

HUMAN RESOURCES

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.

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.

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 their 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 as early and as soon as possible to allow for sufficient recruitment and hiring.

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. Program and Staff Reduction

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 procedures will be developed by the superintendent or designee and implemented consistent with the law, and applicable negotiated agreements.

Cross references:	Board Policy 5110	Certification
	Board Policy 5250	Evaluation of Staff
	Board Policy 5270	Disciplinary Action and Discharge
	Procedure 5280P	Program and Staff Reduction
	Board Policy 5281	Reduction of Certificated Administrative Staff

Legal references:	RCW 28A.150.230	District school directors' responsibilities
	RCW 28A.400.300	Hiring and discharging of 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(6)	Terms and provisions of plan
RCW 41.40.023	Membership
Chapter 41.41 RCW	State employees' retirement—Federal social security
Chapter 181-86 WAC	Professional certification—Policies and procedures for administration of certification proceedings
Chapter 181-87 WAC	Professional certification—Acts of unprofessional conduct
Chapter 392-191 WAC	School personnel—Evaluation of the professional performance capabilities

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