

Performance Based Employment Termination Checklist

The District will exercise care when deciding not to renew an employment contract. Staff should carefully screen decisions not to renew an employment contract in order to ensure that such decisions are based on lawful, legitimate, non-discriminatory and non-retaliatory criteria in order to mitigate the risk of claims of wrongful termination, discrimination or retaliation.

Before deciding to terminate an employee, complete the following steps to insure compliance with all District policies, procedures and employment law practices. Conduct a thorough investigation of the event(s) leading to termination. Collect and review all documents and interviews related to the employee's termination, including:

YES	Not Applicable	Documentation
		Evaluations: Do the evaluations clearly document and provide the employee notice of a performance problem?
		Last Chance Agreement: Plan of Improvement <ul style="list-style-type: none"> • Timeliness of Plan • Measurable Outcomes?
		Are evaluations objective and directly related to the job skills?
		Was the employee provided sufficient problem related training or counseling? List all trainings, dates and times.
		Was the employee advised that improper conduct or failure to correct actions would result in termination?
		Relevant emails (attached)
		Supervisor's notes and/or Files (attached)
		Does one person have all the information? (previous supervisors)
		District conducted a reasonably fair and adequate investigation before imposing discipline. Investigative Materials (attached)
YES	Not Applicable	Pre-Termination Procedures
		Collective Bargaining Agreement
		Union Representation
		Loudermill Hearing (List date, attendees and outcome)
YES	Not Applicable	Due Process
		District policies and procedures were followed.
		Can the district prove the employee was provided sufficient training or counseling?
		Has employee had an opportunity to take corrective action?
		Was a probationary period established? <ul style="list-style-type: none"> • Length of probationary period. Was improvement noted?
		Has the district terminated other employees who engage in substantially similar misconduct? <ul style="list-style-type: none"> • List dates and types of misconduct • If NO, provide distinction that warrants termination in this case.
		Can the District establish sufficient proof of the misconduct?
YES	Not Applicable	Other
		Has the employee alleged any form of discrimination, unsafe workplace, or any other unlawful conduct that could be characterized as whistle blowing? (SBP 5271)
		Was Washington Schools Risk Management Pool notified?
		Independent Review of Grounds-Adequacy of Termination
Identify any other special circumstances:		
Building Administrator/Department Head:		
Director of Human Resources:		
Superintendent:		



