



Administrative Regulation 4119 Separation: Licensed Employees

Responsible Office: Office of Human Resources
Office of the General Counsel

REGULATION

1. Resignation (Including Retirement)

- a. General Resignation - Resignations by licensed personnel should be presented in writing to the Office of Human Resources, at least one (1) month prior to the date requested for separation. All resignations will be reported to the Board of Trustees.
- b. If a resignation is submitted which is to take effect prior to the completion of a contract, the Chief Human Resources Officer shall make the necessary arrangements for the payment of the salary due to the employee based on the actual time of employment as related to the total contract.

2. Non-Renewal of Contract

- a. The renewal of the contract of any licensed employee beyond the completion of his/her currently held contract may be disallowed for one or more of the following reasons as provided in NRS 391:
 - i. Inefficiency;
 - ii. Immorality;
 - iii. Unprofessional conduct;
 - iv. Insubordination;
 - v. Neglect of duty;
 - vi. Physical or mental incapacity;
 - vii. A justifiable decrease in the number of positions due to decreased enrollment or district reorganization;
 - viii. Conviction of a felony or of a crime involving moral turpitude;

- ix. Inadequate performance;
- x. Evident unfitness for service;
- xi. Failure to comply with such reasonable requirements as the Board of Trustees may prescribe;
- xii. Failure to show normal improvement and evidence of professional training and growth;
- xiii. Advocating overthrow of the Government of the United States or of the State of Nevada by force, violence or other unlawful means, or the advocating or teaching of communism with the intent to indoctrinate pupils to subscribe to communistic philosophy;
- xiv. Any cause which constitutes grounds for the revocation of a teacher's license;
- xv. Willful neglect or failure to observe and carry out the requirements of Title 24, Nevada Revised Statutes;
- xvi. Dishonesty.
- xvii. Breaches in the security or confidentiality of the questions and answers of the achievement and proficiency examinations that are administered pursuant to NRS 389.015;
- xviii. Intentional failure to observe and carry out the requirements of a plan to ensure the security of examinations adopted pursuant to NRS 389.616 or 389.620;
- xix. An intentional violation of NRS 388.5265 or 388.527; or
- xx. An intentional failure to report a violation of NRS 388.135 if the teacher or administrator witnessed the violation.
- xxi. Gross misconduct (Effective July 1, 2011, for: (1) teachers initially employed by a school district on or after July 1, 2011; (2) new employees hired by a school district as administrators on or after July 1, 2011; and (3) post-probationary teachers employed as administrators on or after July 1, 2011, and effective July 1, 2013, for

all teachers, administrators and other licensed employees of a school district.)

- b. In determining whether professional performance of any licensed personnel is adequate, consideration shall be given to the regular and special evaluation reports prepared in accordance with the policies, regulations or any written standards of performance which may have been adopted by the Board of Trustees of the Washoe County School District or as directed by the Superintendent.
- c. When it is deemed desirable to recommend non-renewal of contract for any licensed employee, the Superintendent shall fulfill the requirements specified for the notification of such licensed employee pursuant to the requirements of the Nevada Revised Statutes.

3. Dismissal

- a. Any licensed employee may be dismissed for the following reasons subject to the provisions of NRS 391:
 - i. Inefficiency;
 - ii. Immorality;
 - iii. Unprofessional conduct;
 - iv. Insubordination;
 - v. Neglect of duty;
 - vi. Physical or mental incapacity;
 - vii. A justifiable decrease in the number of positions due to decreased enrollment or district reorganization;
 - viii. Conviction of a felony or of a crime involving moral turpitude;
 - ix. Inadequate performance;
 - x. Evident unfitness for service;
 - xi. Failure to comply with such reasonable requirements as the Board of Trustees may prescribe;

- xii. Failure to show normal improvement and evidence of professional training and growth;
 - xiii. Advocating overthrow of the Government of the United States or of the State of Nevada by force, violence or other unlawful means, or the advocating or teaching of communism with the intent to indoctrinate pupils to subscribe to communistic philosophy;
 - xiv. Any cause which constitutes grounds for the revocation of a teacher's state license;
 - xv. Willful neglect or failure to observe and carry out the requirements of Title 24, Nevada Revised Statutes;
 - xvi. Dishonesty.
 - xxii. Breaches in the security or confidentiality of the questions and answers of the achievement and proficiency examinations that are administered pursuant to NRS 389.015;
 - xxiii. Intentional failure to observe and carry out the requirements of a plan to ensure the security of examinations adopted pursuant to NRS 389.616 or 389.620;
 - xxiv. An intentional violation of NRS 388.5265 or 388.527; or
 - xxv. An intentional failure to report a violation of NRS 388.135 if the teacher or administrator witnessed the violation.
 - xxvi. Gross misconduct (Effective July 1, 2011, for: (1) teachers initially employed by a school district on or after July 1, 2011; (2) new employees hired by a school district as administrators on or after July 1, 2011; and (3) post-probationary teachers employed as administrators on or after July 1, 2011, and effective July 1, 2013, for all teachers, administrators and other licensed employees of a school district.)
 - xxvii. Violation of Administrative Regulation 4119.4, Grounds for Dismissal: Possession of a Weapon on School District Property.
- b. In determining whether professional performance of any licensed personnel is adequate, consideration shall be given to the regular and special evaluation

