

## CSBA Sample County Board Bylaw

### Bylaws of the Board

BB 9222

#### RESIGNATION

Note: Education Code 1008 provides that the filling of a vacancy on a County Board shall be in the manner prescribed in Education Code 5090-5095 for district governing boards. Pursuant to Government Code 1770, a vacancy can arise due to the occurrence of a number of events, including the resignation of the incumbent County Board member.

A County Board of Education member who wishes to resign shall file a written resignation with the County Superintendent of Schools. (Education Code 5090)

The resigning County Board member shall also give a copy of the written resignation to the Board secretary.

The resignation shall become effective when filed, except when a deferred effective date is specified in the resignation. (Education Code 5090)

A County Board member may not defer the effective date of his/her resignation for more than 60 days after filing. (Education Code 5091)

A written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable once filed. (Education Code 5090)

Note: Pursuant to Education Code 35178, a school district governing board member who tenders his/her resignation with a deferred effective date, may continue until the effective date of his/her resignation, to exercise all the powers of a board member, except the right to vote in the provisional appointment of his/her successor. Though not specifically applicable to County Boards, the provision is common practice among County Boards.

A County Board member who tenders his/her resignation with a deferred effective date shall, until the effective date of the resignation, continue to exercise all the powers of his office, except those involving the provisional appointment of his/her successor.

#### Legal Reference:

##### EDUCATION CODE

1008 Vacancies; procedure for filing

5090 Definition (vacancy)

5091 Special Election

35178 Resignation with deferred effective date

GOVERNMENT CODE  
1770 Vacancies: definition

11/01

Policy Reference UPDATE Service