

LICENSED PERSONNEL EARLY RELEASE FROM CONTRACT

Licensed employees who wish to be released from an executed contract must give thirty days' notice to the superintendent. Licensed personnel may be released at the discretion of the board. Only in unusual and extreme circumstances will the board release a licensed employee from a contract. The board shall have sole discretion to determine what constitutes unusual and extreme circumstances.

Release from a contract shall be contingent upon finding a suitable replacement. Upon written mutual agreement between the employee and the superintendent, the cost of finding a suitable replacement (minimum \$1,400) shall be deducted from the employee's salary. The deduction from a part-time employee's salary shall be in proportion to the employee's full-time equivalency. Payment of the above-mentioned costs shall be a condition for release from the contract. An exemption to the payment of the cost of finding a suitable replacement due to the certified staff member's desire to terminate all stipulations under the contract and employment with the district will be made if the employee's contract was reduced, and if the resignation is received prior to July 15.

The superintendent is authorized to file a complaint with the Iowa Board of Educational Examiners against any licensed employee who leaves without proper release from the board. Failure of the licensed employee to pay these expenses may result in a cause of action being filed in small claims court.

Legal Reference: Iowa Code §§216, 272, 279.13, .19A, .46 (2015).
1974 Op. Att'y Gen. 11, 322.
1978 Op. Att'y Gen. 247.

Cross Reference: 405.3 Licensed Personnel Individual Contracts
405.4 Licensed Personnel Continuing Contracts
413.1 Support Personnel Resignation and Retirement

Approved: October 22, 1990
Reviewed: May 11, 2015
Revised: May 27, 2008