

**OLYMPIC ESD 114 ADMINISTRATIVE PROCEDURE  
SEPARATION FROM EMPLOYMENT**

**5280P**

**RESIGNATION**

**Classified, Professional Technical, and Manager Employees** wishing to resign from their employment shall inform their supervisor in writing of their intention to do so. Employees shall provide at least two weeks' notice before the effective date of the resignation. Employees resigning from employment may not select a holiday as their last day of employment and cannot use accrued vacation during the notice period unless authorized by their supervisor.

**Certificated Employees**

**During Term of Contract** - Certificated employees wishing to resign from their employment during the term of a written contract shall inform their supervisor and the Human Resources Director in writing of their request to resign during the term of their contract as far in advance of the contemplated effective date of resignation as possible.

The Superintendent, following consultation with the Human Resources Director, shall determine if the employee's request to resign will be accepted and under what conditions.

- A release from contract may be granted to allow a staff member to accept another position prior to or during the school year provided a satisfactory replacement can be obtained.
- 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 his/her employment in the district.
- Each request will be reviewed and a decision rendered based on the totality of the circumstances. The needs of OESD and continuity of the educational program offered to students shall receive primary consideration in the Superintendent's decision.

**End of Contract Year** – In order to permit proper staff planning and to minimize inconvenience to others who may be affected, a certificated employee who plans to resign at the end of his/her contract period shall submit written notification of their intent to resign to their supervisor and the Human Resources Director no later than April 1 of that year.

**RETIREMENT**

**Classified, Professional Technical, and Manager 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 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.

## **DISCIPLINARY ACTION AND DISCHARGE**

Employees who fail to fulfill their job responsibilities or to follow the reasonable directions of their administrators or who conduct themselves on or off the job in ways that affect their effectiveness on the job may be subject to disciplinary action or discharge. Discipline shall be appropriate to the circumstances and may include suspension, reprimand, or discharge. Such behavior, conduct, or action may include but is not limited to:

- A. Incompetence;
- B. Inefficiency;
- C. Misappropriation or misuse of district property;
- D. Neglect of duty;
- E. Insubordination;
- F. Conviction/guilty plea of any crime which adversely affects the employee's ability to perform a job including any felony crime involving:
  - 1. The physical neglect of a child;
  - 2. The physical injury or death of a child;
  - 3. Sexual exploitation of a child;
  - 4. Sexual offenses;
  - 5. Promotion of a minor for prostitution purposes; or
  - 6. The sale or purchase of a minor child;  
[employees are required to report in writing to the superintendent any conviction or guilty plea of the above referenced crimes (and of any other crimes that are workplace related) within five days of conviction or guilty plea];
- G. Malfeasance;
- H. Misconduct;
- I. Inability to perform job functions;
- J. Willful violation of district policies and procedures or laws and regulations;
- K. Mistreatment, abuse or assault of fellow workers, students, or members of the public;
- L. Conflict of interest;
- M. Abuse of leave;
- N. Sexual harassment, verbal abuse, physical abuse or sexual misconduct;
- O. Manufacture, possession, distribution, sale or being under the influence of alcohol controlled, illegal, addictive or harmful substances, including anabolic steroids, at work;
- P. Conduct (whether on the job or off the job) that has a substantial negative impact on performance;
- Q. Mental or physical inability to perform the essential job duties;
- R. Intemperance;
- S. Intentional discrimination;
- T. Vulgar speech or actions;
- U. Use of habit forming drugs without pharmaceutical prescription by a doctor of medicine licensed to practice in the state of Washington;
- V. Use of alcoholic beverages or being under the influence of alcohol on district premises or at a district sponsored activity off the district premises; or
- W. Use of district supplies and equipment for personal betterment or financial gain or other improper purposes.

In the event that allegations or charges are made against a staff member for misconduct with minors, the superintendent may contact the Child Protective Services central registry for evidence regarding whether the staff member is an adjudicated or admitted perpetrator of child abuse or neglect. Appropriate reports will also be made to law enforcement, the Office of the Superintendent of Public Instruction, and the student's parents or guardians, as required by law.

**Abuse and Sexual Misconduct**

The district will not enter into any contract that is contrary to law to suppress information about verbal or physical abuse or sexual misconduct by a present or former employee and will comply with all legal requirements regarding such misconduct.

**Suspension/Discharge**

The superintendent/designee is authorized to suspend a staff member immediately as deemed appropriate. Suspensions may be with or without pay depending on the circumstances.

**Demotion**

A staff member may be demoted for any of the reasons set forth in these procedures. The staff member shall be given written notice including specific reasons for such demotion. This action requires the prior approval of the superintendent.

*(updated February 16, 2017)*