

Code No. 407.2 LICENSED EMPLOYEE CONTRACT RELEASE

Licensed employees who wish to be released from an executed contract must give at least twenty-one days notice to the superintendent. Licensed employees 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 will have sole discretion to determine what constitutes unusual and extreme circumstances.

Release from a contract will be contingent upon finding a suitable replacement. Licensed employees requesting release from a contract after it has been signed and before it expires may be required to pay the board up to \$1000 for expenses incurred to locate and hire a suitable replacement. Upon written mutual agreement between the employee and the superintendent, the costs may be deducted from the employee's salary. Payment of these costs is a condition for release from the contract at the discretion of the board. Failure of the licensed employee to pay these expenses may result in a cause of action being filed in small claims court.

The superintendent is authorized to file a complaint with the Board of Educational Examiners against a licensed employee who leaves without proper release from the board.

Legal Reference:

Iowa Code §§ 216 ;272 ;279.13 , . 19A ,.46 (2003).

1978 Op. Att'y Gen. 247.

1974 Op. Att'y Gen. 11, 322.

Cross Reference:

405.3 Licensed Employee Individual Contracts

405.4 Licensed Employee Continuing Contracts

407.3 Licensed Employee Retirement

First Reading: July 18, 2018 **Second Reading: August 20, 2018**