

**GOVERNING BOARD ELECTIONS****Board Member Qualifications**

Any person is eligible to be a member of the Governing Board, without further qualifications, if the person is: 18 years of age or older; a citizen of California; a resident of the school district or, if required, the trustee area; a registered voter; and not legally disqualified from holding civil office. (Education Code 35107)

A person is not eligible to be a member of the Board if they have been convicted of an offense(s) as specified in law, except when the person has been granted a pardon in accordance with law.

A district employee duly elected to the Board shall resign from district employment, or shall otherwise cease being a district employee, before being sworn in. If a district employee duly elected to the Board is sworn in and remains a district employee, then the district's employment of the employee shall automatically terminate upon being sworn into office. (Education Code 35107)

Additionally, a person duly appointed or elected to the Board who holds an incompatible office at the time the Board member is sworn in to office as a Board member may not continue to serve in the incompatible office, and shall be deemed to have forfeited the incompatible office in accordance with Government Code 1099.

The Board encourages all candidates to become knowledgeable about the role of board members. Upon request by a Board candidate, the Superintendent or designee shall provide the candidate with:

1. Information regarding the responsibilities and expectations of a Board member, including information regarding available workshops, seminars, and/or training
2. The county election official's contact information and general information about school programs, district operations, and Board responsibilities

A candidate's residence address, telephone number, and email address recorded with the applicable county election official shall be kept confidential in accordance with state law. (Elections Code 2166.9)

**GOVERNING BOARD ELECTIONS****Recalling a Board Member**

To commence a recall of a Board member, proponents shall serve, file, and publish or post a notice of intention to circulate the recall petition as specified by law and any applicable elections official directives. Additionally, the recall petition shall be in the format provided by the Secretary of State and include, among other things, an estimate of the cost of conducting the special election, as determined by the elections official, in consultation with the district. (Elections Code 11000-11386)

Within 14 days after the regular meeting at which the Board receives a certificate of sufficiency of signatures on a recall petition from an elections official, the Board shall order an election to be held to determine whether the Board member named in the petition shall be recalled. The election shall be held not less than 88, nor more than 125, days after the date that the Board orders the election. However, the election may be conducted within 180 days after the issuance of the Board's order to consolidate the election with a regularly scheduled election. (Elections Code 11240-11242)

A recall election of a Board member shall be conducted in accordance with Elections Code 11381-11386.

If a recall of a Board member is successful, that Board member's seat becomes vacant and shall be filled in accordance with Education Code 5090-5095 and Board Bylaw 9223 - Filling Vacancies.

However, a recalled Board member may not be appointed to the seat that was vacated by the recall. (Elections Code 11382)

**Consolidation of Elections**

The Board may consolidate Board elections with the local municipal or statewide primary or general election in accordance with Elections Code 1302. Additionally, if a regularly scheduled Board election held other than on a statewide election date results in a decrease in local voter turnout of 25 percent or more compared to the average local turnout for the previous four statewide general elections, the Board shall take action to consolidate Board elections with statewide elections in accordance with Elections Code 14051-14052.

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In order to consolidate elections, the Board shall adopt a resolution and submit it to the County Board of Supervisors for approval not later than 240 days prior to the date of the currently scheduled district election. (Elections Code 10404.5)

Whenever a regularly scheduled Board election is changed due to consolidation of elections, the terms of office of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

**Elections Process and Procedures**

For each election, upon receipt of the certified statement of the results of the election from the applicable county elections officials, the Board shall declare which individuals have been elected to the Board in accordance with law. (Elections Code 15372, 15400)

The declaration shall be transmitted to the county elections official with primary jurisdiction for the district, who shall then issue and deliver a certificate of election to each person elected. (Elections Code 15400-15401)

A Board member whose term has expired shall continue to discharge the duties of the office until a successor has qualified by taking the oath of office. (Government Code 1302, 1360)

Each Board member shall reside in the trustee area they represent and shall be elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Following each decennial federal census the Board shall adjust the boundaries of the district's trustee areas in accordance with Elections Code 21100-21180. The Board may review the district's Board election method to determine whether any modification is necessary.

