

Separation from Employment

Certificated Staff

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. A notice of probable cause for discharge will include notice of any appeal rights the employee may have and notice of the appeal processes.

A. 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'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.

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 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 or designee 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.

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. The board will review appropriate information and based on administrative recommendations identify those educational programs and services that will be reduced, modified, or eliminated.

Classified Staff

The board will consider the superintendent's recommendation regarding the discharge of a classified staff member and render a decision regarding the discharge. A notice of discharge will include notice of any appeal rights the employee may have and notice of the appeal processes.

Cross References: 5240 - Evaluation of Staff
 5006 - Certification Revocation
 5281 - Disciplinary Action and Discharge

Legal References: RCW 28A.400.300 Hiring and discharging employees -Written
 leave policies - Seniority and leave benefits of employees
 transferring between school districts and other educational
 employers
 RCW 28A.400.320 Crimes against children - 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 - Four-level rating evaluation system -
 Procedures - Steering committee - Implementation - Reports
 -Comprehensive performance evaluation
 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 nonrenewal of contracts -

Nonrenewal due to enrollment decline or revenue loss - Notice -
Opportunity for hearing
RCW 28A.405.220 Conditions and contracts of employment -
Nonrenewal 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 nonrenewal of contract -
Hearings - Procedure
RCW 28A.405.470 Crimes against children - Mandatory
termination of certificated employees - Appeal - Recovery of
salary or compensation by district
RCW 28A.410.090 Revocation or suspension of certificate or
permit to teach - Reprimand -Criminal basis - Complaints -
Investigation - Process
RCW 41.32.240 Membership in system
RCW 41.33.020 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

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