

SEPARATION FROM EMPLOYMENT

Classified Staff

The board will consider the superintendent's recommendation regarding the discharge of (discharge or not issuing a new contract) a classified staff member, and render a decision regarding the discharge. A notice of discharge shall include notice of any appeal rights the employee may have and notice of the appeal processes.

Certificated Staff

Under Washington law the superintendent has the authority to issue an appropriate notice of probable cause for (nonrenewal or discharge) to any certificated staff member. A notice of probable cause for discharge will include notice of any appeal rights the employee may have and notice of the appeal processes.

1. Certificated Staff Member Release from Contract

Upon request 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, the staff member may 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 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 shall receive primary consideration in the board's decision.

2. 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 February 1st.

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.

3. 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 February 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.

4. Program and Staff Reductions

The board 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 or other events resulting in a reduction in revenue; increase in costs, and/or termination or reduction of funding of categorically-funded projects; or based on other legitimate program changes to best meet the needs of the District. The Board shall review appropriate information and based on administrative recommendations identify those educational programs, services and/or staff that will be reduced, modified or eliminated.

Cross References:	Board Policy	5240	Evaluation of Classified, Certificated and Administrative Staff
		5006	Certification Revocation
		5281	Disciplinary Action and Discharge

Legal References: RCW 28A.400.300 Hiring and Discharging Employees--Leaves for employees--Seniority and leave benefits of employees transferring between school-districts and other educational employers

28A.400.320 Crimes against children - Mandatory termination of
classified employees – Appeal – Recovery
of salary or compensation by district

28A.400.340 Discharge Notices Include Appeal Rights

- 28A.405.100 Minimum criteria for the evaluation of certificated employees – Four-level rating evaluation system – Procedures – Steering committee – Implementation – Reports – Comprehensive performance evaluation
- 28A.405.140 In-service training 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 Crimes against children - Mandatory termination of certificated employees – Appeal – Recovery of salary or compensation by district
- 28A.410.090 Revocation or suspension of certificate or permit to teach – Reprimand – Criminal basis – Complaints – Investigation - Process
- 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 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 WAC Acts of Unprofessional Conduct
Chapter 392-87 WAC Schol Personnel Evaluation of the Performance Capabilities

Management Resources: 2023- November Issue
 2015 - December Issue
 2014 - February Issue
 2013 - February Issue

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