

Liberty Union High School District

Board Policy

Classification: Certificated Personnel

Policy No. **BP4117.2**

Subject: Resignation

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Effective 9/25/91

Revised 11/19/14

Any district employee who desires to resign his/her position shall submit, in writing, a letter of resignation which indicates the date which the employee intends as his/her last day at work. The Governing Board encourages employees to provide advance notice that is appropriate for the position they hold.

The Board authorizes the Superintendent or designee to accept an employee's written resignation and to set its effective date. Once the Superintendent or designee has accepted and set an effective date for this resignation, the resignation may not thereafter be withdrawn by the employee.

The effective date of the resignation shall be a date not later than the close of the school year during which the resignation is received. However, an employee and the Board may agree that a resignation will be accepted at a mutually agreed upon date not later than two years beyond the close of the school year during which the resignation is received by the Board. (Education Code 44930, 45201)

Pursuant to Education Code 44242.5 and 5 CCR 80303, the district must file a report with the Commission on Teacher Credentialing whenever a credential holder, serving in a position requiring a credential, resigns as a result of alleged misconduct. See AR 4117.7/4317.7 - Employment Status Reports.

Legal Reference:

EDUCATION CODE

35161 Board delegation of any powers or duties

44420 Failure to fulfill contract as ground for suspension of diplomas and certificates

44433 Unauthorized departure from service as unprofessional conduct

44930 Acceptance and date of resignation

45201 Power to accept resignation

CODE OF REGULATIONS, TITLE 5

80303 Reports of change in employment status

80304 Notice of sexual misconduct

COURT DECISIONS

American Federation of Teachers, Local #1050 v. Board of Education of Pasadena

Unified School District, (1980) 107 Cal.App.3d 829

(10/96 11/99) 7/01