

Policy

SEPARATION

Resignation

Any member of the support staff may resign in good standing by giving the Little Silver Board of Education at least 14 days' written notice, unless the appointing authority consents to a shorter notice.

If an employee resigns without giving the required notice, she/he shall be held as having resigned not in good standing.

Separation

Separation may be by resignation, suspension, or by dismissal.

The superintendent or designee may suspend without pay or with reduced pay, fine or demote an employee due to inefficiency, incompetence, misconduct, negligence, insubordination or for other sufficient cause.

Removal

A member of the support staff may not be removed except for just cause upon written charges. Notice of the removal shall be sent to the employee on the form prescribed by the Civil Service Commission, and a copy of said notice shall be sent to the Civil Service Commission at the same time.

A provisional or temporary employee may be terminated at any time at the discretion of the appointing authority. A provisional or temporary employee who has been terminated shall have no right of appeal.

Causes for Removal

Any one of the following shall be cause for removal from the service, although removals may be made for sufficient causes other than those listed:

- A. Neglect of duty;
- B. Incompetency or inefficiency;
- C. Incapacity due to mental or physical disability;
- D. Insubordination or serious breach of discipline;
- E. Intoxication while on duty;
- F. Chronic or excessive absenteeism;
- G. Disorderly or immoral conduct;
- H. The conviction of any criminal act or offense;

SEPARATION, RESIGNATION (continued)

- I. Negligence of or willful damage to public property or waste of public supplies;
- J. Conduct unbecoming an employee in the public service; or
- K. The use or attempt to use one’s authority or official influence to control or modify the political action of any person in the service or engaging in any form of political activity during working hours.

The Civil Service Commission shall grant a hearing on the causes for removal if the employee sought to be removed appeals to the Commission for such a hearing as prescribed in Civil Service Rule 4:1-5.3. The Commission in its decision may revoke or modify the action of the appointing authority.

Adopted: October 8, 2009
 NJSBA Review/Update: May 2023
 Readopted: August 24, 2023

Key Words

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

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| Legal Reference: | <u>N.J.S.A. 18A:6-10 et seq.</u> <u>N.J.S.A. 18A:16-2</u> <u>N.J.S.A. 18A:16-4</u> <u>N.J.S.A. 18A:17-2</u> <u>N.J.S.A. 18A:17-3</u> <u>N.J.S.A. 18A:27-1 et seq.</u> <u>N.J.S.A. 18A:27-3.1</u> conference; purpose <u>N.J.S.A. 18A:27-3.2</u> <u>See particularly:</u> <u>N.J.S.A. 18A:27-4.1</u> <u>N.J.S.A. 18A:28-8</u> <u>N.J.S.A. 18A:66-43</u> | Dismissal and Reduction in compensation (tenured staff) Physical examinations; drug testing; requirement Sick leave; dismissal Tenure of secretaries, assistant secretaries, school business administrators, business managers and secretarial and clerical employees Tenure of janitor employees Employment and Contracts Non-tenured teaching staff; observation and evaluation; Teaching staff member; notice of termination; statement of reasons; request; written answer Notice of intention to resign required Retirement for service age limits |
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Possible

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| Cross References: | *4115 Supervision *4116 Evaluation *4117.4/4217.4 Reduction in force/abolishing a position *4117.41 Nonrenewal |
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*Indicates policy is included in the Critical Policy Reference Manual.