Termination of Employment

The superintendent has the statutory authority to issue probable cause for termination to a certificated staff member. The board will consider the termination of a classified staff member based upon the recommendation of the superintendent. The notice of termination will 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 will be submitted to the superintendent's office. If accepted by the board at its next meeting, the staff member will 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 determined upon its own merits. The needs of the district and continuity of the educational program offered to students will 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 (*or the district may insert alternate date).*

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 will 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 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 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, retiring staff will 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 will be preceded by a probationary period.

The superintendent will establish procedures to assist those certificated staff whose performance, through the evaluation process, does not meet minimum requirements.

Beginning with the 2015-16 school year, evaluation results for certificated classroom teachers, certificated principals and assistant principals must be used as one of multiple factors in making human resource and personnel decisions. Human resource decisions include but are not limited to: employee assignment, including the consideration of an agreement to an assignment by an appropriate teacher, principal and superintendent and reduction in force. The district will not be limited in its ability to collectively bargain how the multiple factors will be used in making human resource and personnel decisions, but the evaluation results must be a factor.

The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated classroom teachers, certificated support personnel or administrators in accordance with the revised evaluation system, when it is his or her specific duty to do so, will be sufficient cause for the non-renewal of any such evaluator's contract under RCW 28A.405.210 or the discharge of such evaluator under RCW 28A.405.300.

Classified staff are granted provisional status during the first _____ days of employment. During that period of time, they are subject to termination without advance notice. Upon satisfactory completion of __ days of consecutive service, a staff member may be granted regular status. Regular status classified staff are employed on a month-to-month basis and be provided at least __ days notice before termination. Such staff member will be entitled to an informal pretermination meeting with the superintendent prior to any action taken by the board of directors.

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 will, 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 will be reduced, modified or eliminated.

When the reduction, modification or elimination of programs and/or services necessitates a reduction in staff, the board will retain staff members 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 will occur within ten (10) days following July 15, rather than the day the staff member submits the request for a hearing.

The superintendent will develop procedures to implement this policy except that any collective bargaining agreement in effect will supersede this policy.

Cross References:	Model Policy 5006	Certification Revocation
	Model Policy 5240	Evaluation of Classified, Certificated and Administrative Staff
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
	41.32.240	Membership in system

41.33.020(6)	Terms and provisions of plan
41.40.023	Membership
Chapter 41.41 RCW	State Employees' Retirement — Federal Social Security
WAC 180-44-060	Drugs and alcohol — Use of as cause for dismissal
Chapter181-86 WAC	Policies and procedures for administration of certification proceedings
Chapter 181-87 WAC	Acts of Unprofessional Conduct
Chapter 392-191WAC	Professional Growth and Evaluation of School Personnel

Management Resources:

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