

SEPERATION FROM EMPLOYMENT

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. The board of directors shall consider the notice of probable cause for a certificated staff member, or the superintendent's recommendation regarding the discharge of a classified staff member and render a decision regarding the discharge or nonrenewal. A notice of discharge shall 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 shall 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 his/her employment in the district.
4. Each request shall 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 shall 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 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 no less than 30 days prior to their last working day.

C. 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.

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 1 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.

D. 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 result of many factors, including but not

limited to enrollment decline, programmatic needs or interest, 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 shall review appropriate information and based on administrative recommendations, identify those educational programs and services which shall be reduced, modified or eliminated.

Cross References:	Board Policy 5006 Board Policy 5240 Board Policy 5281	Certification Revocation Evaluation of Classified, Certificated and Administrative Staff Disciplinary Action and Discharge
Legal References:	RCW 28A.400.300 28A.400.320 28A.400.340 28A.405.140 28A.405.210 28A.405.220 28A.405.300 28A.405.310 28A.405.470 28A.410.090 41.32.240 41.33.020(6) 41.40.023 41.41	Hiring and Discharging Employees — Leaves for employees — Seniority and leave benefits, retention upon transfers between schools Mandatory termination of classified employees Notices of discharge to contain notice of right to appeal if available Assistance for teacher may be required after evaluation Conditions and contracts of employment — Determination of probable cause for non-renewal of contracts — Notice — Opportunity for hearing Conditions and contracts of employment — Non-renewal of provisional employees — Procedure Adverse change in contract status of certificated employee — Determination of probable cause — Notice — Opportunity for hearing Adverse change in contract status of certificated employee, including non-renewal of contract — Hearings — Procedure Mandatory termination of certified employees Revocation of authority to teach Membership in system Terms and provisions of plan Membership State Employees' Retirement — Federal Social Security

WAC 181-86

Policies and procedures for
administration of certification
proceedings

181-87
WAC

Acts of Unprofessional Conduct
392-191 School Personnel-Evaluation
of the professional performance
capabilities

Management Resources: 2015-December
2014-February Issue
2013-February

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