

# OLYMPIC ESD 114 BOARD POLICY SEPARATION FROM EMPLOYMENT

## POLICY 5280

The Board delegates to the Superintendent final authority in all cases of employment separation, including but not limited to: resignation, retirement, discharge, certificated/administrative contract non-renewal, and staff reductions; in a manner consistent with applicable laws and Board policy and procedure.

### **Resignation**

The Superintendent is authorized to accept employee resignations upon such conditions as he/she deems appropriate. Board action is not necessary to effectuate a resignation that has been accepted in writing by the Superintendent.

### **Discharge from Employment**

All classified employees not employed pursuant to a written and signed employment agreement are employed on an at-will basis and may be discharged for any reason and without prior notice. Classified employees employed pursuant to a written and signed employment agreement may be discharged during the term of the agreement either in accordance with any termination provisions of the agreement or for just cause.

All certificated employees, employed in positions for which a certificate is required, may be discharged in accordance with state law, RCW 28A.310.250 - .260.

### **Retirement**

**Classified employees** who are eligible to retire under the Washington State Teacher's Retirement System (TRS), Public Employee's Retirement System (PERS), and/or School Employees Retirement System (SERS) shall notify their supervisor and the Human Resources Director no less than thirty (30) days prior to their requested retirement date.

**Certificated staff** contractually obligated to complete the current school year shall submit their written notification of their intent to retire to their supervisor and the Human Resources Director no later than April 1 of that year.

### **Program and Staff Reductions**

Program and staff reductions may be required as a direct result of program enrollment decline, member district withdrawal from a cooperative, or other events resulting in a reduction in revenue; or termination or reduction of funding of categorically-funded projects. When the reduction, modification, or elimination of programs and/or services necessitates a reduction in staff, the ESD shall retain staff members based upon qualifications necessary for the retained position.

The Board directs the Superintendent to develop procedures to implement this policy.

**Legal Reference:**

RCW 28A.310.200 ESD board – Powers and duties - Rules  
RCW 28A.310.220 ESD board – Delegation of powers and  
duties to superintendent  
RCW 28A.310.250 - Certificated employees of district—  
Contracts of employment—Nonrenewal of contracts—  
Notice.  
RCW 28A.310.260 - Certificated employees of district—  
Contracts of employment—Nonrenewal of contracts—  
Notice.  
RCW 28A.400.300 Hiring and Discharge of Employees  
RCW 28A.400.320 Crimes against children – Mandatory  
termination of classified employees  
RCW 28A.400.340 Notice of Discharge to contain notice of  
right to appeal if available  
RCW 28A.405.310 Adverse change in contract status of  
certificated employee, including non-renewal of contract —  
Hearings — Procedure  
RCW 28A.405.300-380 - Adverse change in contract status  
of certificated employee, including nonrenewal of contract  
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) - Membership in system  
RCW 41.40.023 - Membership  
RCW 41.41 - State Employees' Retirement — Federal Social  
Security  
WAC 181-87 Acts of Unprofessional Conduct

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