If the district seeks to change its election method, the Board shall follow procedural requirements and hold public hearings in accordance with Elections Code 10010 and 21100-21150 before adopting a resolution at an open meeting

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specifying the change and obtaining approval from the county committee on school district organization with primary jurisdiction for the district in accordance with Education Code 5019.

The election method or trustee-area boundaries in effect at the beginning of a Board member's term shall be used when any vacancy that occurs during that term is to be filled, even if, during the term, the district has adopted "by-trustee area" election method or trustee area boundaries have been adjusted.

**Campaign Finance**

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign contributions, funding, and expenditures.

A Board candidate shall not expend or accept any public money for the purpose of seeking elective office. However, the district may establish a dedicated fund for those seeking election to the Board, provided that the funds are available to all candidates who are qualified pursuant to Education Code 35107 without regard to incumbency or political preference. (Government Code 85300)

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.

**Statement of Qualifications**

On the 125th day prior to the day fixed for the general district election, the Board secretary or 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 applicable 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

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Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words.

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution. The district shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

**Tie Votes in Board Member Elections**

Whenever the County Superintendent of Schools with primary jurisdiction for the district certifies to the Board that there is a tie vote such that it is 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 and place shall determine the winner by lot.

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*Policy Reference Disclaimer:*

*These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

**State**

CA Constitution Article 2, Section 2

CA Constitution Article 7, Section 7

CA Constitution Article 7, Section 8

**Description**[Voters; qualifications](#)[Conflicting offices](#)[Disqualification from office](#)

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|                               |                                                                                                           |
|-------------------------------|-----------------------------------------------------------------------------------------------------------|
| <i>Ed. Code 1006</i>          | <a href="#"><u>Prohibition against school district employees serving on county board of education</u></a> |
| <i>Ed. Code 35107</i>         | <a href="#"><u>School district employees</u></a>                                                          |
| <i>Ed. Code 35177</i>         | <a href="#"><u>Campaign expenditures or contributions</u></a>                                             |
| <i>Ed. Code 35239</i>         | <a href="#"><u>Compensation of governing board member of districts with less than 70 ADA</u></a>          |
| <i>Ed. Code 5000-5033</i>     | <a href="#"><u>Election of school district board members</u></a>                                          |
| <i>Ed. Code 5090-5095</i>     | <i>Vacancies</i>                                                                                          |
| <i>Ed. Code 5091</i>          | <a href="#"><u>Vacancies; petition for special election</u></a>                                           |
| <i>Ed. Code 5220-5231</i>     | <a href="#"><u>Elections</u></a>                                                                          |
| <i>Ed. Code 5300-5304</i>     | <a href="#"><u>General provisions; conduct of elections</u></a>                                           |
| <i>Ed. Code 5320-5329</i>     | <a href="#"><u>Order and call of elections</u></a>                                                        |
