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REMOVAL FROM OFFICE

ADOPT: APRIL 8, 1985

REVIEWED: FEBRUARY 13, 2001

REVIEWED: JUNE 12, 2007

REVIEWED: OCTOBER 14, 2008

GOVERNMENT CODE: 1770, 3060, 6253.5

Recall

Any elected or appointed member of the Board may be recalled, except that proceedings for recall may not be commenced against such member if he/she has not held office during his/her current term for more than 90 days; or a recall election has been determined in his/her favor within the last six months; or his/her term of office ends within six months or less.

Accusation by Grand Jury

An accusation in writing against a member of the Board for willful or corrupt misconduct in office, supported by at least 12 grand jurors, 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 Board. If the accused denies all charges he/she shall be tried in the same manner as a trial of an indictment, by a jury. If found guilty, the court shall order his/her removal from the Board.

Physical or Mental Incapability

If an adjudication pursuant to a quo warranto proceeding declares the incumbent is 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, he/she shall be removed from office.

Loss of Residency

An incumbent shall be removed from his/her office if he/she ceases to be an inhabitant of the District and trustee area that elected him/her.

Failure to Attend Meetings

An incumbent may be removed from his/her office when he/she fails to discharge the duties of his/her office for the period of three consecutive months except when prevented by sickness.

Conviction of a Felony, Etc.

An incumbent shall be removed from office when convicted of a felony or any offense involving a violation of his/her official duties.

Commitment to a Hospital or Sanitarium

An incumbent shall be removed from office if ordered for commitment as a drug addict, dipsomaniac, inebriate, or stimulant addiction, when such order of commitment by a court of competent jurisdiction becomes final.

Failure to Bond or File Oath

An incumbent shall be removed from office when he/she refuses or fails to file his/her required oath or bond within the time prescribed.

He/she shall be removed from office by the making of an order vacating his/her office when he/she fails to furnish an additional or supplemental bond.

Decision Voiding Election or Appointment

An incumbent shall be removed from office by the decision of a competent tribunal declaring void his/her election or appointment.