- reports prepared in accordance with the policies, regulations or any written standards of performance which may have been adopted by the Board of Trustees of the Washoe County School District or as directed by the Superintendent.
- c. When it is deemed desirable to recommend dismissal or non-renewal of contract for any licensed employee, the Superintendent shall fulfill the requirements for notification of such licensed employee pursuant to the requirements of the Nevada Revised Statutes.
4. Reduction in Force
- a. For conditions in which a reduction in force occurs, please see the applicable Negotiated Agreement:
- i. Washoe Education Association - Article 31
 - ii. Washoe School Principals' Association - Article 19
 - iii. Association of Professional and Technical Administrators - Article 18

DEFINITIONS

1. "Employee" means any employee who holds a license through the Nevada Department of Education and who is employed in that capacity by a school district.
2. "Demotion" means of an administrator to a position of lesser rank, responsibility or pay and does not include transfer or reassignment for purposes of an administrative reorganization.
3. "Immorality" means: Certain acts forbidden by NRS 200 (Crimes Against the Person), NRS 201 (Crimes Against Public Decency and Good Morals), 207.260 (Unlawful contact with child or person with mental illness), NRS 453 (Controlled Substances); or an act forbidden by NRS 201.540 or any other sexual conduct or attempted sexual conduct with a pupil enrolled in an elementary or secondary school. As used in this paragraph, "sexual conduct" has the meaning ascribed to it in NRS 201.520.
4. "Gross misconduct" includes any act or omission that is in wanton, willful, reckless or deliberate disregard of the interests of a school or school district or a pupil thereof.

IMPLEMENTATION GUIDELINES

1. This regulation reflects the goals of the District's Strategic Plan, Envision WCSD 2015 – Investing in Our Future:
 - a. Goal 2, Recruit and Support Highly Effective Personnel
 - i. Objective 2.3, Motivate and Retain High-Performing Employees
 - b. Goal 5, Align Performance Management Systems.
2. This Administrative Regulation complies with Board Policy 4119, Separation of Service.
3. The following Administrative Regulations outline the process(s) the District will follow related to Resignation / Retirement:
 - a. Administrative Regulation 4146, Retirement Contributions (Licensed Employees)
 - b. Administrative Regulation 4148, Early Separation Incentive Plan (ESIP) - Licensed Employees Covered Under the Negotiated Agreement with the Washoe Education Association
 - c. Administrative Regulation 4149, Early Separation Incentive Plan (ESIP) – Licensed and Professional-Technical Administrators
 - d. Administrative Regulation 4236, Early Separation Incentive Plan (ESIP) – Classified (Education Support Professionals)
 - e. Administrative Regulation 4236.1, Retirement Contributions – Classified (Education Support Professionals)
4. The following Administrative Regulations outline the process(s) the District will follow related to Dismissal:
 - a. Administrative Regulation 4111.4, Ethical Standards
 - b. Administrative Regulation 4111.5, Safe and Respectful Learning Environment
 - c. Administrative Regulation 4119.1, Calendar for Action on Dismissal or Non-Renewal of Contract for Post-Probationary Licensed Administrators.
 - d. Administrative Regulation 4119.2, Suspension (Licensed Employee)

- e. Administrative Regulation 4119.4, Grounds for Dismissal: Possession of a Weapon on School District Property
 - f. Administrative Regulation 4214, Alcohol and Controlled Substance Testing (Employees Licensed to Operate a Commercial Vehicle)
 - g. Administrative Regulation 4219, Employee Discipline – Support Personnel
5. This policy aligns with the Collective Bargaining Agreements of the employee associations:
 - a. Washoe Education Association (WEA);
 - b. Association of Professional and Technical Administrators (APTA); and
 - c. Washoe School Principals' Association (WSPA).
 6. This policy complies with Nevada Revised Statutes (NRS) Chapter 288, Relations Between Governments and Public Employees, and specifically:
 - a. NRS 288.140 – 288.220, Recognition of and Negotiation with Employee Organizations
 - i. NRS 288.151, Factors for consideration in reductions in workforce of school districts
 7. This policy complies with Nevada Revised Statutes (NRS) Chapter 391, Personnel, and specifically:
 - a. NRS 391.311 - 391.3196: Suspensions, Demotions, Dismissals and Refusals to Reemploy, Reemployment.
 - b. NRS 391.330: Grounds for suspension or revocation of license.
 8. This policy complies with Nevada Revised Statutes (NRS) Chapter 202, Crimes Against Public Health and Safety, and specifically:
 - a. 202.265, Possession of dangerous weapon on property of school.
 9. This policy complies with Nevada Revised Statutes (NRS) Chapter 393, School Property, and specifically:
 - a. NRS 393.410, Damage to School Property (Unlawful Acts)

REGULATION HISTORY

Date	Revision	Modification
4/11/67	1.0	Adopted
6/9/1970 10/13/1971 10/27/1992 7/14/1998	2.0	Revisions
11/15/2012	3.0	Revised: changes to NRS during 2011 Legislative Session, formatting changes