| <i>Ed. Code 5340-5345</i>     | <a href="#"><u>Consolidation of elections</u></a>                                                         |
| <i>Ed. Code 5360-5363</i>     | <a href="#"><u>Election notice</u></a>                                                                    |
| <i>Ed. Code 5380</i>          | <a href="#"><u>Compensation; election officer</u></a>                                                     |
| <i>Ed. Code 5390</i>          | <a href="#"><u>Qualifications of voters</u></a>                                                           |
| <i>Ed. Code 5420-5426</i>     | <a href="#"><u>Cost of elections</u></a>                                                                  |
| <i>Ed. Code 5440-5442</i>     | <a href="#"><u>Miscellaneous provisions</u></a>                                                           |
| <i>Ed. Code 7054</i>          | <a href="#"><u>Use of district property; campaign purposes</u></a>                                        |
| <i>Elec. Code 10010</i>       | <a href="#"><u>District boundaries</u></a>                                                                |
| <i>Elec. Code 10400-10418</i> | <a href="#"><u>Consolidation of elections</u></a>                                                         |
| <i>Elec. Code 10509</i>       | <a href="#"><u>Notice of election by secretary</u></a>                                                    |
| <i>Elec. Code 10600-10604</i> | <a href="#"><u>School district elections</u></a>                                                          |
| <i>Elec. Code 11000</i>       | <a href="#"><u>Recall of officers</u></a>                                                                 |
| <i>Elec. Code 11000-11386</i> | <i>Recall elections</i>                                                                                   |
| <i>Elec. Code 11382</i>       | <i>Vacancy due to recall</i>                                                                              |
| <i>Elec. Code 1302</i>        | <a href="#"><u>Local elections; school district election</u></a>                                          |
| <i>Elec. Code 13307</i>       | <a href="#"><u>Candidate's statement</u></a>                                                              |
| <i>Elec. Code 13308</i>       | <a href="#"><u>Candidate's statement contents</u></a>                                                     |
| <i>Elec. Code 13309</i>       | <a href="#"><u>Candidate's statement; indigence</u></a>                                                   |
| <i>Elec. Code 14025-14032</i> | <a href="#"><u>California Voting Rights Act</u></a>                                                       |
| <i>Elec. Code 14050-14057</i> | <a href="#"><u>California Voter Participation Rights Act</u></a>                                          |
| <i>Elec. Code 15307</i>       | <a href="#"><u>Timeline to count ballots and release ballot count</u></a>                                 |
| <i>Elec. Code 15370-15377</i> | <i>Ballot security and reporting of results</i>                                                           |
| <i>Elec. Code 15400-15402</i> | <a href="#"><u>Announcement of election results</u></a>                                                   |
| <i>Elec. Code 18501</i>       | <a href="#"><u>Election fraud</u></a>                                                                     |
| <i>Elec. Code 20</i>          | <a href="#"><u>Public office eligibility</u></a>                                                          |
| <i>Elec. Code 20440</i>       | <a href="#"><u>Code of Fair Campaign Practices</u></a>                                                    |
| <i>Elec. Code 21100-21180</i> | <a href="#"><u>FAIR MAPS Act</u></a>                                                                      |
| <i>Elec. Code 2166.9</i>      | <i>Candidate confidentiality</i>                                                                          |
| <i>Elec. Code 2201</i>        | <a href="#"><u>Grounds for cancellation</u></a>                                                           |
| <i>Elec. Code 4000-4008</i>   | <i>Elections conducted entirely by mail</i>                                                               |
| <i>Gov. Code 1021</i>         | <a href="#"><u>Conviction of crime</u></a>                                                                |

