

Hacienda La Puente Unified School District



An Overview of Imposing Board Member Term Limits

Stan M. Barankiewicz II, Esq.

Orbach Huff & Henderson

sbarankiewicz@ohhlegal.com; 310-228-2089

Authority to Impose Limits

- Can Governing Board member term limits be imposed?
 - Yes, imposing Board member term limits involves two steps.
 - **Education Code § 35107(c)**: “[T]he governing board of a school district may adopt . . . by initiative, a proposal to limit . . . the number of terms a member of the governing board of the school district may serve[.]”
 - **Education Code § 35107(d)(2)** directs such proposals to the procedures set forth in Chapter 6 of the Elections Code.
 - **Chapter 6 of the Elections Code** lists the County’s standard practice to conduct typical school district elections, including electing Board members and approving school bond measures.

Public Engagement

- The statutory scheme for imposing term limits does not require public hearings, community meetings, etc.
- Nevertheless, some form of public engagement may be beneficial.
 - E.g., public outreach meetings, email notices, mail notices, and separate public hearings before the Board.
- Primary benefit: the Board's ability to hear how constituents feel about imposing term limits.
- Drawbacks: time and cost.

- Estimated cost of for a term limits election: \$280,891.
- Estimated cost for 3 trustee areas up for election: \$180,000.
- Marketing for Term Limits: \$10,000 to \$20,000.
 - Compare public engagement costs for establishing the 2020 Board trustee areas at \$62,805.
- Total cost for 2026 election: \$480,981.

- Diversification, innovation, and new/varied perspectives.
- Attracts Board members with limited time to dedicate.
- Avoids a concentration of power.
- Balance of continuity and turnover.
- Efficient mechanism for the exit of ineffective members.
- Board members do not need to spend years gaining expertise in arcane aspects of the district's business.

- Time is needed to create change.
- Time and costs required to identify, recruit, and train; find qualified candidates; and build cohesiveness.
- Loss of expertise, institutional memory, and insight.
- Removes voters' choice of whether a member should continue serving past the term limit.
- The Board may function as a political pit stop.
- Board members gain expertise in educational policy, finance, labor relations, etc.

Questions

