

## **OATH OR AFFIRMATION**

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

The oath may be administered and certified by the Superintendent of Public Instruction, Deputy and Assistant Superintendents of Public Instruction, secretary of the Superintendent of Public Instruction, members of the Board of Governors of the California Community Colleges, the Chancellor or the California Community Colleges, county superintendents of schools, school trustees, members of boards of education, secretaries and assistant secretaries of boards of education, city superintendents of schools, district superintendents of schools, assistant superintendents of schools, deputy superintendents of schools, principals of schools and every other officer charged with the performance of duties under the California Education Code.

In addition, the oath can be taken before any officer authorized to administer oaths, including notary public, executive officers, court commissioners, election officials, judicial officers, county officers, and deputies. [Code of Civil Procedures 259, 2093; Government Code 1225-24057, 24100; Election Code 12321]

The executed oath shall be filed with the Monterey County Clerk. [Government Code 1363]

### *Legal Reference:*

#### EDUCATION CODE

60 *Persons authorized to administer and certify oaths*

#### ELECTION CODE

12321 *Elections Officials*

#### GOVERNMENT CODE

1225 *Executive Officers*  
1303 *Misdemeanor for failure to take oath*  
1360-1369 *Oath of office*  
3100-3109 *Oath or affirmation of allegiance*  
24057 *County Officers*  
24100 *Deputies*

#### 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*

CODE OF CIVIL PROCEDURES

259                      *Court Commissioners*

2093                     *Notary Public*

Adopted:    10/02/13