

# **Santa Barbara School Districts**

## **Board Bylaw**

**BB 9220**

### **Bylaws of the Board**

#### **GOVERNING BOARD ELECTIONS**

Any person is eligible to be a Board of Education 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 pay the Santa Barbara County Elections Division so that no candidate requesting a candidate's statement in the voter's guide will have to pay a cost for the ballot statement exceeding one-quarter of a page in the guide.

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. (Education 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 lots shall be cast to determine the winner. (Education Code 5016)

*Legal Reference:*

EDUCATION CODE

5000-5033 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 (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  
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  
81000-91013 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  
California Prolife Council Political Action Committee v. Jan Scully et. al., (1998) 989 F.Supp. 1282  
ATTORNEY GENERAL OPINIONS  
83 Ops.Cal.Atty.Gen. 181 (2000)  
81 Ops.Cal.Atty.Gen. 98 (1998)

Management Resources:

WEB SITES

Fair Political Practices Commission: <http://www.fppc.ca.gov>

CA Secretary of State's Office: <http://www.ss.ca.gov>

Bylaw: SANTA BARBARA SCHOOL DISTRICTS  
Adopted: May 23, 2006 Santa Barbara, California