

## **Termination of Employment**

### **Purpose**

The purpose of this policy is to identify who is responsible for the discharge or termination of certified and/or classified staff.

### **Scope**

This policy applies to the Superintendent, School Board, certified and classified employees.

### **Policy**

1. The Superintendent shall be responsible for discharging or non-renew certificated staff members in accordance with the applicable law.
2. The Board shall be responsible for terminating classified staff members based upon the recommendation of the Superintendent or designee.
3. When an employee requests voluntary termination of employment, the employee shall submit a written request for resignation, retirement or other termination. The Board shall have complete, final and exclusive authority on whether to grant such a request and thereby release the employee from the contract with the district.
4. The Board retains complete and exclusive discretion to determine program and staff reductions due to any and all factors, including but not limited to enrollment decline, levy failure, reductions in state of federal funding, other events resulting in a significant reduction in revenue, changes in law, and/or changes in the needs of the district. The Board shall identify those educational programs and services which shall be reduced, modified, or eliminated.

### **Related Procedures**

5280P1-Termination of Employment Procedures

### **Policy Cross References**

1620-The Board/Superintendent Relationship

1633-Superintendent Duties and Responsibilities

5253-Maintaining Professional Staff-Student Boundaries

5281-Disciplinary Action and Discharge

### **Policy Legal References**

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.405.140 – 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 of compensation by district

RCW 28A.410.090 – Revocation or suspension of certificate or permit to teach – Criminal basis – Complaints – Investigation – Process

RCW 28A.41.32.240 – Membership in system – Procedure with exempted person desires membership – Continuation of exemption – Persons formerly exempt, minimum period to qualify for retirement allowance

RCW 28A.41.33.020 (6) – Terms and provisions of plan

RCW 28A.41.41 – State Employee’ Retirement – Federal Social Security

WAC 181-86 – Professional certification – policies and procedures for administration of certification proceedings

WAC 181-87 – Professional certification – acts of unprofessional conduct

WAC 180-44-060 – Drugs and alcohol – Use of as cause for dismissal

**Management Resources**

N/A

**Policy History**

<b>Action:</b>	<b>Date:</b>
Approved by the Board	June 15, 2011
Revised	April 18, 2012
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