

## **Resignation of Instructional Staff/Administrative Staff**

In accordance with state statutes, a teacher or certificated/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 start of the academic year, during an academic year by giving at least 30 days' written notice, or at any time by mutual agreement with the Board of Education.

A teacher or certificated/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 1/12<sup>th</sup> of his annual salary. In addition, the teacher's or administrator's certificate/license may be suspended.

A teacher or certificated/licensed administrator who resigns during the term of his contract shall be paid the prorated amount of his annual salary for each day he has 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 the department concerning the circumstances of the resignation. The district also shall notify the employee that information concerning his resignation is being forwarded to CDE unless such notice would conflict with the confidentiality requirement of the Child Protection Act.

The superintendent shall notify CDE whenever a licensed/certificated employee resigns for any of the following reasons:

1. The employee has been determined by a court to be mentally incompetent.
2. The individual is convicted, pleads *nolo contendere* or receives a deferred sentence for sexual offenses against a child as specifically set forth in the state board rules.
3. The individual pleads guilty or *nolo contendere* or is found guilty of a felony which renders the person unfit to be a licensed professional including but not limited to drug possession, felonies involving the use of firearms or deadly weapons, theft or fraud, child exploitation or pornography.
4. 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 his official capacity as an employee of the district.
5. When the Board reasonably believes that an employee is guilty of unethical behavior or professional incompetence.

ADOPTION DATE: January 15, 1985

REVISED AND ADOPTED: September 19, 1990

REVISION DATE: January 15, 1997

REVISION DATE: November 19, 1997

LEGAL REFS.: C.R.S. 19-3-301 et seq. (Child Protection Act of 1987)

C.R.S. 22-32-109.7

C.R.S. 22-63-202

ICCR 301-37, Rules 2202-R-15.05