BYLAWS OF THE BOARD

9200 MEMBERS

9221 FILLING OF VACANCIES

There will be a vacancy on the County Board of Education for any of the following events before the expiration of the board member's term:

1. The death of the Board Member.
2. A judgment (pursuant to legal proceedings) declaring that the incumbent is physically or mentally incapacitated due to disease, illness or accident and that there is reasonable cause to believe that he/she will not be able to perform the duties of his/her office for the remainder of his/her term.
3. Board member's resignation.
4. Board member's removal from office.
5. An incumbent shall be removed from his/her office if he/she ceases to be an inhabitant of the trustee area which elected him/her.
6. The absence of the Board member from the state without the permission required by law beyond the period allowed by law.
7. The Board member ceases to discharge the duties of his/her office for the period of three (3) consecutive months, except when prevented by sickness, or when absent from the state with the permission required by law, or when otherwise excused by the Board.
8. Conviction of a felony or of any offense involving a violation of the Board member's official duties. A Board member shall be deemed to have been convicted under this subdivision when trial court judgment is entered.
9. Refusal or neglect to file his/her required oath or bond within the time prescribed.
10. The decision of a competent tribunal declaring void the Board member's election or appointment.
11. The making of an order vacating the Board member's office or declaring his/her office vacant when he/she fails to furnish an additional or supplemental bond.
12. Commitment of a Board member to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict. The office shall not be deemed vacant until the order of commitment has become final.
13. Recall of the Board member pursuant to Elections Code Section 27000et seq.
14. Upon entry of judgment of removal pursuant to Government Code Section 3072 after initiation of proceedings pursuant to Code Sections 3060 et seq.

15. An accusation, in writing and supported by at least 12 grand jurors, against a member of the County Board of Education for willful or corrupt misconduct in office, shall, if the accused pleads guilty or refuses to answer the accusation, result in a judgment of conviction and the court shall order removal of the accused Board member from the County Board. If the accused denies all charges he/she shall be tried by a jury in the same manner as a trial on an indictment. If found guilty, the court shall order his/her removal from the County Board.
16. The member becomes ineligible under Education Code 1006.

Legal Reference
<u>Education Code Sections</u> 1000 Election, Jurisdiction, Organization and Procedure 1006 Election, Jurisdiction, Organization and Procedure 1008 Election, Jurisdiction, Organization and Procedure 5090 Vacancies 5091 Vacancies 5092 Vacancies 5093 Vacancies 5094 Vacancies 5095 Vacancies <u>Election Code</u> 2500 et seq. Election Management Systems <u>Government Code</u> 3060 et seq. 6235.5 General Provisions

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