

Governing Board Elections

The Yolo County Board of Education (“County Board”) shall consist of five (5) members whose terms shall be staggered so that, as nearly as practicable, one half of the members shall be elected at each regular County Board election. (Education Code 1000, 1007).

Election procedures shall be followed in accordance with state and federal law.

Board Member Qualifications

Any person other than the Yolo County Superintendent of Schools (“Superintendent”), a member of the Yolo County Office of Education (“YCOE”), staff, or an employee of a school district that is within the jurisdiction of the County Board is eligible to be a member of the County Board if that person is an elector of the trustee area to be represented and is not legally disqualified from holding civil office. (Education Code 1000, 1006)

Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or be a County Board member unless granted a pardon in accordance with law. (Elections Code 20)

The County Board and County Superintendent encourages all candidates to become knowledgeable about the role of the County Board. Upon request, all candidates shall be provided with information that will enable them to understand the responsibilities and expectations of being a County Board member, including information regarding available workshops, seminars, and/or training, the county election official's contact information, and general information about school programs, YCOE operations, and County Board responsibilities.

(cf. 9230 - Orientation)

(cf. 9240 - Board Training)

Election Date

To reduce costs associated with conducting elections, the election of County Board members shall be consolidated with the local municipal or statewide primary or general election in accordance with a County Board resolution approved by the County Board of Supervisors. (Elections Code 1302, 10404.5)

However, if a regularly scheduled County 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 County Board shall take action

to consolidate County Board elections with statewide elections in accordance with Elections Code 14051-14052. (Elections Code 14051-14052)

Term of Office

The term of office for members elected in regular elections shall be four years, commencing on the second Friday in December following their election. (Education Code 1007, 5017)

A 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)

Campaign Conduct

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

No candidate shall expend or accept any public money for the purpose of seeking elective office (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 County Board and the YCOE , the County 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 election, the County Board secretary or designee shall deliver a notice, bearing the secretary's signature and seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the County Board to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the County Board or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

Candidates for the County 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 400 words. (Elections Code 13307)

The County Board 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 County Board may require candidates to pay their estimated pro rata share of these costs to the County Board in advance pursuant to 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 County Board, the County 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 County Board. At that time the County Board shall determine the winner by lot. (Education Code 5016)

Legal Reference:

Education Code, 1000, 1002, 1006, 1007, 1017, 5000-5033, 5220-5231, 5300-5304, 5320-5329, 5340-5345, 5360-5363, 5380, 5390, 5420-5426, 5440-5442

Elections Code, 20, 321, 1302, 2201, 4000-4004, 10400-10418, 10509, 10600-10604, 13307, 13309, 14025-14032, 20440

Government Code, 1021, 1302, 1303, 1360, 12940, 81000-91014

Penal Code, 68, 74, 424, 661

California Constitution, Article 2, Section 2; Article 7, Section 7; Article 7, Section 8

United States Code, Title 52 10301-10508

Court Decisions, Shelby County v. Holder, (2013) 133 S. Ct. 2612 Rey v. Madera Unified School District, (2012) 138 Cal. Rptr. 3d 192 Randall v. Sorrell, (2006) 126 S.Ct. 2479 Sanchez v. City of Modesto, (2006) 51 Cal.Rptr.3d 821 Dusch v. Davis, (1967) 387 U.S. 112

Attorney Generals 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:

Websites

CSBA: <http://www.csba.org> California

County Boards of Education: <http://www.theccbe.org>

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.ca-ilg.org>

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