

**BOARD BYLAWS**

**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)

The district is divided into trustee areas and each trustee area shall be represented by a Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Prior to March 1 following the year in which the results of each decennial federal census are released, the Board shall adjust the boundaries of the district's trustee areas, as contemplated in Education Code section 5019.5.

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. 9224 - Oath of Affirmation)*

*(cf. 9270 - Conflict of Interest)*

Whenever possible, the Board shall consolidate Board elections with the local municipal or statewide primary or general election. Board election procedures shall be conducted in accordance with state and federal law.

*(cf. 9110 - Terms of Office)*

**Campaign Conduct**

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 9005 - Governance Standards)*

**Statement of Qualifications**

The district shall assume no part of the cost of printing, handling, translating, or mailing of candidate statements filed pursuant to Elections Code 13307. As a condition of having

**BOARD BYLAWS** (continued)

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

*(cf. 9223 - Filling Vacancies)*

Candidate statements shall be limited to no more than 200 words. (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 Reference:*

*EDUCATION CODE*

*1006 Qualifications for holding office, county board of education*

*5000-5033 Elections*

*5220-5231 Elections*

*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*

*7054 Use of district property*

*35107 Eligibility; school district employees*

*35177 Campaign expenditures or contributions*

*35239 Compensation of governing board member of districts with less than 70 ADA*

*Legal Reference:*

*ELECTIONS CODE*

*1302 Local elections, school district election*

*2201 Grounds for cancellation*

*4000-4004 Elections conducted wholly by mail*

*10400-10418 Consolidation of elections*

*10509 Notice of election by secretary*

**BOARD BYLAWS** (continued)

*10600-10604 School district elections*  
*13307 Candidate's statement*  
*13309 Candidate's statement, indigency*  
*20440 Code of Fair Campaign Practices*

*GOVERNMENT CODE*

*1021 Conviction of crime*  
*1097 Illegal participation in public contract*  
*12940 Nondiscrimination, Fair Employment and Housing Act*  
*81000-91014 Political Reform Act*

*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 7, Section 7 Conflicting offices*  
*Article 7, Section 8 Disqualification from office*

*COURT DECISIONS*

*Randall v. Sorrell, (2006) 126 S.Ct. 2479*

*ATTORNEY GENERAL OPINIONS*

*85 Ops.Cal.Atty.Gen. 49 (2002)*  
*83 Ops.Cal.Atty.Gen. 181 (2000)*  
*81 Ops.Cal.Atty.Gen. 98 (1998)*  
*69 Ops.Cal.Atty.Gen. 290 (1986)*

*Management Resources:*

*WEB SITES*

*California Secretary of State's Office: <http://www.ss.ca.gov>*  
*Fair Political Practices Commission: <http://www.fppc.ca.gov>*  
*Institute for Local Self Government: <http://www.islg.org>*

Policy

Adopted: August 4, 2005

Revised: January 18, 2007; October 8, 2020

**VACAVILLE UNIFIED SCHOOL DISTRICT**

Vacaville, California