

RESIGNATION

Ample notice of intention to resign should be given by an employee who plans to leave the district. Normally, no less than two weeks notice should be given.

Positive supervisory action is required to determine if causes of employee resignation may be adjusted. Supervisors should consider factors of employee value to the district, availability of replacement, and costs of training a replacement.

The Superintendent or designee is authorized to accept the written resignation of any employee in behalf of the Governing Board, and the resignation shall become effective immediately on acceptance by the Superintendent or designee.

We may allow an employee to withdraw a resignation if done prior to Board action.

Legal Reference:

EDUCATION CODE

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

44930 Acceptance and date of resignation

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)

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Resignation for Other Than Ill Health

When a classified employee resigns for other than ill health, the date of termination shall be set forth in the letter of resignation as the last working day. Vacation may be taken immediately preceding the effective date of resignation or may be paid as a lump sum payment.

Resignation for Ill Health

When an employee resigns due to ill health, the date of resignation shall be at the end of the accumulated sick leave. In such cases the resignation must be accompanied by a doctor's certificate.

Reinstatement

A former permanent employee who voluntarily resigned in good standing from a permanent classified position may be reinstated in a vacant position in his/her former classification and status within 39 months of the last date of paid service and without further competitive examination. Reinstatement may be made to a vacant position in a related lower classification if the former employee is qualified, or to a lower classification in which the employee formerly had permanent status.

Reinstatement action is discretionary with the appointment authority (selecting supervisor).

Reinstatement of a former employee shall have the following effects:

1. Restoration to the former step of the current salary range for the classification. If reinstated in a lower classification, the employee shall be paid a rate closest to the step to which he/she would be reassigned if reinstated in the former classification.
2. Restoration of accumulated sick leave and seniority as of the date of separation.
3. Restoration of former anniversary date, but without step-advancement credit for the off-duty period.
4. Restoration of all rights, benefits and burdens of a permanent employee in the classification to which assigned.