

# NICASIO SCHOOL DISTRICT

## Board Policy

Series4000:Personnel

BP 4117.2, 4217.2, 4317.2

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or designee has accepted and set an effective date for this resignation, the resignation may not thereafter be withdrawn by the employee.

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. However, 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)

#### **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

First/Final Reading:      May 7, 2019      Board Approved