
TERMINATION OF SEPARATION FROM EMPLOYMENT

The Discharge from Employment

Under Washington law, the superintendent has the statutory authority to issue an appropriate notice of probable cause for termination, discharge or non-renewal to a certificated staff member. The any certificated employee. In the event the superintendent recommends discharge of a classified employee, the board shall of directors will consider the termination of a classified staff member based upon the recommendation of the superintendent. The notice of termination shall and render a decision. A notice of discharge to a certificated or classified employee who has a right to appeal the discharge will include notice of any appeal rights the employee may have and notice of the the right to appeal processes and how a description of the appeal process may be obtained.

1. Certificated Employee Release from Contract

Upon request, a certificated staff member employee may be released from contract under the following conditions:

A1. A letter requesting release shall will be submitted to the superintendent's office superintendent or designee. If accepted by the board at its next meeting, the staff member shall employee will be released from his or her contract.

B2. A release from contract may be granted by the board: (a) to allow a staff member to accept another position prior to or during the school year, provided a satisfactory replacement can be obtained.

C. A release from contract may be granted by the board; or (b) in the case of illness or other personal matters which make matter making it a substantial hardship for the staff member employee to continue his/ or her employment in the district.

D. Each3. The board will evaluate and determine each request shall be determined upon its own merits. The needs of the district District and continuity of the educational program offered to students shall will receive primary consideration in the board's board's decision.

2. 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~~ 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 in no event less than 30 days prior to their last working day.

~~3.~~ Retirement

Staff ~~shall~~ 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 ~~shall~~ be made and paid into the respective retirement programs in the manner prescribed by law and pursuant to any applicable collective bargaining agreements.

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 in no event less than 30 days prior to their retirement date.

Because of their contribution to the children of the ~~district~~, retiring staff ~~shall~~ be given appropriate recognition. The ~~district~~ office may assist them in making arrangements for their retirement benefits. [A1]

~~4. Probation, Certificated Employees: Non-Renewal or Termination~~

The employment ~~contracts~~ of ~~individuals~~ certificated ~~staff~~ may be non-renewed at the end of the ~~staff member's~~ contract period by ~~action~~ of probable cause issued by the superintendent. Such non-renewals may be based upon ~~unsatisfactory~~ performance ~~or~~ misconduct, changes in the ~~district's~~ financial ~~circumstances~~ and/or staffing needs, or other reasons authorized by law. Except for "provisional" employees, under RCW 28A.405.220, non-renewals of classroom teachers and certificated support personnel for unsatisfactory performance ~~shall~~ be preceded by a probationary period in accordance with RCW 28A.405.100 and any applicable collective bargaining agreement.

The superintendent ~~shall~~ establish procedures to assist those ~~certificated staff~~ whose performance, as evaluated through the annual evaluation process, does not meet minimum requirements. Beginning with the 2015-16 school year, evaluation requirements. 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~~ Nothing in this policy limits the District's 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 to 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~~ Employees: Probation

~~Classified employees~~ are granted ~~provisional~~probationary status during the first 120 working days of employment. During that period of time, they are subject to ~~termination~~termination without advance notice. Upon satisfactory completion of 120 working days of ~~consecutive~~consecutive service, a ~~staff member~~an employee may be granted regular status. ~~A staff member shall~~A probationary classified employee will be entitled to an informal pre-termination meeting with the superintendent prior to any action taken by the ~~Board of Directors~~board to terminate his or her employment.

~~5.~~ Program and Staff Reductions

~~The board of directors determines the educational and operational programs for the District.~~ Program and staff reductions may be required as a ~~direct~~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 significant~~reduction in revenue; ~~or,~~ ~~increase in costs, and/or~~ termination or reduction of funding of categorically-funded projects. The board ~~shall, after a~~will review ~~of such~~ indicators as ~~test results, community surveys, informal and formal statements of support and/or opinion, appropriate information~~ and the district's statement of philosophy, based on administrative recommendations, identify those educational programs and services ~~which shall~~that will be reduced, modified, or eliminated.

When the reduction, modification, or elimination of programs and/or ~~services~~services necessitates a reduction in ~~certificated~~staff, the ~~board shall~~District will retain ~~staff members based upon service in the state of Washington and qualifications and experience necessary for the retained position~~employees in accordance with the terms of any applicable collective bargaining agreement.

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

Board Policy	5240	Evaluation of Classified, Certificated and Administrative Staff
Legal References:	RCW 28A.400.300	Hiring and Discharging Employees
		Leaves for employees
		Seniority and leave benefits, retention upon transfers between schools
	28A.400.320	Mandatory termination of classified employees
	28A.400.340	Discharge Notices Include Appeal Rights
	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
	28A.405.140	In-service training for teacher may be required after evaluation
	28A.405.210	Conditions and contracts of employment cause for
		Determination of probable non-renewal of contracts
		Notice
		Opportunity for hearing
	28A.405.220	Conditions and contracts of employment
		Non-renewal of provisional employees
		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 non-renewal of contract
		Hearings
		Procedure
	28A.405.470	Mandatory termination of certified employees
	28A.410.090	Revocation of authority to teach
	41.32.240	Membership in system
		Procedure when exempted person desires membership
		Continuation of for exemption
		Persons formerly exempt, minimum period to qualify
		retirement allowance
	41.33.020(6)	Terms and provisions of plan
	41.40.023	Membership
	41.41	State Employees' Retirement
		Federal Social Security

WAC 180-86	Policies and procedures for
	administration of
	certification proceedings
180-87	Acts of Unprofessional Conduct
180-44-060	Drugs and alcohol Use of as cause
	for dismissal
392-191	Professional Growth and Evaluation
	of School Personnel

Cross[A2] 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, 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

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 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

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