

Policy

RESIGNATION AND SEPARATION

Each employee under contract in the Oradell School District shall have agreed to mutually satisfactory terms for the termination of employment. The board shall respect and uphold the terms of the contracted termination agreement. It is the expectation of the board that the employee will also respect the contract terms.

The board may terminate any employee under tenure for any of the following conditions:

- A. Request by the employee for reasons accepted as valid and in the best interest of both the employer and the employee;
- B. By mutual agreement of both employee and the employer that termination of the contract is best for the school system;
- C. By direct request from the employer.

Should an employee terminate on request of the board, the employee may be terminated immediately and paid for the period of notice.

The board may dismiss any annually contracted or nontenured employee when it is in the best interest of the school district. The employee shall be given written notice of the intent to terminate including the reasons for the termination.

Annually contracted and/or nontenured staff may be dismissed without notice when sufficient cause warrants. Nonrenewal of nontenured teaching staff members shall be according to law and board policy 4117.41 Nonrenewal.

Resignation and Retirement

Any employee resigning from a position in the Oradell School District shall inform the superintendent in writing within the notification time frames established in the individual employment contract or the negotiated agreement as applicable.

If the employee fails to give the required notice, he/she shall be deemed guilty of unprofessional conduct. The employee shall be paid only through the last day of service.

The board may notify the Commissioner of Education when a certified staff member fails to give the required notice and the Commissioner may suspend his/her certificate for not more than one year. It is the responsibility of the school district to notify the Commissioner of Education of this action of the employer.

Compensation

It is the policy of the board that annually contracted employees shall earn vacation, sick and personal time at the rate agreed upon in the individual contract. Annually contracted employees shall accrue vacation or personal time within each year of employment, at a rate of one personal day per quarter, and 1.25 vacation days per month. The employee shall be allowed to carry over the time earned for vacation up to 5 days annually, with written permission from the superintendent. Personal days may not be carried over from one year into the next, but must be used during the year in which they are accrued. Unused personal days shall be forfeited.

SEPARATION, RESIGNATION (continued)

Each employee under annual contract who resigns, is terminated or otherwise ceases to be an employee of the Oradell School District, before and including the first anniversary of their employment, shall not be entitled to monetary compensation for vacation, sick and personal time earned during their first year of employment.

Annually contracted employees who resign, are terminated or otherwise cease to be employees following the first year of employment shall not be compensated for vacation or personal time earned or carried over from the previous year. The employee may be authorized to use accrued vacation and personal time prior to separation when such time off does not place a burden on school operations. Employees must obtain written permission in advance from the Superintendent, in order to use any accrued vacation and personal days prior to separation.

Annually contracted employees who resign, are terminated or otherwise cease to be employees must submit a doctor's note for any sick days utilized during the period of notice prior to separation.

Adopted: December 11, 2019
 NJSBA Review/Update: January 2019
 Readopted: December 11, 2019

Key Words

Separation, Dismissal, Suspension, Resignation, Resign, Retirement, Retire

Legal Reference: N.J.S.A. 18A:6-10 et seq. Dismissal and Reduction in compensation (tenured staff)
N.J.S.A. 18A:16-2 Physical examinations; drug testing; requirement
N.J.S.A. 18A:16-4 Sick leave; dismissal
N.J.S.A. 18A:17-2 Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees
N.J.S.A. 18A:17-3 Tenure of janitor employees
N.J.S.A. 18A:27-1 et seq. Employment and Contracts
See particularly:
N.J.S.A. 18A:27-4.1
N.J.S.A. 18A:28-8 Notice of intention to resign required
N.J.S.A. 18A:66-43 Retirement for service age limits

Possible

Cross References: *4115 Supervision
 *4116 Evaluation
 *4117.4/4217.4 Reduction in force/abolishing a position
 *4117.41 Nonrenewal

*Indicates policy is included in the Critical Policy Reference Manual.