

**Linn Benton Lincoln
Education Service District**

Code: **GCPB/GDPB**
Adopted: 7/8/98
Revised: 2/13/18

Resignation of Staff

A resigning employee shall deliver a written and signed notice of resignation to the office of the Superintendent. The Superintendent shall have authority to accept an employee's resignation on behalf of the Board. If the Superintendent decides to accept the resignation, acceptance shall be by letter from the Superintendent to the employee, a copy of which shall be placed in the employee's personnel file. The resignation shall be effective as of the date specified in the notice. If no effective date is specified in the notice, the resignation shall be effective as of the date specified in the Superintendent's acceptance letter. The Superintendent shall make a report to the Board of all resignations accepted.

Unless there are extenuating circumstances, non-licensed employees should provide two weeks prior notice. The Superintendent is authorized to accept the resignations of non-licensed employees effective the day they are received.

A licensed employee who wishes to resign from his/her position with the ESD must give written notice at least 60 calendar days at or upon the time of resignation. The Superintendent is authorized to accept the resignation effective the day it is received and either release the teacher immediately from further teaching or administrative obligations or inform the teacher that he/she must continue teaching for part or all of the 60-day period. Where less than 60 days notice is given, the Board may request the Teacher Standards and Practices Commission to discipline the licensee. Exceptions due to emergency or other extenuating circumstances may be considered by the Board. Licensed employee provisions are contained in Oregon Revised Statutes or the applicable collective bargaining agreement.

In the event a resignation violates the provision of any statute or applicable collective bargaining agreement, the Superintendent may, in his/her letter accepting the resignation, condition acceptance upon terms which remedy the violation. Such terms shall be deemed accepted by the employee unless written objection is received by the Superintendent's office within seven calendar days after the Superintendent's letter of acceptance is mailed or hand delivered to the employee. If the violation is not remedied, the Superintendent shall bring the matter to the Board's attention and may submit a recommendation as to what action the Board should take. Prior to Board action, the employee shall be furnished a copy of the Superintendent's recommendation, if any, and shall be informed of the time when the matter will be considered by the Board. If a notice of resignation is referred to the Board by the Superintendent for any reason, including an unremedied violation of a statute or the collective bargaining agreement, the resignation shall not be final until approved by Board action.

END OF POLICY

Legal Reference(s):

[ORS 342.553](#)
[ORS 652.140](#)

[OAR 584-050-0020](#)
[OAR 581-024-0245](#)

Pierce v. Douglas County Sch. Dist., 297 Or. 363 (1984).