

300 PERSONNEL, continued

303 Separation

Except as expressly reserved in these policies, the Board of Directors delegates final authority in all cases of employment separation to the Superintendent, which authority shall be exercised in a manner consistent with applicable laws. The authority to accept resignations from ESD employees is delegated to the Superintendent. Rules and regulations regarding discharge and/or nonrenewal of employees shall be consistent with applicable laws.

300 PERSONNEL, continued

- 303 Separation, continued
- R303.1 Resignation
- R303.1a Classified Employees - Classified employees wishing to resign from their employment shall inform their supervisor of their intention to do so. Employees are requested, but not required, to give at least two (2) weeks notice before the effective date of the resignation.
- R303.1b Certificated Employees - During Term of Contract
- R303.1b1 Certificated employees wishing to resign from their employment during the term of a written contract shall inform the Human Resources Department of their intention to do so as far in advance of the contemplated effective date of resignation as possible.
- R303.1b2 The Board of Directors, following consultation with the Superintendent and the Personnel Office, shall determine whether and under what conditions the resignation of a certificated employee during the term of a written contract shall be accepted, and shall so direct the Human Resources Department to notify the employee. In determining whether or not to accept the employee's resignation, the Board of Directors shall act in the best interest of the ESD while making a reasonable effort to accommodate the needs of the employee.
- R303.1b3 If the resignation of a certificated employee during the term of his/her written contract is not accepted by the Board of Directors and the employee proceeds to abandon his/her employment with the ESD, the Superintendent shall report such abandonment to the Superintendent of Public Instruction. WAC 180-87-065; WAC 180-86-110. See also Regulation R303.4.

303.1a amended 1-23-79; 3-26-91

303.1b amended 1-23-79; 2-26-85; 3-26-91

R303.1b1 amended 3-26-91; 2-23-93

R303.1b2 renumbered R303.1d 3-26-91

R303.1b2 adopted 3-26-91; amended 2-23-93

R303.1b3 adopted 3-26-91

300 PERSONNEL, continued

- 303 Separation, continued
- R303.1 Resignation
- R303.1c Certificated Employees - End of Contract Year
- R303.1c1 A certificated employee who does not intend to renew his/her contract for an ensuing school year is requested to inform the Human Resources Department of such intention.
- R303.1c2 When the Superintendent has issued a contract for the ensuing year to a certificated employee and the employee does not return the contract, signed, to the Human Resources Department within ten (10) days of the issuance of the contract, the employee shall be deemed to have abandoned any right to a contract for the ensuing year.
- R303.1d Employees terminating their employment by resignation may not select a holiday as their last day of employment. See Regulation R307.1f.

R303.1c Adopted 3-26-91

R303.1c1 Adopted 3-26-91; amended 2-23-93

R303.1c2 Adopted 3-26-91; amended 2-23-93

R303.1d amended 3-26-91

300 PERSONNEL, continued

- 303 Separation continued
- R303.2 Nonrenewal of Certificated Employee Contracts
- R303.2a The contracts of certificated employees may be nonrenewed for performance deficiencies, pursuant to the reduction in force policy and regulations (Policy 305), or for other reasons deemed by the Superintendent to be in the best interests of the ESD and consistent with applicable law. RCW 28A.310.250.
- R303.2b The decision to nonrenew the employment contract of any certificated employee of the ESD shall be made by the Superintendent and shall be communicated in writing to the employee on or before May 15 in a manner consistent with the requirements of RCW 28A.310.250.
- R303.2c Provisional Employees - Notwithstanding any other provision of Regulation R303.2, nonrenewal of the employment contracts of provisional employees shall be carried out in the manner set forth in RCW 28A.405.220.

### **Amendments to R303.3 (R303.2)**

R303.3 renumbered R303.2 3-29-88

R303.3a amended 1-23-79; renumbered R303.2a 3-29-88

R303.3b amended 1-23-79; 2-21-80; renumbered R303.2b 3-29-88;

R303.3b1 amended 2-21-80; 2-26-85; renumbered R303.2b1 3-29-88

R303.3b2 adopted 2-21-80; renumbered R303.2b2 3-29-88

R303.3c adopted 2-26-85; renumbered R303.2c 3-29-88

R303.3c1 amended 2-25-86; renumbered R303.2c1 3-29-88

R303.2 amended 3-26-91

R303.2a amended 8-28-90; 3-26-91

R303.2b amended 3-26-91

R303.2b1 incorporated in 317 3-26-91

R303.2c deleted 3-26-91 (incorporated in R317.2)

R303.2c1 deleted 3-26-91 (incorporated in R317.2)

R303.2c2 deleted 3-26-91 (incorporated in R317.2)

R303.2c adopted 3-26-91

300 PERSONNEL, continued

- 303 Separation, continued
- R303.3 Abandonment of Employment
- R303.3a Any employee who is absent from his/her position for three (3) consecutive working days without notice to his/her supervisor, may be presumed, by the Superintendent, to have abandoned his/her position.
- R303.3b Regardless of notice to a supervisor, a certificated employee who seeks to resign from employment during the term of his/her contract and whose resignation has not been accepted by the Board of Directors shall be presumed to have abandoned his/her position following three (3) consecutive days of absence from his/her position without good reason acceptable to the Superintendent.
- R303.3c Written notice of separation upon the grounds of abandonment of position shall be sent by certified mail to the last known address of the employee within seven (7) calendar days after the three (3) consecutive days of absence.
- R303.3d The separation shall be effective one (1) day after mailing of the notice. For compensation purposes, the abandonment shall be deemed to have started on the day after the last day worked.

R303.4 adopted 2-21-80; renumbered R303.3 3-29-88

R303.3 amended 3-26-91

R303.3a adopted 3-29-88; 3-26-91

R303.3b renumbered R303.3c 3-26-91

R303.3b adopted 3-26-91

R303.3c renumbered R303.3d 3-26-91

R303.3c amended 3-26-91

R303.3d amended 3-26-91

300 PERSONNEL, continued

303 Separation, continued

R303.4 Discharge for Cause

Discharge of certificated and classified employees for cause shall be carried out in compliance with Policy 317 (Disciplinary Action and Discharge) and applicable statutes.