

Termination of Employment

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. 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 at their earliest convenience. 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 or Service 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 by at their earliest convenience. 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. 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. The district may require the teacher to take in-service training provided by the district in the area of teaching skills needing improvement.

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

F. Involuntary Termination

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.

Cross References:

Board Policy 5006 Certification Revocation

Board 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

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

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

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

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 Policy No. 5280

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

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

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

181-87 Acts of Unprofessional Conduct

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