

Personnel

Separation 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 will 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 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 or designee's office.
2. A release from contract may be initially granted by the Human Resource Services (HRS) 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 in case of illness or other personal matters which make it a substantial hardship for the staff member to continue employment in the district.
4. Each request will be reviewed, and a recommendation will be rendered by the Superintendent or designee 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.
5. The Board will approve the release of contract by approval on the personnel report.

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 interests, a change in staffing needs, failure of a special levy election or other events resulting in 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.

Cross References: Policy 5281 Disciplinary Action and Discharge
Policy 5006 Certificate of Revocation
Policy 5240 Evaluation of Staff

Legal References: RCW 28A.400.300 Hiring and Discharging Employees- Written leave policies – Seniority and leave benefits, 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 – Four-level evaluation systems 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 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 181-86WAC	Policies and procedures for administration of certification proceedings
Chapter 181-87WAC	Acts of Unprofessional Conduct
Chapter 392-191WAC	School Personnel – Evaluation of the Professional Performance Capabilities

Classification: Encouraged

Adoption Date: January 13, 1993

Revised: April 24, 1996

Revised: April 26, 2023