

SUBJECT: RESIGNATION
ORIGINATING OFFICE: SUPERINTENDENT
EFFECTIVE: OCTOBER 13, 2015
REVISED: **SEPTEMBER 27, 2016**

A Board of Trustees member who wishes to resign may do so by filing a written resignation with the County Superintendent of Schools. (Education Code 5090)

The resigning Board member shall also notify the Board and give a copy of his/her written resignation to the Board secretary.

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

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

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

A 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 the office, save that he/she shall not have the right of voting for his/her successor in an action taken by the Board to make a provisional appointment. (Education Code 5091, 35178)

A Board member who resigns shall file, within 30 days of leaving office, a Statement of Economic Interest/Form 700 covering the period of time between the closing date of the last statement required to be filed and the date he/she leaves office. (Government Code 87302, 87500)

Legal Reference:

EDUCATION CODE

5090-5095 Vacancies on the board
35178 Resignation with deferred effective date

GOVERNMENT CODE

1770 Vacancy on the board
87300-87313 Conflict of interest code
87500 Statement of economic interests

Management Resources:

CSBA PUBLICATIONS

Filling a Board Vacancy, rev. December 2010

WEB SITES

CSBA: <http://www.csba.org>