

## **PERSONNEL**

### **TERMINATION OF EMPLOYMENT**

The Board shall act as the final decisional authority regarding the employment termination of certificated and classified employees.

The superintendent holds the statutory and Board-delegated authority to issue a notice of probable cause for employment termination to a certificated staff member. The superintendent may recommend to the Board the employment termination of a classified staff member. Any notice of termination shall include notice of appeal rights, if any, the employee may have including a description of appeal processes.

#### **Release from Contract**

A certificated staff member may be released from contract under the following conditions:

- A. A letter requesting release shall be submitted to the superintendent's office. If accepted by the board at its next meeting, the staff member shall be released from contract.
- B. A release from contract may be granted by the board to allow a staff member to accept another position prior to or during the school year provided a satisfactory replacement can be obtained.
- C. A release from contract may be granted by the board in case of illness or other personal matters which make it a substantial hardship for the staff member to continue his/her employment in the district.
- D. Each request shall be determined upon its own merits. The needs of the district and continuity of the educational program offered to students shall receive primary consideration in the board's decision.

#### **Resignation**

In order to permit proper staff planning and to minimize inconvenience to others who may be affected, certificated staff who plan to resign at the end of their contract period are requested to notify the superintendent of their resignation or retirement by April 1.

Those staff who are not contractually obligated to complete the current school year should notify the superintendent as early as possible of their intent to resign and no less than 30 days prior to their last working day.

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### **TERMINATION OF EMPLOYMENT (continued)**

#### Retirement

Staff shall participate in the retirement programs under the Federal Social Security Act and the Washington State Teachers' Retirement System or the Public Employees' Retirement System. Payroll deductions shall be made and paid into the respective retirement programs in the manner prescribed by law.

Staff who become eligible to retire under the controlling retirement system and who intend to retire at the end of the current school year should notify the superintendent prior to April 1st of that year.

Those staff intending to retire who are not contractually obligated to complete the current school year should notify the superintendent as early as possible and no less than 30 days prior to their retirement date. Because of their contribution to the children of the district, retiring staff shall be given appropriate recognition. The district office may assist them in making arrangements for their retirement benefits.

#### Probation, Non-renewal or Termination

The employment contracts of individual certificated staff may be non-renewed at the end of the staff member's contract period by probable cause action by the superintendent. Such non-renewals may be based upon unsatisfactory performance or changes in the district's financial circumstances and/or staffing needs. Except for "provisional employees," non-renewals for unsatisfactory performance shall be preceded by a probationary period.

The superintendent shall establish procedures to assist those certificated staff whose performance, through the evaluation process, does not meet minimum requirements. The district may require the teacher to take in-service training provided by the district in the area of teaching skills needing improvement.

Classified staff are granted provisional status during the first 90 calendar days of employment. During that period of time, they are subject to termination without advance notice. Upon satisfactory completion of 90 calendar days of consecutive service, a staff member may be granted regular status. Regular status classified staff are employed on a month-to-month basis and shall be provided at least ten (10) calendar days notice before termination. Such staff member shall be entitled to an opportunity for an informal pre-termination meeting with the superintendent prior to any action taken by the Board of Directors.

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### **TERMINATION OF EMPLOYMENT (continued)**

The following non-represented positions shall be classified as exempt in nature and function. Classified staff filling the following identified positions are employed on a month-to-month basis and shall be provided at least ten (10) calendar days notice before termination: Administrative Assistant to the Superintendent and Board, District Administrative Secretary, Director of Business and Operations, District Accountant, Human Resources Officer, Director of Payroll, Supervisor of Instructional Technologies, Mental Health/At-Risk Specialist, District Office Receptionist/Clerical Support Specialist, Accounts Payable Clerk, and Supervisor of Maintenance, Custodial and Grounds. Such staff member(s) shall be entitled to an opportunity for an informal pre-termination meeting with the superintendent prior to any action taken by the Board of Directors.

#### **Program and Staff Reductions**

Program and staff reductions may be required as a direct result of enrollment decline, failure of a special levy election or other events resulting in a significant reduction in revenue; or termination or reduction of funding of categorically-funded projects. The board shall, after a review of such indicators as test results, community surveys, informal and formal statements of support and/or opinion, and the district's statement of philosophy, identify those educational programs and services which shall be reduced, modified or eliminated.

When the reduction, modification or elimination of programs and/or services necessitates a reduction in staff, the board shall retain staff members based upon service in the state of Washington and qualifications and experience necessary for the retained position. A staff member who receives notice of non-renewal of contract due to enrollment decline or loss of revenue may, in his/her request for a hearing, stipulate that initiation of the arrangements for a hearing officer shall occur within ten (10) days following July 15, rather than the day the staff member submits the request for a hearing.

The superintendent shall develop procedures to implement this policy except that any staff agreement in effect shall supersede this policy.

Cross References:	Board Policy 5006	Certification Revocation
	Board Policy 5240	Evaluation of Classified, Certificated and Administrative Staff

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**TERMINATION OF EMPLOYMENT (continued)**

Legal References: RCW 28A.400.300 Hiring and Discharging Employees —  
Leaves for employees — Seniority and leave benefits, retention  
upon transfers between schools  
28A.400.320 Mandatory termination of classified employees  
28A.400.340 Discharge Notices Include Appeal Rights  
28A.405.140 Assistance for teacher may be required after  
evaluation  
28A.405.210 Conditions and contracts of employment —  
Determination of probable cause for non-renewal of contracts —  
Notice — Opportunity for hearing  
28A.405.220 Conditions and contracts of employment — Non-  
renewal of provisional employees — Procedure  
28A.405.300 Adverse change in contract status of certificated  
employee — Determination of probable cause — Notice —  
Opportunity for hearing  
  
28A.405.310 Adverse change in contract status of certificated  
employee, including non-renewal of contract — Hearings —  
Procedure  
28A.405.470 Mandatory termination of certified employees  
28A.410.090 Revocation of authority to teach  
41.32.240 Membership in system — Procedure when  
exempted person desires membership — Continuation of  
exemption — Persons formerly exempt, minimum period to  
qualify for retirement allowance  
41.33.020(6) Terms and provisions of plan  
41.40.023 Membership  
41.41 State Employees' Retirement — Federal Social Security  
  
WAC 180-86 Policies and procedures for administration of  
certification proceedings  
180-87 Acts of Unprofessional Conduct  
180-44-060 Drugs and alcohol — Use of as cause for dismissal

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