

NOVATO UNIFIED SCHOOL DISTRICT

Board Policy

Series 4000

BP 4117.2

CERTIFICATED PERSONNEL

CERTIFICATED PERSONNEL RESIGNATION

Any district certificated 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.

An employee's resignation shall become effective on the date set by the Superintendent or designee and may not be withdrawn by the employee. The Board authorizes the Superintendent or designee to accept this written resignation and to set its effective date.

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)

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. (Education Code 44930, 45201)

If a certificated employee leaves district service during the school year without obtaining acceptance of his/her resignation, or if he/she leaves before the effective date of the resignation, the Superintendent or designee shall report this fact, with supporting evidence, to the Commission on Teacher Credentialing.

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

COURT DECISIONS

American Federation of Teachers, Local #1050 v. Board of Education of Pasadena Unified School District, (1980) 107 Cal.App. 3d 829, 166 Cal. Rptr. 8

Board Approved October 3, 2000