

## Resignation of Instructional Staff/Administrative Staff

In accordance with state statutes, a teacher or licensed administrator may cancel a contract prior to the beginning of an academic year by giving written notice no later than 30 days prior to the beginning of the academic year, during an academic year by giving at least 30 days' written notice, or at any time upon the District's acceptance of the staff member's resignation. The Assistant Superintendent of Human Resources is authorized to immediately accept the resignation of a staff member and to initiate the procedures to find a qualified replacement. Such resignation will be reported to the Board at its next regularly scheduled meeting; however, the resignation will be effective upon its acceptance by the assistant superintendent.

A teacher or licensed administrator who fails to honor a contract, except in accordance with the statutes, shall be held responsible for the ordinary and necessary expenses incurred in securing a replacement, not to exceed 1/12th of their annual salary.

A teacher or licensed administrator who resigns during the term of their contract shall be paid the prorated amount of their annual salary for each day they have been on duty.

### Mandatory Reporting Requirements

If an employee resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of evidence, the Superintendent is delegated the responsibility for immediately notifying the Colorado Department of Education (CDE) and for providing any information requested by CDE concerning the circumstances of the resignation. The District also shall notify the employee that information concerning their resignation is being forwarded to CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

In addition, the Superintendent shall immediately notify CDE whenever a licensed employee resigns for any of the following reasons:

1. The individual is convicted, pleads *nolo contendere* or receives a deferred sentence or a deferred prosecution for a felony or a misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children.
2. The individual is convicted, pleads guilty, pleads *nolo contendere* or receives a deferred sentence for any of the following offenses:
  - a. any felony, including but not limited to, felony child abuse, felony unlawful sexual behavior, a felony offense involving unlawful sexual behavior, or a felony offense involving an act of domestic violence;
  - b. a crime of violence;
  - c. indecent exposure;
  - d. contributing to the delinquency of a minor;
  - e. misdemeanor domestic violence;

- f. misdemeanor sexual assault;
  - g. misdemeanor unlawful sexual contact;
  - h. misdemeanor sexual assault on a client by a psychotherapist;
  - i. misdemeanor child abuse;
  - j. misdemeanor sexual exploitation of children;
  - k. misdemeanor involving the illegal sale of controlled substances;
  - l. physical assault;
  - m. battery;
  - n. or a drug-related offense.
3. When the county department of social services or the local law enforcement agency reasonably believes that an incident of child abuse or neglect has occurred and the school employee is the suspected perpetrator and was acting in their official capacity as an employee of the District.
4. When the Board reasonably believes that an employee is guilty of unethical behavior or professional incompetence.

Adopted February 28, 1968  
Revised December 8, 1971  
Revised September 23, 1980  
Revised to conform with practice February 8, 1984  
Revised September 8, 1993  
Revised to conform with practice June 8, 1994  
Revised October 8, 1997  
Revised November 10, 1999  
Revised May 14, 2008

LEGAL REFS.: C.R.S. 19-3-301 *et seq.* (Child Protection Act of 1987)  
C.R.S. 22-32-109.7 employment of personnel  
C.R.S. 22-63-202 employment contracts  
1 CCR 301-37, Rules 2260.5-R-15.00 *et seq.*

CROSS REF.: GCB, Professional Staff Contracts/Compensation/Salary Schedules

St. Vrain Valley School District RE-1J, Longmont, Colorado