

CHAPTER 117

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 97-1117

BY REPRESENTATIVES Entz and Dean;
also SENATOR Dennis.

AN ACT

CONCERNING RESIGNATION OF SCHOOL DISTRICT EMPLOYEES.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 22-63-202 (2) (a), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-63-202. Employment contracts - contracts to be in writing - duration - damage provision. (2) (a) Every employment contract executed pursuant to this section shall contain a damages provision. Pursuant to said provision, a teacher or chief administrative officer shall agree to pay damages to the school district, and the board thereof shall be authorized to collect or withhold damages from compensation due or payable to said teacher or chief administrative officer, in an amount up to ~~and including~~ one-twelfth of the annual salary specified in said employment contract. Said damages shall be paid by the teacher or chief administrative officer or withheld from the teacher's or chief administrative officer's salary if said individual abandons, breaches, or otherwise refuses to perform services for said school district pursuant to the contract, unless the teacher or chief administrative officer has given written notice to the board thereof ~~on or before July 1~~ NO LATER THAN THIRTY DAYS PRIOR TO THE COMMENCEMENT OF THE SUCCEEDING ACADEMIC YEAR that the teacher or chief administrative officer will not fulfill the obligations of said individual's contract during the succeeding academic year (or, if a school district operates an alternative year program, said notice shall be given to the board not less than ~~forty-five days~~ THIRTY DAYS before the commencement of services under the employment contract) or after the beginning of the academic year, unless the teacher has given at least thirty days' written notice to the board thereof during the academic year to the effect that

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

the teacher or chief administrative officer wishes to be relieved of said individual's contract for the remainder of the year as of a certain date. Said damages shall not exceed ordinary and necessary expenses of a board to secure the services of a suitable replacement teacher or chief administrative officer.

SECTION 2. 22-63-203 (3), Colorado Revised Statutes, 1995 Repl. Vol., is amended to read:

22-63-203. Probationary teachers - renewal and nonrenewal of employment contract. (3) A probationary teacher employed by a school district on a full-time basis shall be deemed to be reemployed for the succeeding academic year at the salary that the probationary teacher would be entitled to receive under the general salary schedule, the teacher salary policy, or the combination schedule and policy, whichever is appropriate, unless the board causes written notice to the contrary to be given to said teacher on or before June 1 of the academic year during which said teacher is employed. Such teacher shall be presumed to have accepted such employment for the succeeding academic year unless said teacher causes written notice to the contrary to be given to the board ~~on or before July 1~~. NO LATER THAN THIRTY DAYS PRIOR TO THE COMMENCEMENT OF THE SUCCEEDING ACADEMIC YEAR.

SECTION 3. Effective date. This act shall take effect August 15, 1997.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 21, 1997