

**TERMS OF OFFICE**

The Governing Board 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 ~~odd-numbered~~ year **in which the Board's elections are regularly held.** (Education Code 35012)

*(cf. 9220 - Governing Board Elections)*

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

*(cf. 9223 - Filling Vacancies)*

*(cf. 9224 - Oath or Affirmation)*

*(cf. 9250 - Remuneration, Reimbursement, Other Benefits)*

~~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~~**Board** members whose terms ~~has~~**have** expired shall continue to discharge the duties of the office until ~~his/her~~**their** successors ~~has~~**have** qualified by taking the oath of office. (Education Code 5017; Government Code 1302, 1360)

**If a regularly scheduled Board election date is changed due to consolidation with a statewide or municipal general election, the term of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)**

**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

ELECTIONS CODE

**1302 Local elections, school district election**

**10400-10418 Consolidation of elections**

**14050-14057 California Voter Participation Rights Act**

GOVERNMENT CODE

1302 Continuance in office until qualification of successor

1303 Exercising functions of office without having qualified

1360 Necessity of taking constitutional oath

**Management Resources:**

WEB SITES

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

Bylaw

adopted: November 20, 1997

**Revised: December 6, 2018 (BM)**

**CASTAIC UNION SCHOOL DISTRICT**

Castaic, California

## CSBA Sample | BB 9110 Board Bylaws

**Terms Of Office**

Note: Governing boards consist of three, five, or seven members as provided in Education Code 5018 and 35012. The district should fill in the blank in the following paragraph to reflect the number of Governing Board members in the district.

Note: For information about the election of Board members, including election dates, see BB 9220 - Governing Board Elections.

The Governing Board shall consist of \_\_\_\_ members whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each year in which the Board's elections are regularly held. (Education Code 35012)

(cf. 9220 - Governing Board Elections)

Note: AB 2449 (Ch. 146, Statutes of 2018) amended Education Code 5017 to change the commencement of the term of office of board members from the first Friday in December following their election to the second Friday in December. Although Education Code 5000 still states that a board member's four-year term expires on the first Friday in December, Education Code 5017 requires board members to continue to discharge their duties until their successor has qualified by taking the oath of office. Therefore, the following paragraph reflects the date specified in Education Code 5017.

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

(cf. 9223 - Filling Vacancies)

(cf. 9224 - Oath or Affirmation)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

Board members whose terms have expired shall continue to discharge the duties of office until their successors have qualified by taking the oath of office. (Education Code 5017; Government Code 1302, 1360)

Note: Pursuant to Elections Code 10404.5, whenever a regularly scheduled board election is changed due to consolidation of elections, the term of office of incumbent Board members is extended to align with the next applicable election. Pursuant to Elections Code 1302 and 10404.5, districts are authorized to request consolidation of their board elections with the local municipal or state primary or general elections, and under defined circumstances are required to consolidate their elections with statewide elections as specified in Elections Code 14051-14052. See BB 9220 - Governing Board Elections.

If a regularly scheduled Board election date is changed due to consolidation with a statewide or municipal general election, the term of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Legal Reference:

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