

**WHITE RIVER SCHOOL DISTRICT #416
BOARD POLICY**

No. 5280

5000 PERSONNEL

Employment Practices

5280- Termination of Employment

The superintendent has the statutory authority to issue probable cause for termination to a certificated staff member. The board shall consider the termination of a classified staff member based upon the recommendation of the superintendent. The notice of termination shall include notice of any appeal rights the employee may have and notice of the appeal processes.

A. Release from Contract

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

1. 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.
2. 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.
3. 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.
4. 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.

B. 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.

C. 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. The district office may assist them in making arrangements for their retirement benefits.

D. 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 action of 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 will establish procedures to assist those certificated staff whose performance, through the evaluation process, does not meet minimum requirements.

Beginning with the 2015-16 school year, evaluation results for certificated classroom teachers, certificated principals and assistant principals must be used as one of multiple factors in making human resource and personnel decisions. Human resource decisions include but are not limited to: employee assignment, including the consideration of an agreement to an assignment by an appropriate teacher, principal and superintendent and reduction in force. The district will not be limited in its ability to collectively bargain how the multiple factors will be used in making human resource and personnel decisions, but the evaluation results must be a factor.

The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated classroom teachers, certificated support personnel or administrators in accordance with the revised evaluation system, when it is his or her specific duty to do so, will be sufficient cause for the non-renewal of any such evaluator's contract under RCW 28A.405.210 or the discharge of such evaluator under RCW 28A.405.300.

Classified staff are granted probationary status in accordance with the collective bargaining agreement. During that period of time, they are subject to termination without advance notice. Upon satisfactory completion of the agreed probationary period, 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 30 days notice before termination. Such staff member shall be entitled to an informal pre-termination meeting with the superintendent prior to any action taken by the board of directors.

E. 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, low enrollment in a specific class, 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 member's 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 of receipt of the request, 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 Board Policy 5240	Certification Revocation Evaluation of Classified, Certificated and Administrative Staff
Legal References:	RCW 28A.400.300 28A.400.320 28A.400.340 28A.405.100 28A.405.140 28A.405.210 28A.405.220 28A.405.300 28A.405.310 28A.405.470	Hiring and Discharging Employees — Leaves for employees — Seniority and leave benefits, retention upon transfers between schools Mandatory termination of classified employees Discharge Notices Include Appeal Rights Minimum criteria for the evaluation of certificated employees – Revised four-level evaluation systems for aclassroom teachers and prncipals-Procedures-Steering committee – Models-Implementation-Reports Assistance for teacher may be required after evaluation Conditions and contracts of employment — Determination of probable cause for non-renewal of contracts — Notice — Opportunity for hearing Conditions and contracts of employment — Non-renewal of provisional employees — Procedure Adverse change in contract status of certificated employee — Determination of probable cause — Notice — Opportunity for hearing Adverse change in contract status of certificated employee, including non-renewal of contract — Hearings — Procedure 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	180-44-060	Drugs and alcohol — Use of as cause for dismissal
	181-86	Policies and procedures for administration of certification proceedings
	181-87	Acts of Unprofessional Conduct
	392-191	Professional Growth and Evaluation of School Personnel
Management Resources		<i>Policy & Legal News</i> , February, 2014, Other updates/corrections <i>Policy & Legal News</i> , February 2013, Policy Revisions