

# Court: No unemployment for teacher who quit early

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SEATTLE (AP) – A Spanish teacher who tried to do his school district a favor by quitting early – instead of in the middle of the school year – was not entitled to unemployment pay, Washington’s Supreme Court said in a unanimous ruling Thursday.

Robert Campbell taught in University Place for about six years before his wife learned she had won a Fulbright grant to study in Finland for four months, beginning in February 2011.

His wife, Sarah Applegate, is a teacher-librarian at River Ridge High School in Lacey. She was based at the University of Helsinki, the country's capital city, and her goal was to study how Finnish students are taught literacy and research skills, according to an Olympian archive story.

Campbell asked for a leave of absence so he could go along and care for the couple’s 3-year-old daughter, but the district denied it, saying it would be too tough to hire a short-term replacement.

So Campbell had two options: He could quit in June 2010, giving the district time to hire someone else before the next school year, or he could quit in the middle of the school year, leaving his students in the lurch, upsetting his bosses and hurting his future employment chances. He decided on the former.

Without any immediate work for the next several months before his family left for Finland, he filed for unemployment benefits.

The state Department of Employment Security rejected the claim, and the state appeals court agreed, saying that to be eligible for unemployment pay in such circumstances, people must stay in their job as long as reasonably possible before following their spouses.

“Campbell’s decision to quit at the close of the 2009-2010 school year cannot satisfy the requirement that he remain employed as long as reasonable prior to the move,” Justice Debra Stephens wrote for the court.

The court’s role in the case was limited to determining whether the department’s denial was “clearly erroneous,” and it wasn’t, Stephens wrote.

She said that while ethical and professional obligations can be considered as part of the Employment Security Department’s analysis of whether someone has remained in a job as long

as reasonable, there was nothing in the court record to prove that it was actually preferable to the school district that Campbell quit when he did.

Campbell's lawyer, Marc Lampson of the Unemployment Law Project in Seattle, said it was common sense that it would be better for the district to have the summer to hire a replacement before the school year than to try to find a replacement in the middle of the year.

"What Mr. Campbell did was completely reasonable," Lampson said. "He really felt that was the most logical, professional thing to do, and that's what he did."

Lampson noted that had the district granted the leave of absence, Campbell would not have been eligible for unemployment. But because he felt obliged to quit and did so, he should have been eligible, Lampson argued. Campbell would not have received any benefits while abroad.

Lampson said he believes his client is teaching again.

As for Finland?

"I think they had a good time," he said.

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Olympian staff reporter Lisa Pemberton contributed to this report.

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