

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)

- A. The oath may be administered and certified by a Board member, Superintendent, assistant superintendent, principal, County Superintendent of Schools, or any other person authorized in Education Code 60.
- B. The executed oath shall be filed with the County Clerk. (Government Code 1363)
- C. 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.

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, Sec. 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

ADOPTED: 7/12/95

REVISED: 3/24/04, REVIEWED AND REAFFIRMED 10/8/2014