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)

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 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.

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. Notification of the district policy that the district will pay the 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.

(cf. 9223 - Filling Vacancies)

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

**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
- 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**

**ATTORNEY GENERAL OPINIONS**

Management Resources:

WEB SITES
SANTA BARBARA UNIFIED SCHOOL DISTRICT
Santa Barbara, CA May 23, 2006; July 13, 2010