

4115 Certified Resignations

Contracts with certified employees (hereinafter employee) are mutually binding agreements between the Board of Trustees and the employee. Circumstances may arise where an employee desires to be released from a contract. Requests to be released from such contracts are discouraged, except for good and sufficient cause. Each request by an employee to be released from a contract will be considered on its merit by the Board of Trustees.

Any request by the employee for release from the contract, which is approved by the Board of Trustees, shall be subject to the following:

Requests for release from a contract for the ensuing school year when presented in writing ~~prior to~~ **on or before** May 15th of the current school year will be accepted without the assessment of any liquidated damages.

Requests for release from a contract for the ensuing school year presented after May 15th of the current school shall be subject to the following schedule of liquidated damages to be assessed against the employee and paid to the District:

- After May 15th but before June 30th, ~~\$300.00~~ **\$1,000**
- After ~~July 1st~~ **June 30th** but before August 14th, ~~\$600.00~~ **\$2,000**
- After August 15th **14**, ~~\$1,200.00~~ **\$3,000**

Only the Board of Trustees shall have the authority to waive any or all of the liquidated damages. Any request for waiver of the liquidated damages assessment must be addressed in writing to the Board of Trustees.

These stated sums, as liquidated damages, are not penalties and are intended as reasonable compensation to the Campbell County School District for damages to cover the cost of securing a replacement employee and/or restructuring student learning situations and any other action necessary to compensate for the resignation. The actual cost of securing a replacement, restructuring student learning situations or any other actions would be difficult if not impossible to ascertain.

In the event of a breach of contract where the District has not consented to the release of an employee from his or her contract and the employee fails to fulfill ~~his or her~~ **their** contract, the District may pursue any available legal remedy or may withhold the liquidated damages as set forth herein.

The resignation request of any employee will result in an informational letter being placed in the Campbell County School District personnel file of the employee. If an employee is not released from ~~his or her~~ **their** contract and fails to fulfill, the Board of Trustees may file a formal complaint with the Professional Teaching Standards Board (PTSB) seeking the revocation or suspension of the employee's certificate.

ADOPTION DATE:

July 18, 1979; Revised August 14, 1984; August 13, 1985; July 1, 1988; January 8, 1991; July 21, 1993 (formerly 4119.3); March 13, 2001; Editorial revision March 28, 2006; March 10, 2015; Revised June 9, 2020 to be effective July 1, 2020.

LEGAL REFERENCES:

CROSS REFERENCE(S):

ADMINISTRATIVE REGULATION: