

A. Purpose

1. To provide clarity in the process of separating from service with Frederick County Public Schools (FCPS).
2. This regulation outlines the steps for an employee to voluntarily separate from service, remove personal belongings, benefits eligibility after separation under the Consolidated Omnibus Budget Reconciliation Act (COBRA), and requesting references and recommendations following separation.

B. Background

When a FCPS employee separates from service, changes to the employment record, benefit eligibility status, and other follow-up actions are required, including notifying the immediate supervisor.

C. Definitions

1. “Severance of Employment” is defined to mean resignation, retirement, or termination without cause.

D. Procedures

1. **Separation from Services**
 - a. The employee is responsible for completing the [Employment Status Change Form](#).
 - b. Forms must be submitted to HREmployeeRelations@fcps.org. [Employment Status Change Forms](#) or notification shared with an immediate supervisor do not constitute proper notification.
 - c. The supervisor will complete the [Employee Exit Property Recovery Checklist Form](#) prior to an employee's last day of work. This form can be found on the FCPS website: <https://www.fcps.org/forms>.
 - d. In accordance with Code Of Maryland Regulations (COMAR) [13A.07.02.01](#), certificated or state licensed Frederick County Teachers Association (FCTA) bargaining unit members wishing to resign from employment must do so by the statutory deadlines of May 1st for non-tenured bargaining unit members and July 15th for tenured bargaining unit members. Such written advance notice must be provided using the [Employment Status Change Form](#).
 - e. In accordance with the Frederick County Administrative and Supervisory Association (FCASA) [Negotiated Agreement](#), administrators and supervisors wishing to resign from employment must provide at least four (4) weeks of notice. Such written advance notice must be provided using the [Employment Status Change Form](#).

- f. Support employees wishing to resign from employment must provide two (2) weeks of written advance notice using the [Employment Status Change Form](#).

2. Administration of Certificate/Licensure Revocation

- a. Certificated/licensed employees who separate from service for extenuating circumstances shall not have a breach of contract reported to Maryland State Department of Education (MSDE). Extenuating circumstances shall include the following life situations:
 - i. Military transfer for employee or spouse;
 - ii. Job transfer for spouse;
 - iii. Retirement;
 - iv. Medically certified temporary disability for the employee which prevents the employee from fulfilling his/her duties and responsibilities;
 - v. Medically certified care responsibilities for an employee's family member, as defined by FMLA, which prevents the employee from fulfilling employment duties and responsibilities; or
 - vi. Prolonged, catastrophic, incapacitating personal illness or injury resulting in a permanent disability of the employee, as recognized by the Maryland State Retirement and Pension System and/or United States Social Security Administration.
- b. Certificated/licensed employees who separate from service for reasons outside of those outlined above will be notified that their resignation from FCPS will be made with prejudice and reported to MSDE as a breach of contract.
- c. Employees will be asked if they still wish to resign from service with FCPS given the detail that their resignation will be with prejudice and reported as a breach of contract.
- d. Staff within the Department of Human Resources will proceed with the employee's final request based upon their decision to separate from service or remain with FCPS.

3. Removal of Personal Belongings at Separation

- a. On or before the last day of service, the employee will remove all personal belongings from FCPS premises.
- b. After thirty (30) days, the employee's personal property will be considered abandoned by the employee and will be subject to disposal.

4. Benefits

- a. The Board of Education allows an employee who is retiring and who is eligible for retirement benefits under the Maryland State Retirement System or Pension System to continue participation in certain benefit plans as outlined in the respective collective bargaining agreements.
- b. If the employee does not continue coverage at the time of retirement, he/she is prohibited from re-enrolling at a later date.
- c. Employees who separate from services and are not eligible for retirement at the time of separation will be provided appropriate notification for continuation of health coverage in accordance with COBRA.
- d. Employees will lose access to their Self-Service account within PeopleSoft, effective the date of their separation from service.

5. References and Recommendations

- a. Employees who have left employment or who anticipate leaving employment frequently request references and recommendations from various administrators and supervisors.
- b. Administrators and supervisors are encouraged to refer to [Guidelines When Responding to a Reference Check](#).

E. Related Information

1. **Board Policy**
 - a. [Policy 300](#), *Personnel*
 - b. [Policy 301](#), *Employment Expectations*
2. **Code of Maryland Regulations (COMAR)**
 - a. [COMAR 13A.07.02.01](#)
3. **External Resources**
 - a. [Maryland State Retirement and Pension System \(MSRPS\) Website](#)
 - b. [US Department of Labor Continuation of Health Coverage \(COBRA\) Website](#)
4. **FCPS Resources**
 - a. [Employee Exit Property-Recovery Checklist Form](#)
 - b. [Employment Status Change Form](#)
 - c. [FCPS Benefits Website](#)
5. **Federal Law**
 - a. Consolidated Omnibus Budget Reconciliation Act of 1985, PL 99-272
6. **Internal Resources**
 - a. [Guidelines When Responding to Reference Checks](#)
7. **Negotiated Agreements**
 - a. [Board and Frederick Association of School Support Employees \(FASSE\)](#)
 - b. [Board and Frederick County Administrative and Supervisory Association \(FCASA\)](#)
 - c. [Board and Frederick County Teachers Association \(FCTA\)](#)

F. Regulation History (Maintained by Legal Services)

<i>Responsible Office</i>	Office of Human Resources
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