

# **CVUSD Board Bylaw**

BB 9224

## **Board Bylaws**

### Oath Or Affirmation

\*\*\*Note: The oath or affirmation required of Board members pursuant to Article 20, Section 3, of the California Constitution is the same as that required by Government Code 3100-3109 for public employees. See E 4112.3/4212.3/4312.3 - Oath or Affirmation for the text of the oath. Government Code 1303 provides that any person who exercises any function of a public office without taking the oath of office is guilty of a misdemeanor, and Government Code 1367 provides that no compensation or reimbursement for expenses shall be paid unless the officer has taken the oath or affirmation.\*\*\*

Prior to entering upon the duties of their office, all Governing Board members shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; Government Code 1360)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

The oath may be administered and certified by a Board member, secretary or assistant secretary to the Board, Superintendent, deputy or assistant superintendent, principal, or County Superintendent of Schools or any other person authorized in Education Code 60.

The executed oath shall be filed with the County Clerk. (Government Code 1363)

#### Legal Reference:

##### EDUCATION CODE

60 Persons authorized to administer and certify oaths

##### GOVERNMENT CODE

1303 Misdemeanor for failure to take oath

1360-1369 Oath of office

3100-3109 Oath or affirmation of allegiance

##### CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath of office

##### COURT DECISIONS

Chilton v. Contra Costa Community College District (1976) 55 Cal. App. 3d 544

Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22

CSBA: (9/91) 7/03

CVUSD Global Adoption: July 1, 2008