

**Lake County Office of Education
Office of the Superintendent**

Lake County Office of Education Board Policy Updates

ISSUE

The County Board of Education will review the following Board Bylaw: BB 9110 – TERMS OF OFFICE, to reflect current practice.

BACKGROUND/PREVIOUS BOARD ACTIVITY

The Lake County Board of Education has authorized, by way of Board Resolution No. 1617-05, the “Consolidation with the November Election During Even-Numbered Years”.

DISCUSSION

Current Bylaw adopted October 2013 indicates “..members shall be elected in each odd-numbered year”. In September 2015, Governor Jerry Brown signed into law Senate Bill (SB) 415 which became operative on January 1, 2018, prohibiting political subdivisions from holding odd-year regular election. The new law reflects a policy of encouraging election consolidations to defray election costs and encourage voter participation.

FISCAL, STAFFING, AND FACILITIES

N/A

SUPERINTENDENT RECOMMENDATION

The County Superintendent of Schools recommends approval of this Board Bylaw Update

Report prepared by: Brock Falkenberg, County Superintendent of Schools

Board Bylaws

BB 9110

TERMS OF OFFICE

The Lake County Board of Education shall consist of five members whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each even~~odd~~-numbered year.

Each member of the County Board shall be an elector of the trustee area that he/she represents and shall be elected by the electors of the trustee area.

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

County Board member terms expire four years after their initial election on the first Friday in December following the election of new members. (Education Code 5000)

A member whose term has expired shall continue to discharge the duties of the office until his/her successor has qualified by taking the oath of office. (Government Code 1302, 1360; Education Code 5017)

Legal Reference:

EDUCATION CODE

5000-5033 Election of school district board members

35010 Control of district

35012 Board members; number, election and terms

35107 Eligibility

GOVERNMENT CODE

1302 Continuance in office until qualification of successor

1303 Exercising functions of office without having qualified

1360 Necessity of taking constitutional oath