

## PERSONNEL

### Resignation and Job Abandonment

Resignation is the voluntary decision of an employee to cease employment with the School Division. To ensure the orderly administration of School Division business and the delivery of educational services, employees should resign in accordance with this Policy and applicable law or regulation. Quitting and job abandonment will be considered voluntary resignation.

While resignations should be submitted in writing, nothing in this Policy prevents the Superintendent or designee from accepting a resignation made verbally.

#### **A. Licensed Employees Resignation**

1. The School Board authorizes the Superintendent or designee to accept resignations of licensed employees and to inform the licensed employees of the approved date of resignation in accordance with this Policy.
2. Licensed employees requesting release from a contract with the School Board during the school year shall submit their written resignations to the Superintendent or designee at least two (2) weeks before the intended date of termination, unless waived by the Superintendent, or designee. After June 15, the licensed employee may only resign with the approval of the Superintendent or designee. The request shall be in writing and set forth the cause of resignation.
3. A release from contract may be denied until a satisfactory replacement has been secured.
4. Teachers who have submitted requests for resignation may, within one (1) calendar week, withdraw such request to resign upon written notice to the Superintendent or designee. Upon expiration of the one-week period, any change to the date of the resignation must be approved by the Superintendent or designee. The Superintendent shall notify the School Board of the decision to approve or reject the resignation through the Personnel Report or by direct communication with the School Board. If the Superintendent rejects the teacher's request to resign, the Superintendent shall notify the School Board regarding the reason for rejection. The School Board, within two (2) weeks, may reverse the decision of the Superintendent.
5. In the event the Superintendent declines to grant the resignation on the grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, the School Board may request appropriate disciplinary

action by the Virginia Board of Education, which may include the revocation of the employee's teaching license.

#### **B. Non-licensed employees - Resignation**

Non-Licensed employees voluntarily terminating their employment should submit notice of their intentions at least two (2) weeks prior to their final workday. Employees giving advance notice or resigning with the Superintendent's or designee's approval shall have their resignations accepted without prejudice.

Once accepted, a resignation may not be rescinded by the non-licensed employee without the approval of the Superintendent or designee.

#### **C. Non-licensed employees - resignation without notice**

The Superintendent or designee is authorized to accept a resignation from any employee when such resignation is given less than two weeks prior to the date of resignation. However, in accordance with this Policy, failure to provide notice may result in a recommendation that the employee be ineligible for reemployment.

When a resignation is accepted with less than two weeks prior notice, the employee's separation date may be the date the resignation was accepted. In addition, a resignation accepted under these conditions may not be rescinded, and all rights and privileges provided to employees will terminate as of the date and time that the resignation was accepted.

#### **D. Job abandonment**

The Superintendent or designee is authorized to make a determination of job abandonment. An employee will be determined to have abandoned the employee's

his/her/their job if:

1. Without prior communication to the employee's supervisor or the Human Resources Department, the employee fails to report to his/her/the employee's work assignment for three consecutive work-days/nights. In such case, the employee's supervisor or the Human Resources Department will make a reasonable attempt to contact the employee regarding the reasons for the unauthorized absences. Employees who are unable to communicate the reasons why they did not report to work may present such evidence within a reasonable period as a mitigating circumstance against a determination of job abandonment.
2. The employee fails to return to work after an authorized leave period has expired or fails to respond to School Division communications regarding an estimated return-to-work status, or status or fails to provide requested documentation to establish the need to remain out of work.

3. The employee indicates, through action, that ~~he/she~~the employee does not intend to continue employment with the School Division. Actions demonstrating such intent may include, but are not limited to, verbally expressing the intention not to return, expressing in written or electronic format the intention not to return to work, walking off the worksite without authorization, or turning in issued School Division property.

#### **E. Disclosure of Employment-Related Information**

If the employee was subject to a pending recommendation for dismissal or other disciplinary action at the time of resignation or job abandonment, the employee's record should reflect that information. The Superintendent or designee may, in accordance with applicable policy and/or law, disclose accurate information concerning the employee's professional conduct, job performance, or reason for separation and whether the employee is eligible for rehire.

#### **Editor's Note**

*~~For confidentiality of personnel files and disclosure of information, see School Board Policy 4-15.~~*

#### **Legal Reference**

Code of Virginia § 8.01-46.1, as amended. Disclosure of employment-related information; presumptions; causes of action; definitions.

Code of Virginia § 22.1-304, as amended. Reemployment of teacher who has not achieved continuing contract status; effect of continuing contract; resignation of teacher; reduction in number of teachers.

#### **Related Links**

School Board **Policy 4-15**

Adopted by School Board: July 13, 1993 (Effective August 14, 1993)

Adopted by School Board: April 17, 2001

Amended by School Board: October 4, 2016

Amended by School Board: November 26, 2019

Amended by School Board:



1/24/2024

APPROVED AS TO  
LEGAL SUFFICIENCY

