

RESIGNATION OF PROFESSIONAL STAFF MEMBERS

The district encourages employees to notify the superintendent or designee in writing as soon as they decide not to return or not to accept another contract with the district. Resignations become effective at the end of the school year in which they are submitted unless the district is notified otherwise. Resignations will be submitted to the Board for notification, or approval when required, at the next regular Board meeting, and the superintendent will make recommendations to the Board in situations where an employee is seeking release from a contract.

Employees without Contracts

Employees without employment contracts are considered at-will employees and may resign at any time by submitting a written resignation to the superintendent or designee. The resignation is considered accepted once it is received by the superintendent or designee. The district requests that employees give notice at least ten business days prior to departure so that a replacement can be found or alternative arrangements can be made. The fact that an employee resigned without adequate notice may be shared with potential employers seeking information about the employee.

Employees with Contracts

In general, professional staff members including, but not limited to, probationary teachers and principals, have a binding contract with the district once the employee and the Board have executed a contract in accordance with law. A tenured teacher has a binding contract with the district for the next school year if the teacher does not notify the district of his or her resignation in writing by June 1.

Employees may notify the district that they will no longer work for the district at the end of the existing contract by submitting a written resignation notice to the superintendent or designee at any time. Tenured teachers who do not want to work for the district in the next school year must submit a written resignation notice to the superintendent or designee no later than June 1. In these situations, the resignation is considered accepted once it is received by the superintendent or designee.

Employees who seek to resign during the course of a contract or after a contract has been executed and is binding, even if performance has not begun, must notify the superintendent or designee in writing of the request to resign. Only the Board has the authority to release an employee from a contract in these situations. The Board considers serious illness, transfer of a spouse and military service legitimate reasons for resignation of professional staff, but the Board will consider each resignation on an individual basis. An employee will not be released from a contract unless a suitable replacement is found.

FILE: GCPB
Critical

The Board reserves the right to pursue all available legal remedies when an employee breaks a contract with the district including, but not limited to, filing charges to have a teaching certificate or professional license revoked or seeking a monetary judgment. In addition, the district may share with potential employers seeking information about the employee the fact that the employee broke a contract with the district.

Due Process and Allegations of Sexual Misconduct with a Student

In general, the district does not provide a Board hearing to employees who resign regardless of the reason for the resignation. However, if a district employee is allowed to resign as a result of an allegation of criminal sexual misconduct involving a child, as defined by ' 566.083, RSMo., or sexual misconduct as defined in Board policy or as determined by the Children's Division of the Department of Social Services, the district may be legally required to release, or may choose to release, information regarding the allegation to potential employers as detailed in policy GBLB. In these circumstances, the district will provide the employee or former employee a due process hearing when required by law. The superintendent or designee is authorized to consult with the district's attorney to determine the appropriate level of due process, if any, to provide.

* * * * *

Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 7-16-15

Revised: 2-20-20

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
JHG, Reporting and Investigating Child Abuse and Neglect

Legal Refs: ' ' 162.068, 168.101 - .133, RSMo.
U.S. Const. amend. XIV

Dent-Phelps R-III School District, Salem, Missouri