

## Resignation of Professional Staff

A professional staff member is encouraged to give at least 30 days written notice to the Mtn BOCES prior to resigning employment.

The Mtn BOCES shall comply with the reporting requirements concerning allegations of unlawful behavior involving a child and other offenses, in accordance with state law and the regulation accompanying this policy.

(Adoption date)

LEGAL REFS.: **20 U.S.C. 7926** (*ESSA prohibition against employment assistance for school employees who have engaged in sexual misconduct with a student or minor*)  
C.R.S. 19-3-301 *et seq.* (*Child Protection Act of 1987*)  
1 CCR 301-37, Rule 2260.5-R-10.05 (*mandatory reporting requirements*)

***NOTE: The Every Student Succeeds Act (ESSA) requires BOCES that receive ESEA funds to have policies in place that prohibit the BOCES from assisting an employee in obtaining a new job if the BOCES knows, or has probable cause to believe, that such employee engaged in sexual misconduct regarding a student or minor in violation of the law. The BOCES is not prohibited from following routine procedures regarding the transmission of administrative or personnel files, but is prohibited from doing more than that to help the employee obtain new employment. 20 U.S.C. 7926. This provision is intended to prevent teachers or other school staff who have engaged in sexual misconduct with a student or minor at one school from obtaining employment at another school, without that school's knowledge of the prior misconduct. In sum, the BOCES must ensure that it complies with state law mandatory reporting requirements as well as not offer employment assistance as prohibited by the ESSA when contacted by another school for information regarding an applicant's fitness for employment.***

[Revised February 2020]  
CASB SAMPLE POLICY – BOCES 2015©