974

Revised Policy 9500 Adopted: February 17, 1983

Policy Revised and Renumbered to 9220, Adopted: September 18, 2001