

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.

- **Release from Contract**

A certificated staff member may be released from contract under the following conditions:

- 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.
- 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.
- 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.
- 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.

- **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 May 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.

- **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 May 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.

- **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 90 days of employment. During that period of time, they are subject to termination without advance notice. Upon satisfactory completion of 90 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 10 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.

- **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 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:

Policy 5006 Certification
Revocation
Policy 5240 Evaluation of
Classified,
Certificated
and
Administrative
Staff

Legal References:

[RCW](#)
[28A.400.30](#)
[0](#) 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.400.32](#)
[0](#) Mandatory
termination of
classified
employees —
Appeal —
Recovery of
salary or
compensation
by district
[RCW](#)
[28A.400.34](#)
[0](#) Notice of
discharge to
contain notice
of right to
appeal if
available
[RCW](#)
[28A.405.10](#)
[0](#) Minimum
criteria for the
evaluation of
certificated
employees —
Revised four-
level
evaluation
systems for
classroom
teachers and

principals-
Procedures-
Steering
committee—
Models—
Implementatio
n--Reports
Assistance for
teacher may
be required
after
evaluation
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
Conditions
and contracts
of
employment
— Non-
renewal of
provisional
employees —
Notice —
Procedure
Adverse
change in
contract
status of
certificated
employee —
Determination
of probable
cause —
Notice —
Opportunity
for hearing

[RCW](#)
[28A.405.14](#)
[0](#)

[RCW](#)
[28A.405.21](#)
[0](#)

[RCW](#)
[28A.405.22](#)
[0](#)

[RCW](#)
[28A.405.30](#)
[0](#)

RCW 28A.405.31 0	Adverse change in contract status of certificated employee, including non- renewal of contract — Hearings — Procedure
RCW 28A.405.47 0	Crimes against children — Mandatory termination of certified — employees — Appeal— Recovery of salary or compensation by district
RCW 28A.410.09 0	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 RCW 41.41	Membership State Employees' Retirement — Federal Social Security
WAC 180- 44-060	Drugs and alcohol — Use of as cause for dismissal
WAC 181- 86	Policies and procedures for administration of certification proceedings
WAC 181- 87	Acts of Unprofessional Conduct

[WAC 392-191](#)

Professional
Growth and
Evaluation of
School
Personnel

Management Resources:

Policy & Legal News,
February 2014, Other
updates/corrections
Policy & Legal News,
February 2013, Policy
Revisions

Adoption Date:

School District Name: Mary M. Knight

Revised: 04.98; 06.07; 12.11; 02.13; 04.14

Classification: Priority