Washington County School District
121 West Tabernacle Street
Saint George, Utah 84770
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District Policy 1320

Separation Incentive

Personnel-Washington County School District - Approved 1-10-06; Revised 5-8-07; Revised 8-12-08; Revised 3-4-14; Revised 7-13-21.

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1. Purpose

Separation Incentives (SI) must be authorized in advance by the Board of Education. They are used as a tool to minimize the adverse impact of downsizing, during fiscal distress, loss of student enrollment, or other conditions where the District must achieve savings, while avoiding furloughs or layoffs. Participation in the Separation Incentive is voluntary and is available to employees who qualify based on the eligibility requirements set forth below.

2. Policy

2.1. If a Separation Incentive is offered, it is the responsibility of each employee to carefully evaluate his/her personal economic situation with respect to their own financial situation prior to applying for District SI.

2.2. SIs provided by the Washington County School District are subject to change and benefits described in this Policy are not vested until the employee is eligible for and has applied for SI, signed a District Application for Incentive Participation, and received Board approval of an SI Application. Once the signed application and agreement form(s) are approved by the Board, the decision of the employee to separate from the District may not be rescinded without the written agreement of both the employee and the Board.

2.3. No action may be brought in any court to enforce or contest any provision, term, or condition of this policy unless the person contesting the act or omission has exhausted the administrative remedy provided in the WCSD Grievance Procedure, Policy 1720, except the grievance shall be filed at step one of the formal procedure. (5-8-07)

3. Procedure

3.1. Definitions:

3.1.1. District means Washington County School District.

3.1.2. Separation is the complete separation from employment in the Washington County School District.

3.1.3. Uninterrupted/continuous employment means employment without a separation of District employment of any kind. An authorized leave of absence, sabbatical leave, FMLA leave, or an employee who worked a full contract year, was terminated at the end of the contract year, and was subsequently rehired within 90 calendar days of the start of the following contract year is not considered to have a separation of district employement, unless the employee received a separation incentive in consideration of termination.

3.1.4. FTE means Full Time Equivalent employee. The maximum FTE calculation for the purposes of this policy is one (1). To be credited with one FTE a classified employee must have been employed in a position that required at least 40 hours of work per week for a minimum of 180 days or more and a Certified employee must have been contracted to work for the entire school year on a "full time" basis. The fraction of a part-time contract will determine the appropriate fraction of an FTE.

3.2. Eligibility Requirements

3.2.1.To qualify for the SI the applicant must have been continuously employed by the District for a minimum of ten (10) consecutive full contract years just prior to separation under contracts that were eligible for enrollment and membership in the Utah Retirement System according to the Utah Retirement Systems' rules and regulations.

3.2.2. Employees with fewer than 20 years of WCSD uninterrupted continuous qualifying employment service at the time of separation must apply for and be qualified to receive retirement benefits from the Utah Retirement System (URS) as of the date of separation from the District and not be receiving retirement benefits from the URS because of an earlier retirement. The applicant must submit a signed application for retirement to the URS according to its rules and an application for District ERI on District provided forms. Failure to actually retire according to URS rules immediately following District employment will result in forfeiture of the ERI and all District benefits for employees with less than 20 years of service.

3.2.3. SI will not be paid unless the eligible employee separates at the end of the contract year. Mid year SI will not be authorized unless approved by the Board. Approval is limited to compelling unforeseen conditions that prohibit the employee from completing the contract such as illness or health related issues and it can be demonstrated that the educational program will not be disrupted because of the separation.

3.3. Application and Notice Requirements::

3.3.1. SI Application WCSD form 542 and Agreement form(s) may be obtained from the District Office.

3.3.2. To be considered for the SI, an application (WCSD form 542) must be completed and submitted to the Office of the Superintendent no later than the 31st of January of the final year of service.

3.3.3. RESERVED

3.3.4. The applications of those candidates that qualify for the program will be forwarded to the Board for appropriate action at a regularly scheduled Board meeting. Any questions regarding the eligibility of an individual will be reviewed with the applicant by the Human Resource Director.

3.3.5. Any exceptions to this policy, to include a separation effective on a date other than at the end of the contract year, will require Board action. Benefits must comply with application deadline dates.

3.4. RESERVED

3.5. Separation Incentive Benefits:

3.5.1. RESERVED

3.5.2. The Benefit payment identified in Table 3.5 will be adjusted by the employee's average FTE over the last 10 years of service. For example, an eligible employee who worked half-time during the last 10 years will have an average FTE of .5, the employee will therefore receive half of the amount in the applicable row of Table 3.5 as the final benefit payment.

Table 3.5

Years of WCSD Uninterrupted Continuous Qualifying Employment Service at Time of Separation (see § 3.2.1)	Maximum Lump Sum Benefit Payment to a Qualified Tax Sheltered Annuity Plan
0 to 9.9	Ineligible
10 to 14.9 *must qualify for retirement under URS regulations	$5,000
15 to 19.9 *must qualify for retirement under URS regulations	$10,000
20 to 24.9	$15,000
25 or more	$25,000

3.5.3. Amounts in Table 3.5 will be adjusted at the same rate as the cost of living adjustments made to the teacher's salary schedule beginning after the 2006-07 school year.

3.5.4. The Lump Sum Benefit Payment may be used to purchase URS retirement service credit under Utah Code 49-3-410, deposited to a qualified Tax Sheltered Annuity such as a 401A, 401K, or 403B, or a combination of any such distribution within 3 weeks of the employee's separation date. In no case will the employee be eligible for a "Cash" payment.

3.6. Re-employment after separation:

3.6.1. An employee who retires from the District may be rehired within the limitations and conditions specified in District policy and is subject to the limitations within the Utah Retirement System.

3.6.2. Post-retired former District employees who participated in the "phase-out" Early Retirement Incentive Program who received benefits as a percent of salary and health insurance benefits are considered to have a voluntary break in service for the purposes of pay setting. Prior years of service or experience will not count toward steps on the pay scale.

3.6.3. Employees who receive benefits under the Separation Incentive (SI) program, described in this policy are not subject to the limitations established in paragraph 3.6.2 that excludes credit for prior years of service or experience toward steps on the pay scale.

Form 542 Application for Separation Incentive Participation