

# Sulphur Springs Union SD

## Board Policy

### Resignation

BP 4217.2

#### Personnel

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 Board of Trustees encourages employees to provide advance notice that is appropriate for the position they hold.

~~An employee's written resignation shall be submitted to the Board in care of the Superintendent or designee. The Board shall set the date when the resignation takes effect. Once the date is formally set by the Board, the resignation may not thereafter be withdrawn by the employee.~~

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or designee has accepted and set an effective date for this resignation, the resignation may not thereafter be withdrawn by the employee.

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.

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 - Employee Status Reports.

(cf. 4117.7 - Employment Status Reports)

Legal Reference:

EDUCATION CODE

35161 Board delegation of any powers or duties  
44242.5 Reports of change in employment status, alleged misconduct  
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

Policy      SULPHUR SPRINGS UNION ELEMENTARY SCHOOL DISTRICT  
adopted: ~~June 21, 2006~~ **October 25, 2017**      Canyon Country, California