

## Separation from Employment

ESD employment separation occurs when an employee no longer works at the ESD due to: resignation, discharge, non-renewal, a reduction in force (RIF) or retirement. Employment separation will be carried out by the ESD in accordance with the procedures set out below.

### Resignation

*Certificated Staff:* Certificated staff who wish to resign shall provide written notice of their resignation to their supervisor as soon as possible, preferably by March 1<sup>st</sup> but no later than May 15<sup>th</sup>. Resignations submitted on or before May 15<sup>th</sup> will be accepted with an effective date at the end of the certificated staff's contract.

Certificated staff who want to resign after May 15<sup>th</sup> and prior to the end of their contract may submit a written request with an explanation of the reasons they are unable to honor the contract. The Superintendent or his/her designee will review the request and make a recommendation to the Board of Directors to release the employee if the employee's request is justified and if releasing the employee will not have a significant adverse impact on the needs of the ESD and the continuity of the educational program.

*Administrative and Classified Staff:* Administrative and classified staff who are not working under contract who wish to resign their position shall provide written notice of their resignation to their supervisor. Notice shall be provided as early as possible, and no less than two weeks before the last working day. Administrative and classified staff working pursuant to a contract who wish to resign their position shall provide notice as early as possible and within the timeframe provided for in the contract to terminate or non-renew the contract.

### Discharge and Non-Renewal

Administrative, classified and certificated staff may be discharged from employment in accordance with Board Policy 5281, 5281P Procedures, and where applicable, the terms of their employment contract. Employees who are discharged will receive written notice.

Certificated staff may be separated from employment if the Superintendent determines it is in the ESD's best interest not to renew the certificated staff's employment the following year. Decisions not to renew certificated staff's employment will be made and implemented in accordance with state law.

### Program and Staff Reductions

Staff employed by the ESD may be separated from employment due to a reduction in funding, reduction or abolishment of a program, activity or service, or the need to eliminate staff positions. Employment separation for these reasons is referred to as a reduction in force, or RIF.

### Reduction in Force

In the event the Superintendent determines that a program, activity, or service is to be reduced or abolished, or that a staff position is to be abolished, and/or that the number of staff is to be reduced, the following procedures and criteria shall be applied.

- 1) In the event a program, activity, service, or position which is to be reduced or abolished is determined by the Superintendent to be unique and distinguishable from other programs, activities, and services of the ESD, the staff member(s) performing such unique activities or services may be non-renewed if they are certificated staff, or they may have their hours reduced, or be separated from employment. A staff member's job description, the capacity in which the staff member performs activities or services (i.e., supervisory or nonsupervisory) and the nature of the activities and services performed shall be considered in determining whether a program, activity, service, or position is unique and distinguishable.
- 2) In the event that programs, activities, services, or positions which are to be reduced or abolished are concentrated in one geographic area or facility, or in one school district, the reductions in force

may, at the discretion of the Superintendent, based on their determination of the best interest of the ESD, be limited to the particular geographic area, facility, or school district affected.

- 3) In the event the program, activity or service to be reduced or eliminated is being performed by two or more equally qualified staff members, the staff member(s) to be non-renewed or separated shall be selected based on experience. Equally qualified means possessing the education, skills and experience established by the ESD and reflected in the job description. Experience means the number of years employed by the ESD, another educational service district, public or state approved preschool, elementary or secondary school, vocational or technical school, OSPI or a college or university. Selection for non-renewal or separation will commence with the staff person with the least experience.
- 4) In the event there are multiple equally qualified staff with the same years of experience, those staff members shall be ranked in order of seniority date. Selections for non-renewal or separation will commence with the staff member with the lowest seniority. Seniority shall be established based on the date which the employee began continuous employment at the ESD.
- 5) In the event the application of item 4, above, results in a tie between any two or more staff members, employees shall be placed on the seniority list by date of acceptance of employment offer for the current period of continuous employment. If there is no record of the date of acceptance of the employment offer, the date of the letter of hire will be used.
- 6) In the event the application of item 5, above, results in a tie, ESD 112 employment, including temporary employment, completed prior to the current period of continuous employment will be counted toward seniority.
- 7) In the event the application of item 6, above, results in a tie between any two or more staff members, the staff member(s) to be non-renewed or separated shall be chosen by lot. All staff members so affected shall be notified of the date, place and time of the drawing. The drawing shall be conducted openly and drawn by a disinterested third (3rd) party selected by the Superintendent.

Employees who have been non-renewed or separated from employment due to a reduction in force will be notified in writing. If requested by the employee, the ESD will mail notice, to the last known mailing address of any positions which the employee is qualified for that become open during the six (6) calendar month period immediately following the date their employment ended.

### **Retirement**

Staff who wish to retire may end their employment by providing written notice to their supervisor of their intent to retire. Notice shall be provided as early as possible, preferably at least thirty (30) days prior to the last working day.