

PERSONNEL

Termination of Employment

*Dismissal and Non-renewal*

The Board, after receiving the recommendations of the Superintendent, will determine the non-renewal or termination of certified and classified staff, in conformity with state statutes and applicable District policies.

*Resignation*

Certified and classified personnel will generally be expected to fulfill the terms of their contracts, unless clearly compelling, mitigating circumstances prevent the individual from doing so. The Superintendent is authorized to accept the resignation of an individual employee and must report such resignation to the Board at the next regularly scheduled meeting. A certified employee who resigns after signing a contract with the District may face disciplinary action related to the employee's certificate.

*Reduction in Force*

The Board has exclusive authority to determine the appropriate number of employees. A reduction in employees may occur as a result of, but not be limited to, changes in the education program, staff realignment, changes in the size or nature of the student population, financial considerations, or other reasons deemed relevant by the Board. The Board will follow the procedure stated in the current collective bargaining agreement when considering a reduction in force of certified staff. The Board will consider performance evaluations, staff needs, and other reasons it deems relevant, in determining order of dismissal when it reduces classified staff or discontinues some type of educational service.

*Payment of Wages Upon Termination*

When a District employee quits, is laid off, or is terminated, wages owed will be paid on the next regular pay day for the pay period in which the employee left employment or within fifteen (15) days, whichever occurs first. In the case of an employee terminated for allegations of theft connected to the employee's work, the District may withhold the value of the theft, provided the employee agrees in writing to the withholding or charges have been filed with law enforcement within (7) business days of separation. If no charges are filed against the employee within thirty (30) days of the filing of the report with law enforcement, wages are due upon the expiration of the thirty (30) day period.

**5075 Continued**

§ 20-4-206, MCA	Notification of non-tenure teacher re-election – acceptance – termination
§ 20-4-207, MCA	Dismissal of a teacher under contract
10.55.701, ARM	Board of Trustees
10.57.611, ARM	Substantial Material Non-Performance <i>Booth v. Argenbright</i> , 225 M 272, 731 P.2d 1318, 44 St. Rep. 227 (1987)

Cross References:

Policy History:

Adopted on: 8.13.2013

Revised on: