

RESIGNATION AT END OF CONTRACT YEAR

A certificated employee must notify the superintendent in writing as soon as possible, in no case later than June 1, if he or she intends to resign and not continue his or her employment with the district for the next school year.

RELEASE FROM CONTRACT

Employees and applicants who are issued a contract should recognize that their contract with the district carries with it the responsibility to fulfill the terms of the contract. Certified personnel are generally expected to fulfill the terms of their contract unless there are clearly compelling, mitigating circumstances which prevent the employee from doing so or until such time as the board releases the employee from the terms of their contract upon the recommendation of the superintendent.

No certificated employee will be released from their contract during the school year or within 45 days of the start of the school year unless a suitable replacement can be found. The board may make exceptions to this rule for serious health problems or if a replacement can be found to fill the position being vacated.

A certificated employee wishing to be released from his or her contract after the contract has been signed by the individual and received by the district must notify the superintendent in writing, specifying the reasons for the request and the date of the requested release.

The board may, in its discretion, vote to grant or deny the employee's requested release. In reviewing the request, the board may require additional information from the employee regarding the reasons for the request. In arriving at its decision, the board will consider such factors as:

1. The timeliness of the request;
2. The reasons given for the request;
3. The difficulties that the board anticipates in hiring a qualified teacher to replace the employee; and
4. The extent to which granting or denying the requested release from the contract will impact the district's operations and educational program.

A resignation is not effective until acted upon by the board and the resignation may not be withdrawn subsequent to the board granting the resignation.

REPORT TO IDAHO PROFESSIONAL STANDARDS COMMISSION (PSC)

Should any certificated employee vacate his or her position without specific written release by the board, the board may file a complaint with the PSC alleging unethical conduct pertaining to the breach of the teaching contract. In addition, any resignation of an employee during an investigation or in lieu of contemplated disciplinary action, termination, or administrative leave that occurs during an investigation of misconduct, as defined by Idaho Code §33-145 shall be referred to the PSC by the superintendent or designee if the employee holds an Idaho educator certificate.

ADDITIONAL ACTION UPON ABANDONMENT OF CONTRACT

In addition to reporting an employee's abandonment of contract to the PSC, the district may, in its discretion, pursue any and all available legal remedies, including damages to recoup all losses caused by such breach of contract, including without limitation costs for substitutes, recruiting, loss of state funding, and legal fees.

**LEGAL REFERENCE:**

Idaho Code Sections

33-145 - Idaho Student Safety and Educator Disclosure Act

33-513 – Professional Personnel

33-1208(1)(j) – Revocation, Suspension, Denial or Place Reasonable Conditions on
Certificate – Grounds

33-1208A – Reporting Requirements and Immunity

33-1209 – Proceedings to Revoke, Suspend, Deny or Place Reasonable Conditions on a
Certificate – Letters of Reprimand – Complaint – Subpoena Power – Hearing

IDAPA

08.02.02.076 – Code of Ethics for Idaho Professional Educators

08.02.02.077 – Definitions for Use with the Code of Ethics for Idaho Professional
Educators**ADOPTED:** September 23, 1998**AMENDED:** June 16, 2026