

GOVERNING BOARD ELECTIONS

Board Member Qualifications

Any person is eligible to be a member of the Governing Board, without further qualifications, if he/she is 18 years of age or older, a citizen of California, a resident of the 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 he/she has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

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

(cf. 9224 - Oath of Affirmation)

(cf. 9270 - Conflict of Interest)

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.

(cf. 9230 - Orientation)

(cf. 9240 - Board Training)

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. The district shall move its election to the next state statewide election date, unless the Board has adopted a plan by January 1, 2018 to consolidate Board elections not later than the November 8, 2022 statewide general election. (Elections Code 14051, 14052)

GOVERNING BOARD ELECTIONS (continued)

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)

(cf. 9110 - Terms of Office)

Elections Process and Procedures

Election by trustee area

The district is divided into trustee areas and each trustee area shall be represented by a Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law.

Prior to March 1 following the year in which the results of each decennial federal census are released, the Board shall adjust the boundaries of the district's trustee areas based on population figures as validated by the Population Research Unit of the Department of Finance. (Education Code 5019.5)

Board of Education Members and Areas Represented

The Board of Education of the Visalia Unified School District is composed of seven (7) members representing the following areas:

Area 1	One Board member
Area 2	One Board member
Area 3	One Board member
Area 4	One Board member
Area 5	One Board member
Area 6	One Board member
Area 7	One Board member

Board of Education members must reside in the area that they represent and voters from each of those areas vote for the seven (7) representatives from the above seven (7) areas.

official boundaries of the District are those set forth in the full and correct transcript of the boundaries maintained in the Tulare County Superintendent of Schools Office and the Office of the County Clerk of Tulare County.

GOVERNING BOARD ELECTIONS (continued)**AREA I****Veva Blunt, Manuel F. Hernandez, portions of Willow Glen, Linwood, and Shannon Ranch**

The region bounded and described as follows: Beginning at the intersection of Mooney Boulevard and Avenue 312, and proceeding westerly along Avenue 312 to North Demaree Street, and proceeding southerly along N Demaree Street to W Goshen Ave, and proceeding westerly along W Goshen Ave to Road 100, and proceeding southerly along Road 100 to Highway 198/W Mineral King Avenue, and proceeding westerly along Highway 198 and Avenue 296 to Highway 99, and proceeding southeasterly along Highway 99 to the South Fork Persian Ditch, and proceeding northeasterly along the South Fork Persian Ditch along the southern edge of the airport to W Walnut Avenue, and proceeding easterly along W Walnut Avenue to Road 108, and proceeding northerly along Road 108 to Highway 198, and proceeding easterly along Highway 198 to Giddings Street, and proceeding northerly along Giddings Street to the Union Pacific Railroad just north of W Goshen Avenue, and proceeding northwesterly along the Railroad to N Mooney Boulevard, and proceeding northerly along N Mooney Boulevard to the point of beginning.

AREA II**Golden Oak, Ivanhoe, Four Creeks and portions of Elbow Creek and Mineral King**

The region bounded and described as follows: Beginning at the point of intersection of Avenue 368 and Road 124 at the District border, and proceeding southerly along Road 124 to Avenue 328, and proceeding eastward along Avenue 328 to Road 132, and proceeding southerly along Road 132 to the unnamed creek at the southern edge of Census Block 061070013011019 (725 feet north of Levee Drive) and proceeding northwest along the creek to Saint Johns River and proceeding westerly and northerly along Saint Johns River to the eastward extension of Cassella Road at the north edge of Census Block 061070013013001, and proceeding westerly along the extension of Cassella Road and the north edge of Census Block 061070013013001 to the property line representing the east border of Census Block 061070010041000 and proceeding southerly along the property lines and Census Block borders and N Santa Fe Street to E Douglas Avenue, and proceeding easterly along E Douglas Avenue to N Ben Maddox Way, and proceeding southerly along N Ben Maddox Way to E Goshen Ave, and proceeding easterly along E Goshen Ave to Road 140, and proceeding southerly along Road 140 to Millcreek Parkway, and proceeding northeasterly along Millcreek Parkway to N McAuliff Street, and proceeding southeasterly along N McAuliff Street to E Mineral King Avenue, and proceeding easterly along E Mineral King Avenue to Road 156, and proceeding southerly along Road 156 to Highway 198, and proceeding easterly along Highway 198 to the District border, and proceeding easterly, southerly, easterly, northerly, northwesterly, and westerly along the District border to the point of beginning.

