

#### **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 Cambrian School District, a registered voter, and 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 elected as a Board member except when the person has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

A district employee elected to the Board shall resign from district employment before being sworn in or shall have the employment automatically terminated upon being sworn into office. (Education Code 35107)

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

#### **Recalling a Board Member**

A 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 the district.

Within 14 days after the meeting at which the Board receives a certificate of sufficiency of signatures on a recall petition from the county 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.

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

#### **Consolidation of Elections**

To reduce costs associated with conducting elections, the Board may consolidate Board elections with

the local municipal or statewide primary or general election in accordance with Elections Code 1302.

In addition, 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. (Elections Code 14051, 14052)

In order to consolidate elections based on either circumstance described above, 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**

Board members may reside anywhere within the district's boundaries and shall be elected by all voters in the district.

To ensure ongoing compliance with the California Voting Rights Acts, the Board may review the district's Board election method to determine whether any modification is necessary due to changes in the district's population or any of its racial, color, or language minority group composition. The review shall be based on the Superintendent or designee's report to the Board after the release of each decennial federal census.

When the district's election method is to be changed, the Board shall hold public hearings in accordance with Elections Code 10100 before adopting a resolution at an open meeting specifying the change(s), and shall, in accordance with Education Code 5019, obtain approval from the county committee on school district organization having jurisdiction over the district.

Any petition for a special election ordered pursuant to Education Code 5091 shall contain the county election official's estimate of the cost of conducting the special election, expressed on a per-student basis. (Education Code 5091)

### **Campaign Conduct**

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

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**

In order to encourage voters to run for election to the Governing Board, the district shall pay a portion of

the filing fees towards the cost of printing, handling, translation, mailing, and/or electronically distributing candidate statements files pursuant to Elections Code 13307.

- All candidates shall pay a minimum of \$500 for the filing fees. Candidates' minimum payment of filing fees will be determined by the number of candidates running per election.
  - In an election year where there are two (2) seats vacant, Cambrian School District shall pay a max of \$10,000 towards the cost of printing, handling, translation, mailing, and/or electronically distribution of candidate statements.
  - In an election year where there are three (3) seats vacant, Cambrian School District shall pay a max of \$15,000 towards the cost of printing, handling, translation, mailing, and/or electronically distribution of candidate statements.

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 general 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

Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

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.

### **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)

See sample resolutions:



ORDER OF ELECTION, SPECIFICATIONS OF THE ELECTION ORDER AND  
CONSOLIDATION REQUEST

WHEREAS, a Biennial District General Election has been ordered to be held on Tuesday, Month Date, Year, in the Cambrian School District for the purpose of electing **two (2) members** for a four (4) year term of the Governing Board of Trustees of the District; and:

WHEREAS, pursuant to Part 3 (commencing with Section 10400) of the Elections Code of the State of California and Section 5342 of the Education Code of the State of California, such election may be either completely or partially consolidated; and,

WHEREAS, pursuant to Section 5322 of the Education Code of the State of California, this Board must adopt a resolution constituting a “Specifications of the Election Order”;

NOW, THEREFORE, BE IT RESOLVED:

- Section 1. That, pursuant to Section 5322 of the Education Code and Section 10403 of the Elections Code, the Governing Board of Trustees of the Cambrian School District calls for an election to be held on **(Month Date, Year)** and requests the Board of Supervisors of Santa Clara County to completely consolidate the election with the statewide election.
- Section 2. That the Governing Board of Trustees of the Cambrian School District requests the Board of Supervisors of Santa Clara County to hold and conduct the election in the manner prescribed in Section 10418 of the Elections Code of the State of California and to further provide that the Registrar of Voters canvass the returns of the election.
- Section 3. That pursuant to Section 10508 of the Elections Code of the State of California, said officers for the Cambrian School District are to be elected at large;
- Section 4. That pursuant to Sections 10002 and 10520 of the Elections Code and Section 5421 of the Education Code of the State of California, each district involved in a district general election in an affected county shall reimburse the county for the actual costs incurred by the county elections official in conducting the district general election for that district.
- Section 5. That the candidates' statements of qualifications shall be limited to:
- 200 words and,
  - That the cost of printing, translating, and distributing said statements shall be borne by the District and the candidates who file such statements as per the following formula:
    - \$500 of the filing fee will be paid by each candidate who runs for a seat on the Cambrian Governing Board; and
    - Cambrian will dedicate \$10,000 of the budgeted election fees to pay equally the difference between the \$500 and the actual Registrar of Voters (ROV) filing fee cost per candidate.

- If for any reason ALL fees are reimbursed from the ROV, the exact amount of \$500 will be reimbursed to each candidate and the exact portion of the Cambrian's costs will be reimbursed to Cambrian's election fee budget, and
- If for any reason Partial fees are reimbursed from the ROV, those fees will be reimbursed to Cambrian up to the amount where the District's costs are fully recovered.
- The District's total pro rata share of candidates' filing fees shall not exceed \$10,000 and the aforementioned individual filing fee may be appropriately adjusted in order to comply with the \$10,000 cap.

Section 6. That pursuant to Section 10522 of the Elections Code of the State of California, a current map showing the boundaries of the district and the boundaries of the divisions of the district is herewith submitted.

Section 7. That pursuant to Section 5304 of the Education Code and Sections 10551 and 15651 of the Elections Code of the State of California, the method of determining the winner or winners in the event of a tie vote shall be by Lot.

Section 8. That the names of all current Board Members elected at large, length of term, and term end dates, are listed below:

Board Members	Length of Current Term	Term End Date
Board Member A	4 Years	Year
Board Member B	4 Years	Year
Board Member C	4 Years	Year
Board Member D	4 Years	Year
Board Member E	4 Years	Year

PASSED AND ADOPTED by the Board of Trustees of the Cambrian School District of Santa Clara County, State of California, on this ?? day of Month Year, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Secretary of the Board of Trustees of the  
Cambrian School District

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Governing Board of Trustees  
Cambrian School District



ORDER OF ELECTION, SPECIFICATIONS OF THE ELECTION ORDER AND  
CONSOLIDATION REQUEST

WHEREAS, a Biennial District General Election has been ordered to be held on Tuesday, Month Date, Year, in the Cambrian School District for the purpose of electing **three (3) members** for a four (4) year term of the Governing Board of Trustees of the District; and:

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Board Member B	4 Years	Year
Board Member C	4 Years	Year
Board Member D	4 Years	Year
Board Member E	4 Years	Year

PASSED AND ADOPTED by the Board of Trustees of the Cambrian School District of Santa Clara County, State of California, on this ?? day of Month Year, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Secretary of the Board of Trustees of the  
Cambrian School District

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Governing Board of Trustees  
Cambrian School District