

Resignation of Support Staff

Support staff employees are encouraged to give two weeks written notice to the district prior to resigning employment.

If an employee resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, or an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act, which is supported by a preponderance of evidence, the superintendent is delegated the responsibility for immediately notifying the Colorado Department of Education (CDE) and for providing any information requested by the department concerning the circumstances of the resignation.

The superintendent must provide any information requested by the department concerning the circumstances of the resignation. The district also must notify the employee that information concerning the resignation is being forwarded to CDE.

State law prohibits school districts from entering into a settlement agreement that would restrict the district's ability to share any relevant information related to a conviction for child abuse or a sexual offense against a child and that pertains to the incident upon which the employee's dismissal or resignation is based. C.R.S. 22-32-109.7 (3). Further, school districts are not authorized to enter into a settlement agreement that would prohibit the district from sharing any other information required by law to be available to CDE, another school district, or a charter school—including information related to an allegation of a sexual act involving an employee and a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act upon which the employee's dismissal or resignation is based. Id.

Adopted: September 12, 1989

Revised: August 1994

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Revised: November 10, 2021

LEGAL REFS.: C.R.S. 19-3-301 *et seq.* (*Child Protection Act of 1987*)
C.R.S. 22-32-109.7

Garfield School District No. Re-2, Rifle, Colorado