GOVERNING BOARD ELECTIONS (continued)**AREA III****Pinkham, Annie R. Mitchell, and portions of Mineral King**

The region bounded and described as follows: Beginning at the intersection of Road 128 and the southern border of the District, and proceeding northerly along Road 128 as it becomes N Santa Fe Street to the E Douglas Avenue, and proceeding easterly along E Douglas Avenue to N Ben Maddox Way, and proceeding southerly along N Ben Maddox Way to E Goshen Ave, and proceeding easterly along E Goshen Ave to Road 140, and proceeding southerly along Road 140 to Millcreek Parkway, and proceeding northeasterly along Millcreek Parkway to N McAuliff Street, and proceeding southeasterly along N McAuliff Street to E Mineral King Avenue, and proceeding easterly along E Mineral King Avenue to Road 156, and proceeding southerly along Road 156 to Highway 198, and proceeding easterly along Highway 198 to the District border, and proceeding southerly, westerly, northerly and westerly to the point of beginning.

AREA IV**Goshen, Hurley, portions of Oak Grove, Riverway, Shannon Ranch and Elbow Creek**

The region bounded and described as follows: Beginning at the point of intersection of Avenue 368 and Road 124 at the District border, and proceeding southerly along Road 124 to Avenue 328, and proceeding eastward along Avenue 328 to Road 132, and proceeding southerly along Road 132 to the unnamed creek at the southern edge of Census Block 061070013011019 (725 feet north of Levee Drive) and proceeding northwest along the creek to Saint Johns River and proceeding westerly and northerly along Saint Johns River to the eastward extension of Cassella Road at the north edge of Census Block 061070013013001, and proceeding westerly along the extension of Cassella Road and the north edge of Census Block 061070013013001 to the property line representing the east border of Census Block 061070010041000 and proceeding northerly to the Saint Johns River, and proceeding westerly along Saint Johns River to the Modoc Ditch, and proceeding westerly and southerly along the Modoc Ditch to Mooney Boulevard, and proceeding southerly along Mooney Boulevard to Avenue 312, and proceeding westerly along Avenue 312 to North Demaree Street, and proceeding southerly along N Demaree Street to W Goshen Ave, and proceeding westerly along W Goshen Ave to Road 100, and proceeding southerly along Road 100 and N Akers St to Highway 198/W Mineral King Avenue, and proceeding westerly along Highway 198 and Avenue 296 to the District border, and proceeding northerly and northeasterly and northerly and easterly along the District border to the point of beginning.

AREA V**Royal Oaks, Conyer, Washington, and Mountain View**

The region bounded and described as follows: Beginning at the point of intersection of Highway 198 and Road 128, and proceeding southerly along Road 128 to Avenue 280, and proceeding westerly along Avenue 280 to Highway 63, and proceeding northerly along Highway 63 to

GOVERNING BOARD ELECTIONS (continued)

W Walnut Avenue, and proceeding westerly along W Walnut Avenue to Road 108, and proceeding northerly along Road 108 to Highway 198, and proceeding easterly along Highway 198 to the point of beginning.

AREA VI

Highland, Houston, Crowley, portions of Riverway and Willow Glen

The region bounded and described as follows: Beginning at the point of Road 128, also known as N Santa Fe Street, and Highway 198 and proceeding northerly along N Santa Fe Street and its extension along the property and Census Block lines to the Saint Johns River, and proceeding westerly along Saint Johns River to the Modoc Ditch, and proceeding westerly and southerly along the Modoc Ditch to Mooney Boulevard, and proceeding southerly along Mooney Boulevard to the Union Pacific Railroad just north of W Goshen Boulevard, and proceeding easterly along the Railroad to N Giddings Street, and proceeding southerly along N Giddings Street to Highway 198, and proceeding easterly along Highway 198 to the point of beginning.

