Policy

RESIGNATION OF PROFESSIONAL INSTRUCTIONAL STAFF/ADMINISTRATIVE STAFF

Code GCQC/GCQD Issued 11/02 Draft 19

Purpose: To establish the basic structure for the resignation of professional staff members.

Any professional staff member who wants to cancel or terminate a contract must state his/her desire in writing to the superintendent. The district is under no obligation to release a professional staff member from a contract except as set out below. For such resignation to be effective, it must be written and must be accepted in writing by the superintendent. The acceptance of such resignation will be reported to the board at its next regularly scheduled business meeting and duly recorded in the official board meeting minutes.

The board will be formally advised of all resignations. When the superintendent does not accept a resignation, and the employee fails to continue to perform his/her contractual duties, the superintendent will report the breach of contract to the board. After a documented vote, the board may send a formal complaint to the State Board of Education requesting that appropriate action be taken against the employee for failure to comply with contractual obligations. If there is conclusive evidence, the State Board will take action on a complaint signed by the appropriate administrator; however, there must be documentation that the board voted to send the complaint. Both state law and State Board of Education regulations provide for suspension or revocation of a professional certificate under such circumstances.

Requests for resignation of any member of the professional staff must be made in writing to the superintendent at least 30 working days prior to the date upon which the employee wishes to resign. The Richland County School District Two Board of Trustees authorizes the superintendent to accept resignations from professional employees. For such acceptance to be effective, it must be written. The acceptance of such resignation will be reported to the board at its next regularly scheduled business meeting and duly recorded in the official board meeting minutes.

If the superintendent refuses to accept the resignation, the matter will be referred to the board for resolution. When a resignation is not accepted and the person involved fails to report to work for the school year for which he/she is employed, the superintendent may recommend that the Board act to report the teacher’s breach of his/her employee contract to the state board of education and request that the person be disciplined for failure to carry out his/her contract.

Contract Releases (teachers)

The board will not release a professional staff member (teacher) from his/her contract after June 1st/May 10th except under one of the following conditions:

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(see next page)
circumstances beyond the employee's control (ex., military/business transfer of spouse)

serious illness of the employee
da suitable replacement is employed as determined by the principal and chief human resources officer

da recommendation from the superintendent based on extenuating circumstances

The employee must submit a request for contract release in writing to the superintendent 30 days prior to the deadline set forth in this policy above.

The district reserves the right not to release the employee if written notice is not given before the date specified above or a suitable replacement has not been found.

Until an employee has been formally released from his/her contract, the district expects the employee to report for duty on the first day of the school year or to continue to report for duty if the request for release is made mid-year during the school year.

If a professional staff member signs a new contract without having been properly released from a previous contract, the new contract is considered to be void.

Legal References:

A. S. C. Code, 1976, as amended:
   1. Section 59-25-150 - State Board of Education may revoke/suspend certificate for just cause.
   3. Section 59-25-530 - Unprofessional conduct; breach of contract.

B. State Board of Education Regulation: