

**ORANGE COUNTY
BOARD OF EDUCATION
AGENDA ITEM ABSTRACT**

Meeting Date: February 7, 2011

**AGENDA
ITEM No.** 11-02-16

ACTION ITEM: (Y/N) Y

SUBJECT: Resignation # 7900 Revised – 1st Reading Approval

INFO. CONTACT Ms. Marcie Holland **PHONE:** 919-732-8126

ATTACHMENT: 1. Resignation Policy #7900.

PURPOSE: To revise the Resignation Policy #7900.

BACKGROUND: Revised policy # 7900 has been updated to reflect legislated changes to G.S. 115C -325(o). Legislation was passed last year that requires the Superintendent to notify the State Board of Education in instances where a career employee being recommended for dismissal resigns without the written permission of the Superintendent.

This policy has been reviewed by counsel.

FINANCIAL IMPACT: None.

RECOMMENDATION: The Superintendent recommends the Board of Education approve the revised Resignation Policy #7900 for first reading approval.

RESIGNATION

Date Reviewed/Approved: 12/03/2007 Policy Number: 7900

Rescinds Policy Number:

Issued: 11/21/1996, 04/19/2004

PROFESSIONAL EMPLOYEES

Professional employees who ~~for any reason~~ intend to resign **for any reason** are encouraged to indicate their plans in writing using the district's resignation form as soon as possible, **such as when plans become firm and/or the decision to leave the school system is made** ~~when using the district's resignation form.~~

Resignations become effective at the end of the school year in which they are submitted. Resignations for any other time require a 30-day notice unless the superintendent consents in writing to a shorter notice period. ~~If the notice requirements are not met by a teacher and the superintendent does not consent to a waiver of notice, the Superintendent will inform the Board and recommend to the Board whether or not a request should be made to the State Board of Education to revoke the teacher's license for the remainder of the school year.~~ **The superintendent shall place a copy of the request in the teacher's personnel file.**

If a teacher has not been recommended for dismissal but fails to meet the notice requirements and the superintendent does not consent to a waiver of notice, the superintendent shall inform the board and recommend to the board whether a request should be made to the State Board of Education to revoke the teacher's license for the remainder of the school year. The superintendent shall place a copy of the request in the teacher's personnel file.

If a career employee who has been recommended for dismissal under G.S. 115C-325(e)(1) resigns without the written consent of the superintendent, then: (1) the superintendent shall report the matter to the State Board of Education; (2) the employee shall be deemed to have consented to the placement of the written notice of the superintendent's intention to recommend dismissal in the employee's personnel file; (3) the employee shall be deemed to have consented to the release to prospective employers, upon request, of the fact that the superintendent has reported this employee to the State Board of Education; and (4) the employee shall be deemed to have voluntarily surrendered his or her certificate pending an investigation by the State Board of Education to determine whether to seek action against the employee's certificate. For purposes of this section, "career employee" means (1) a teacher or administrator with career status, or (2) an administrator or probationary teacher during the term of his or her contract.

ALL EMPLOYEES

The Resignation Form will be submitted to the Superintendent. Resignations may be accepted, on behalf of the Board, by the Superintendent or his or her designee. ~~To help ensure smooth operations of the schools, a 30 day notice is requested whenever possible.~~

Each employee who is leaving the school district may arrange to meet with any director, supervisor or administrator to discuss the reasons for leaving and to identify any practices or policies, which he or she feels are detrimental to the objectives of the school district. To the extent possible, statements made by employees will be confidential.

Legal References: G.S. 115C-47, -325(e), -325(o).