

## VENTURA COUNTY BOARD OF EDUCATION

**BOARD POLICY NO. 9220**

**ADOPTED: 04/22/24  
REPLACED BP9210**

**CLASSIFICATION: Board Bylaws**

**REVISED:**

**SUBJECT: Governing Board Elections**

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The County Board of Education 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.

### BOARD MEMBER QUALIFICATIONS

Other than the County Superintendent of Schools, a member of the VCOE staff, or an employee of a school district that is within the jurisdiction of the County Board, any registered voter 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.

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 to be elected as a County Board member unless granted a pardon in accordance with law.

The County Board encourages all candidates to become knowledgeable about the role of the County Board. When available, candidates shall be provided information about the responsibilities and expectations of being a County Board member, information regarding available workshops, seminars, and/or training, the county election official's contact information, and general information about school programs, VCOE operations, and County Board responsibilities.

### RECALLING A BOARD MEMBER

A County Board member may be recalled as permitted by Elections Code 11000. Proponents of a recall are required to serve, file, and publish or post a notice of intention to circulate the recall petition and to comply with other applicable law and formalities and county elections official directives. The petition, pursuant to Elections Code 11041, is required to be in the format provided by the Secretary of State and to include an estimate of the cost of conducting the special election, as determined by the county elections official, in consultation with VCOE.

Within 14 days after the County Board meeting at which a certificate of sufficiency of signatures on a recall petition is received from the county elections official, the County Board shall order an



election to be held to determine whether the County 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.

Recall elections shall be conducted in accordance with Elections Code 11381-11386.

### ELECTION DATE

The election of County Board members shall be held on the first Tuesday after the first Monday in November of each odd-numbered year.

### TERM OF OFFICE

The term of office for County Board members elected in regular elections shall be four years, commencing on the second Friday in December following their election.

A County 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.

### 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.

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 VCOE, 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:

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

When the elections official allows for the electronic distribution of candidate statements, a candidate for the County 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.



## 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	County Boards of Education
1002	Boundaries, number of county board members
1006	Prohibition against school district employees serving on county board of education
5000-5033	Election of school district board members
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; election officer
5390	Qualifications of voters
5420-5426	Cost of elections
5440-5442	Miscellaneous provisions
35107	School district employees
35177	Campaign expenditures or contributions

#### CALIFORNIA CONSTITUTION

Article 2, Section 2	Voters; qualifications
Article 7, Section 7	Conflicting offices
Article 7, Section 8	Disqualification from office

#### ELECTION CODE

10010	District boundaries
10400-10418	Consolidation of elections
10509	Notice of election by secretary
10600-10604	School district elections
11000	Recall of officers
1302	Local elections; school district election
13307	Candidate's statement
13308	Candidate's statement contents
13309	Candidate's statement; indigence



14025-14032	California Voting Rights Act
14050-14057	California Voter Participation Rights Act
20	Public office eligibility
20440	Code of Fair Campaign Practices
2201	Grounds for cancellation
4000-4008	Elections conducted wholly by mail

#### GOVERNMENT CODE

1021	Conviction of crime
1097	Illegal participation in public contract
12940	Unlawful discriminatory employment practices
1360	Necessity of taking constitutional oath
1770	Vacancy of office
81000-91014	Political Reform Act of 1974

#### PENAL CODE

424	Embezzlement and falsification of accounts by public officers
661	Removal for neglect or violation of official duty
68	Bribes
74	Acceptance of gratuity

#### FEDERAL CODE

52 USC 10301-10508	Voting Rights Act
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