

CVUSD Board Policy

BP 4117.2, 4217.2, 4317.2

Personnel

Resignation

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.

Resignations may not be accepted retroactively if the effect of such acceptance were to eliminate any liability or financial obligation to the District on the part of the employee. In all other instances resignations shall be effective when formally accepted by the Superintendent of Schools or his/her designee.

The Superintendent of Schools or his/her designee shall report to the Board of Education at the next regularly scheduled Board meeting following the acceptance of such resignation the fact of such acceptance.

Note: Education Code 44420, as amended by SB 299 (Ch. 342, Statutes of 2001), provides that the Commission on Teacher Credentialing may take any adverse action against a credential holder who refuses, without good cause, to fulfill a valid contract with the district or leaves district service without the consent of the Superintendent or Board. Such adverse action may not include suspension of the credential for more than one year or revocation of the credential.

***Note: In addition, 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 - Employment Status Reports. ***

(cf. 4117.7 - 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

CSBA: (10/96 11/99) 7/01

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Reference: CVUSD policy 526