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|-----------------------------|-----------------------------------------------------------------------------------------------------------------|
| Gov. Code 1097              | <a href="#"><u>Illegal participation in public contract</u></a>                                                 |
| Gov. Code 1099              | <a href="#"><u>Incompatible offices</u></a>                                                                     |
| Gov. Code 12940             | <a href="#"><u>Unlawful discriminatory employment practices</u></a>                                             |
| Gov. Code 1770              | <a href="#"><u>Vacancy of office</u></a>                                                                        |
| Gov. Code 81000-91014       | <a href="#"><u>Political Reform Act</u></a>                                                                     |
| Gov. Code 9055              | <a href="#"><u>Committing crimes against legislative power</u></a>                                              |
| Gov. Code 9412              | <a href="#"><u>Refusing to appear</u></a>                                                                       |
| Pen. Code 165               | <a href="#"><u>Bribes to members of city council</u></a>                                                        |
| Pen. Code 2772              | <a href="#"><u>Interfering with the work of prisoners</u></a>                                                   |
| Pen. Code 2790              | <a href="#"><u>Interrupting the work of prisoners</u></a>                                                       |
| Pen. Code 424               | <a href="#"><u>Embezzlement and falsification of accounts by public officers</u></a>                            |
| Pen. Code 661               | <a href="#"><u>Removal for neglect or violation of official duty</u></a>                                        |
| Pen. Code 67                | <a href="#"><u>Giving bribes</u></a>                                                                            |
| Pen. Code 68                | <a href="#"><u>Receiving bribes</u></a>                                                                         |
| Pen. Code 74                | <a href="#"><u>Acceptance of gratuity</u></a>                                                                   |
| Pen. Code 88                | <a href="#"><u>Crimes against legislative power</u></a>                                                         |
| Pen. Code 98                | <a href="#"><u>Crimes against public justice</u></a>                                                            |
| <b>Federal</b>              | <b>Description</b>                                                                                              |
| 52 USC 10301-10508          | Voting Rights Act                                                                                               |
| <b>Management Resources</b> | <b>Description</b>                                                                                              |
| Attorney General Opinion    | <a href="#"><u>109 Ops.Cal.Atty.Gen. 106 (2026)</u></a>                                                         |
| Attorney General Opinion    | <a href="#"><u>105 Ops.Cal.Atty.Gen. 182 (2022)</u></a>                                                         |
| Attorney General Opinion    | <a href="#"><u>69 Ops.Cal.Atty.Gen. 290 (1986)</u></a>                                                          |
| Attorney General Opinion    | <a href="#"><u>81 Ops.Cal.Atty.Gen. 98 (1998)</u></a>                                                           |
| Attorney General Opinion    | <a href="#"><u>83 Ops.Cal.Atty.Gen. 181 (2000)</u></a>                                                          |
| Attorney General Opinion    | <a href="#"><u>85 Ops.Cal.Atty.Gen. 49 (2002)</u></a>                                                           |
| Court Decision              | <a href="#"><u>Dusch v. Davis (1967) 387 U.S. 112</u></a>                                                       |
| Court Decision              | <a href="#"><u>Randall v. Sorrell (2006) 126 S.Ct. 2479</u></a>                                                 |
| Court Decision              | <a href="#"><u>Rey v. Madera Unified School District (2012) 203 Cal. App. 4th 1223</u></a>                      |
| Court Decision              | <a href="#"><u>Sanchez v. City of Modesto (2006) 145 Cal. App. 4th 660</u></a>                                  |
| CSBA Publication            | <a href="#"><u>Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017</u></a> |
| Website                     | <a href="#"><u>CSBA District and County Office of Education Legal Services</u></a>                              |
| Website                     | <a href="#"><u>Institute for Local Government</u></a>                                                           |
| Website                     | <a href="#"><u>Fair Political Practices Commission</u></a>                                                      |
| Website                     | <a href="#"><u>California Secretary of State's Office</u></a>                                                   |
| Website                     | <a href="#"><u>CSBA</u></a>                                                                                     |

**Cross References**

**GOVERNING BOARD ELECTIONS**

| <b>Policy</b> | <b>Description</b>                                                           |
|---------------|------------------------------------------------------------------------------|
| 0410          | <a href="#"><u>Nondiscrimination In District Programs And Activities</u></a> |
| 9005          | <a href="#"><u>Governance Standards</u></a>                                  |
| 9110          | <a href="#"><u>Terms Of Office</u></a>                                       |
| 9223          | <a href="#"><u>Filling Vacancies</u></a>                                     |
| 9224          | <a href="#"><u>Oath Or Affirmation</u></a>                                   |
| 9230          | <a href="#"><u>Orientation</u></a>                                           |
| 9240          | <a href="#"><u>Board Training</u></a>                                        |
| 9270          | <a href="#"><u>Conflict Of Interest</u></a>                                  |
| 9270-E(1)     | <a href="#"><u>Conflict Of Interest</u></a>                                  |
| 9320          | <a href="#"><u>Meetings And Notices</u></a>                                  |

**Bylaw**

**PASADENA UNIFIED SCHOOL DISTRICT**

**Adopted:** March 26, 1996

Pasadena, California

**Revised:** 12/11/12; 1/30/14; 9/28/17; 2/23/23; 08/2024; 10/2026;