RESIGNATIONS OF CERTIFIED STAFF MEMBERS

A. Article V, Section 1, of the Teacher Tenure Act provides that "No teacher on continuing tenure shall discontinue his services with any controlling Board, except by mutual consent, without giving a written notice to said controlling Board at least 60 days before September first of the ensuing school year. Any teacher discontinuing his services in any other manner than as provided in this section shall forfeit his rights to continuing tenure previously acquired under this act."

B. The Teacher Tenure Act provides numerous protections for staff members under its provisions from dismissal or layoff without proper notice. In return for these protections, the above section is the only one providing for reasonable notice of resignation by the employee to the Board. This policy statement is intended as notice that it is the intent of the Board to enforce, at its discretion, the penalty provision of Article V, Section 1, of the Teacher Tenure Act by requiring the forfeiture of tenure by teachers who resign contrary to the provisions of the Act.

C. It shall be the policy of the Board to approve teacher resignations in violation of the provisions of Article V, Section 1 of the Teacher Tenure Act only when a replacement for the position in question has been obtained.

D. The superintendent may recommend to the Board that it waive this general policy at its discretion.

LEGAL CITATION: Michigan General School Laws, Section 38.111 (Part of PA 4/1937, as mended)  
POLICY  
Adopted: September 23, 1986
Amended: February 18, 1992