

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

December 6, 2010

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 5:210-Resignations and Retirement

This policy has been changed to reflect the minimum requirements by law. This replaces the wording that refers to the collective bargaining agreement. It is advisable to delete this type of wording in order to be sure we are in compliance with all state and federal laws and that we do not need to change the collective bargaining agreement each time the policy is updated.

We can use this as our first reading and place this on the consent agenda for next time.

Professional Personnel

Resignations ¹

Tenured teachers may resign at any time with consent of the School Board or by written notice sent to the Board Secretary at least 30 days before the intended date of resignation. However, no teacher may resign during the school term in order to accept another teaching position without the consent of the Board. ²

LEGAL REF.: 105 ILCS 5/24-14.
Park Forest Heights School Dist. v. State Teacher Certification Bd., 842 N.E.2d 1230 (Ill.App.1, 2006).

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State or federal law controls this policy's content.

² Districts may want to add a liquidated damages clause to individual teacher contracts in order to discourage teacher resignations in violation of this policy and law.

A teacher who resigns during the school term, without the board's permission, in order to accept another teaching assignment, is guilty of unprofessional conduct and liable to suspension of his or her certificate for up to one year (105 ILCS 5/24-14). Park Forest Heights School Dist. v. State Teacher Certification Bd., 842 N.E.2d 1230 (Ill.App.1, 2006)(regional superintendent may suspend for one year the teaching certificate of a tenured or nontenured teacher who resigns to accept another position).

Professional Personnel

Resignations and Retirement

Please refer to the “Agreement between the District #24 Board of Education Millburn Community Consolidated School Lake County, Illinois and the Millburn Teachers.”

LEGAL REF.: 105 ILCS 5/24-14.

ADOPTED: May 20, 2002