AREA VII

Linwood, Cottonwood Creek, and Crestwood

The region bounded and described as follows: Beginning at the point of intersection of Avenue 296 to Highway 99, and proceeding southeasterly along Highway 99 to the South Fork Persian Ditch, and proceeding northeasterly along the South Fork Persian Ditch along the southern edge of the airport to W Walnut Avenue, and proceeding easterly along W Walnut Avenue to Mooney Boulevard, and proceeding southerly along Mooney Boulevard to Avenue 280, and proceeding easterly along Avenue 280 to Road 128, and proceeding southerly along Road 128 to the District border, and proceeding southwesterly and northerly along the District border to the intersection of the District border and Avenue 296, and proceeding easterly along Avenue 296 to the point of beginning.

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.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 9005 - Governance Standards)

GOVERNING BOARD ELECTIONS (continued)

Statement of Qualifications

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

(cf. 9223 - Filling Vacancies)

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. (Elections Code 13307)

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 hard copy and/or electronic 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 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)

Legal Reference: (see next page)

GOVERNING BOARD ELECTIONS

Legal Reference:

EDUCATION CODE

1006 *Qualifications for holding office, county board of education*

5000-5033 *Elections*

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 (of election officer)*

5390 *Qualifications of voters*

5420-5426 *Cost of elections*

5440-5442 *Miscellaneous provisions*

7054 *Use of district property*

35107 *Eligibility; school district employees*

35177 *Campaign expenditures or contributions*

35239 *Compensation of governing board member of districts with less than 70 ADA*

ELECTIONS CODE

20 *Public office eligibility*

1302 *Local elections, school district election*

2201 *Grounds for cancellation*

4000-4008 *Elections conducted wholly by mail*

10010 *District boundaries*

10400-10418 *Consolidation of elections*

10509 *Notice of election by secretary*

10600-10604 *School district elections*

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*

20440 *Code of Fair Campaign Practices*

GOVERNMENT CODE

1021 *Conviction of crime*

1097 *Illegal participation in public contract*

12940 *Nondiscrimination, Fair Employment and Housing Act*

81000-91014 *Political Reform Act*

PENAL CODE

68 *Bribes*

74 *Acceptance of gratuity*

PENAL CODE (continued)

424 *Embezzlement and falsification of accounts by public officers*

661 *Removal for neglect or violation of official duty*

CALIFORNIA CONSTITUTION

Article 2, Section 2 *Voters, qualifications*

Article 7, Section 7 *Conflicting offices*

Article 7, Section 8 *Disqualification from office*

UNITED STATES CODE, TITLE 52

1973-1973aa-610301-10508 *Voting Rights Act*

Legal Reference continued: (see next page)

GOVERNING BOARD ELECTIONS

Legal Reference: (continued)

COURT DECISIONS

Rey v. Madera Unified School District, (2012) 203 Cal. App. 4th 1223

Randall v. Sorrell, (2006) 126 S.Ct. 2479

Sanchez v. City of Modesto, (2006) 145 Cal. App. 4th 660

Dusch v. Davis, (1967) 387 U.S. 112

ATTORNEY GENERAL OPINIONS

85 *Ops.Cal.Atty.Gen.* 49 (2002)

83 *Ops.Cal.Atty.Gen.* 181 (2000)

81 *Ops.Cal.Atty.Gen.* 94 (1998)

69 *Ops.Cal.Atty.Gen.* 290 (1986)

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017

WEB SITES

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

California Secretary of State's Office: <http://www.sos.ca.gov>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute for Local Self Government: <http://www.ca-ilg.org>

Bylaw

adopted: April 14, 1997

revised: May 12, 1998

revised: December 11, 2001

revised: July 14, 2009

revised: October 8, 2013

revised: February 11, 2014

revised: May 24, 2018

VISALIA UNIFIED SCHOOL DISTRICT

Visalia, California