TERMINATION OF EMPLOYMENT, PROBATION AND NONRENEWAL: 5280P

Certificated Staff

Certificated staff, except "provisional employees," whose performance does not meet minimum requirements based upon the specific categories for evaluation shall receive written notice any time after October 15th. The administration shall exercise the following steps:

Administrator's Report

When an administrator determines on the basis of the specific categories for evaluation that the performance of a staff member does not meet minimum requirements, the administrator shall report the same in writing to the Superintendent/designee. The report shall include the following:

A. The evaluation report; and

B. A specific and reasonable plan for improvement.

Establishment of Probationary Period

If the Superintendent concurs with the administrator that the staff member's performance does not meet minimum requirements, the Superintendent may place the staff member in a probationary status any time after October 15th, and for a period of sixty (60) school days. The staff member shall receive written notice of the action which shall contain the following information:

A. The specific area of deficiency;

B. A specific and reasonable plan for improvement which gives the staff member the opportunity to demonstrate improvement in any area of deficiency;

C. The duration of the probationary period; and

D. The right of the staff member to have representation and/or counsel in any subsequent meetings between the staff member and the administrator.

During the Probationary Period

A. When appropriate, the administrator may utilize District resource persons (e.g., coordinator, consultant, and other staff) who shall observe the staff member's performance and offer suggestions for improvement. During the probationary period the evaluator shall meet at least twice monthly with the staff member to determine progress made and make a written evaluation.

B. The staff member may be removed from probationary status at any time.

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Administrator's Post-Probationary Report

At the end of the probationary period the administrator shall submit a written report to the Superintendent. The report shall identify any improvement in the area of deficiency and shall specify that the staff member has or has not demonstrated sufficient improvement in the stated area of deficiency to justify removal from probationary status.

Action by the Superintendent

Immediately after the Superintendent determines that the completed probationary period did not produce the performance changes detailed in the initial notice of deficiencies and improvement program, the employee may be removed from his or her assignment and placed in alternative assignment for the remainder of the school year. The reassignment may not displace another employee or adversely affect the probationary employee's compensation or benefits during the balance of the contract year. If such a reassignment is not possible, the Superintendent may place the employee on paid administrative leave for the balance of the contract term, or terminate the employee.

Prior to May 15th, when the Superintendent has determined that the staff member has not demonstrated sufficient improvement in the stated area of deficiency, the Superintendent shall make a determination of probable cause for non-renewal of the staff member's contract and shall provide written notice to the staff member by May 15 or June 15 if the omnibus appropriations act has not passed the legislature by May 15. Such notice shall contain notice of any appeal rights the staff member may have and notice of the appeal processes.

Any certificated staff member, except "provisional employees," so notified shall be granted an opportunity for a hearing to determine whether or not there is sufficient cause(s) for non-renewal. The hearing may be "Open" or "closed" depending on the wish of the staff member. Selection of the hearing officer and conduct of the hearing shall be in accordance with RCW 28A.405.310. Should the hearing officer's decisions uphold the District's non-renewal action, the certificated staff member may appeal to the superior court (RCW 28A.405.320).

Any certificated staff member who does not request a hearing shall be adversely affected as specified in the written notice.

Provisional Certificated Employees

"Provisional certificated employees" whose performance does not meet minimum requirements shall receive written notice from the Superintendent by May 15, or June 15 if the omnibus

appropriations act has not passed the legislature by May 15, that the District does not intended to renew the employment contract. Such notice shall cite the reason for such determination and shall contain notice of any appeal rights that the employee may have and notice of the appeal processes.

Within ten (10) days of receiving such notice the "provisional employee" may request (in writing) the opportunity to hold an informal meeting with the Superintendent. The Superintendent shall submit his/her recommendation for non-renewal to the Board (RCW 28A.405.220). The "provisional employee" shall be notified in writing of the Superintendent's decision at least three days prior to a meeting of the Board. The Board shall consider any written communication prior to rendering a decision.

The Board shall notify the "provisional employee" of its decisions within ten (10) days following the meeting. Such decisions shall be considered final.

Any "provisional employee" who does not request an information meeting shall be adversely affected as specified in the written notice.

Classified Staff

Classified staff whose performance does not satisfy the needs of the District shall in accordance with the requisite collective bargaining agreement receive written notification from the administrator. Such written notice shall contain the following information:

A. Subject to the action of the Board of Directors, the final date of employment with the District;

B. Notice of any appeal rights that the employee may have and notice of appeal processes.