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. Because of their contribution to the children of the district, re- tiring staff shall be given appropriate recognition. 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 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 under probation status during the first 90 work days of employment. During that period of time, they are subject to termination without advance notice. Upon satisfactory completion of 90 days of consecutive service, a staff member may be granted regular status. Upon completion of their probationary period, the employee is subject to all rights and duties contained in their respective union agreement retroactive to their hire date.

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, 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 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 5240	Evaluation of Classified, Certificated and Administrative Staff
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 **Page 2 of 3**
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 181-86	Policies and procedures for administration of certification proceedings
181-87	Acts of Unprofessional Conduct
180-44-060	Drugs and alcohol — Use of as cause for dismissal

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