

**EMPLOYEES - Series 400**  
**407 Licensed - Termination of Employment**

**407.2 Contract Release**

The board expects that all signed, fully executed contracts will be performed as stated. Release from a fully executed contract following a resignation request from a licensed employee is at the sole discretion of the board.

Licensed employees who wish to be released from an executed contract must give twenty one (21) written days' notice to the superintendent. Release from a contract shall be contingent upon finding a suitable replacement.. A suitable replacement means a legally qualified teacher of equal or greater quality as defined by the administrative staff and Board of Directors.

Other factors considered by the board shall include but not be limited to the timing of the resignation, available hiring pool, effect on the educational program and any unusual and extreme circumstances.

Licensed personnel requesting release from a contract after it has been signed and before it expires may be required to pay the board \$1,000 for expenses incurred to locate and hire a suitable replacement. The payment for these expenses shall be made at the time the resignation is submitted. Expenses shall include, but not necessarily be limited to, advertising costs, telephone and postage expense, and the time expended by administrators and support staff in screening applications, interviewing applicants, and selecting and hiring a suitable replacement. Payment of these costs shall be a condition of release from the contract at the discretion of the board. Failure to pay these costs may result in the resignation being denied. A refund of unused expense payment, if any, will be made after formal release or decision to hold employee to executed contract.

The superintendent is authorized to file a complaint with the Board of Educational Examiners against any licensed employee who leaves without proper release from the board. Should such an instance arise, the resignation of the licensed employee may be accepted under protest or the licensed employee may be terminated so that replacement staff may be hired without jeopardizing the legal rights of the district.

Adoption Date: December 9, 1991

Review Date: May 9, 2011

Revision Date: December 10, 2002

Legal References: Iowa Code Sections 216;272; 279.13,.19A, .46(1995).  
1978 Op. Att'y. Gen. 247.  
1974 Op. Att'y. 11, 322.

Cross References: 411.5 Licensed Employee Individual Contracts  
405.9 Licensed Employee Continuing Contracts  
407.3 Licensed Employee Retirement