

**Tumwater School District
Board Policy**

SEPARATION FROM EMPLOYMENT

Under Washington law the Superintendent has the authority to issue an appropriate notice of probable cause for discharge or nonrenewal to any certificated staff member. The Board of Directors will consider the notice of probable cause for a certificated staff member, or the Superintendent's recommendation regarding the discharge of a classified staff member, and render a decision regarding the discharge or nonrenewal. A notice of discharge will include notice of any appeal rights the employee may have and notice of the appeal processes.

Certificated Staff Member Release from Contract

Upon request, a certificated staff member may be released from contract under the following conditions:

1. A letter requesting release will be submitted to the Superintendent or Designee's office. If accepted by the Board, the staff member may 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 will be reviewed and a decision rendered based on the totality of the circumstances. The needs of the district and continuity of the educational program offered to students will 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 or Designee of their resignation or retirement by March 15th

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.

Retirement

Eligible staff will participate in the retirement programs under the Federal Social

Security Act and the Washington State Department of Retirement Systems plan appropriate for their position. Payroll deductions will 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 or Designee prior to March 15th of that year.

Those staff intending to retire who are not contractually obligated to complete the current school year should notify the Superintendent or Designee as early as possible and no less than 30 days prior to their retirement date.

Program and Staff Reductions

The Board of Directors determines the educational and operational programs for the district. Program and staff reductions may be required as a result of many factors, including but not limited to enrollment decline, programmatic needs or interests, a change in staffing needs, failure of a special levy election, changes in state or federal funding policies or legislation, or other events resulting in reduction in revenue, increase in costs, and/or termination or reduction of funding of categorically-funded projects. The board will review appropriate information, and based on administrative recommendations, identify those educational programs and services which will be reduced, modified or eliminated.

Classified Staff Separation from Employment

Unless otherwise directed by collective bargaining agreements or an individual employment contract for a fixed term not to exceed one year, classified staff are granted probationary status during the first ninety days of employment. During that period of time, they are subject to termination without advance notice. After completion of the probationary period, such classified staff obtain regular status and are employed on a month-to-month basis, Regular classified staff must be provided notice of at least 30 days before such month to month employment ends. Such staff member will be entitled to an informal meeting with the superintendent prior to any action taken by the Board of Directors to not renew their month to month employment.

Legal References:

RCW 28A.400.300 Hiring and Discharging Employees —
Written leave policies — Seniority and leave benefits,
retention upon of employees transferring between school
districts and other educational employers

RCW 28A.400.320 Mandatory termination of classified
employees — Appeal — Recovery of salary or
compensation by district

RCW 28A.400.340 Notice of discharge to contain notice of
right to appeal if available

RCW 28A.405.100 Minimum criteria for the evaluation of
certificated employees - Revised four-level evaluation
systems for classroom teachers and principals -

Procedures - Steering committee - Models -
Implementation - Reports

RCW 28A.405.140 Assistance for teacher may be
required after evaluation

RCW 28A.405.210 Conditions and contracts of
employment — Determination of probable cause for non-
renewal of contracts — Nonrenewal due to enrollment
decline or revenue loss — Notice — Opportunity for
hearing

RCW 28A.405.220 Conditions and contracts of
employment — Non-renewal of provisional employees —
Notice — Procedure

RCW 28A.405.300 Adverse change in contract status of
certificated employee — Determination of probable cause
— Notice — Opportunity for hearing

RCW 28A.405.310 Adverse change in contract status of
certificated employee, including non-renewal of contract —
Hearings — Procedure

RCW 28A.405.470 Crimes against children — Mandatory
termination of certified — employees — Appeal—
Recovery of salary or compensation by district

RCW 28A.410.090 Revocation of authority to teach —
Criminal basis — Complaints — Investigation — Process

RCW 41.32.240 Membership in system

RCW 41.33.020(6) Terms and provisions of plan

RCW 41.40.023 Membership

Chapter 41.41 RCW State Employees' Retirement —
Federal Social Security

Chapter 181-86 WAC Policies and procedures for
administration of certification proceedings

Chapter 181-87 WAC Acts of Unprofessional Conduct

Chapter 392-191 WAC School Personnel—Evaluation of
the Professional Performance Capabilities

Management Resources: 2015 - December Issue
2014 - February Issue
2013 - February Issue

Adoption Date: **September 14, 2017**