



## **Human Resources – Series 5000 Termination of Employment – 5610**

The Superintendent has the statutory authority to issue probable cause for termination for a certificated employee. The Board shall consider the termination of a classified employee based upon the recommendation of the Superintendent. The notice of termination shall include notice of any appeal rights the employee may have and notice of the appeal processes.

Requests to be released from contracts shall be considered by the Board on the recommendation of the Superintendent. Such recommendation shall consider the needs of the employee, but shall be in the best interest of the school district.

### **Probation, Nonrenewal or Termination**

The employment contracts of individual certificated employees may be non-renewed at the end of the employee's contract period by action of the Superintendent. Such nonrenewals may be based upon unsatisfactory performance or changes in the District's financial circumstances and/or staffing needs. Except for provisional employees, nonrenewals for unsatisfactory performance shall be preceded by a probationary period.

The Superintendent or designee shall establish procedures to assist those certificated or classified employees whose performance, as documented through the evaluation process, does not meet minimum requirements. The District may require the employee to take in-service training provided by the district in the area needing improvement. Such employees shall be entitled to an informal pre-termination 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 result of enrollment decline, failure of a levy election, or other events resulting in reduction in revenue; or, termination or reduction of funding of categorically-funded projects. The Board shall identify those educational programs and services which shall be reduced, modified, or eliminated.

The Superintendent or designee shall develop procedures to implement this policy.

### **Cross References:**

<b>Board Policy 5400</b>	<b>Assignment, Reassignment and Transfer</b>
Board Policy 5605	Certification Revocation
Board Policy 5120	Evaluation of Staff

**Legal References:**

- RCW 28A.400.300 Hiring and discharging employees – Seniority and leave benefits, retention upon transfers between schools
- RCW 28A.400.320 Crimes against children – Mandatory termination of classified employees- Appeal
- RCW 28A.400.340 Notice of discharge to contain notice of right to appeal if available
- RCW 28A.405.100 Minimum criteria for evaluation of certificated employees, including administrators – Procedure – Scope - Penalty
- 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 – Procedure
- RWC 28A.405.230 Conditions and contracts of employment – Transfer of administrator to subordinate certificate position – 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 certified employees – Appeal
- RCW 28A.410.090 Revocation or suspension of certificate or permit to teach – Investigation by Superintendent of Public Instruction – Mandatory revocation for crimes against children
- WAC 180-86 Professional certification proceedings
- WAC 180-87 Professional certification – Acts of unprofessional conduct
- WAC 180-44-060 Regulatory provisions relating to drugs and alcohol – Use of as cause for dismissal

Adopted: 03-26-2002