

Personnel

RESIGNATIONS

SP 4118.00

Resignations shall be submitted in writing to the County Superintendent with copies to Human Resources and the appropriate division head. The employee shall specify an effective date of resignation in her/his written resignation. The County Superintendent or designee may approve or adjust the effective date as appropriate. A minimum of two (2) weeks advance notification is desired for all resignations.

A resignation becomes effective upon receipt by the County Superintendent or designee. The resignation may be withdrawn upon mutual agreement with the County Superintendent or designee.

Notwithstanding any other provision of law, an employee and the County Superintendent may agree that a resignation will be accepted at a mutually agreed upon date not later than two (2) years beyond the close of the school year during which the resignation is received by the County Superintendent.

Certificated

The County Superintendent discourages certificated employees from resigning during the school year in which they are contracted. Release from contract may be granted if the employee has acted in good faith in fulfilling her/his obligation to the County Office and if an acceptable, qualified replacement is identified and available.

When a certificated staff member leaves the employ of the County Office during the school year without obtaining acceptance of her/his resignation from the County Superintendent or leaves before the effective date of the resignation, the County Superintendent is obligated to report this fact, with supporting evidence, to the California Commission on Teacher Credentialing. The Commission may suspend the credentials of an employee who leaves the County Office in this manner.

Failure to Sign Contracts: Certificated

Formal rejection or refusal by a certificated employee to sign the County Offices Certificated Employment Contract by the date required may be considered an employee resignation.

Legal References:

EDUCATION CODE

1294 Rights of certificated employees

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

44930 Acceptance and date of resignation

45201 Power of governing board to accept resignation and fix its effective date

CALIFORNIA COURT OF APPEALS, First District, 1980 American Federation of Teachers, Local No. 1050 v. Board of Education of Pasadena Unified School District

(see California School Law Digest, Vol. VIII No. 8, August 1980, page 97)

MENDOCINO COUNTY OFFICE OF EDUCATION

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