
HOUSE BILL 2277

State of Washington

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1994 Regular Session

By Representatives Jones, Dorn, R. Meyers, Schmidt, Pruitt, Karahalios, Holm, Kessler, Zellinsky, Brough, Mastin, Patterson, Basich and J. Kohl

Read first time 01/12/94. Referred to Committee on Education.

1 AN ACT Relating to teacher evaluation; amending RCW 28A.405.100;
2 and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.405.100 and 1990 c 33 s 386 are each amended to
5 read as follows:

6 (1) The superintendent of public instruction shall establish and
7 may amend from time to time minimum criteria for the evaluation of the
8 professional performance capabilities and development of certificated
9 classroom teachers and certificated support personnel. For classroom
10 teachers the criteria shall be developed in the following categories:
11 Instructional skill; classroom management, professional preparation and
12 scholarship; effort toward improvement when needed; the handling of
13 student discipline and attendant problems; and interest in teaching
14 pupils and knowledge of subject matter.

15 Every board of directors shall, in accordance with procedure
16 provided in RCW 41.59.010 through 41.59.170, 41.59.910 and 41.59.920,
17 establish evaluative criteria and procedures for all certificated
18 classroom teachers and certificated support personnel. The evaluative
19 criteria must contain as a minimum the criteria established by the

1 superintendent of public instruction pursuant to this section and must
2 be prepared within six months following adoption of the superintendent
3 of public instruction's minimum criteria. The district must certify to
4 the superintendent of public instruction that evaluative criteria have
5 been so prepared by the district.

6 Except as provided in subsection (5) of this section, it shall be
7 the responsibility of a principal or his or her designee to evaluate
8 all certificated personnel in his or her school. During each school
9 year all classroom teachers and certificated support personnel,
10 hereinafter referred to as "employees" in this section, shall be
11 observed for the purposes of evaluation at least twice in the
12 performance of their assigned duties. Total observation time for each
13 employee for each school year shall be not less than sixty minutes.
14 Following each observation, or series of observations, the principal or
15 other evaluator shall promptly document the results of the evaluation
16 in writing, and shall provide the employee with a copy thereof within
17 three days after such report is prepared. New employees shall be
18 observed at least once for a total observation time of thirty minutes
19 during the first ninety calendar days of their employment period.

20 Every employee whose work is judged unsatisfactory based on
21 district evaluation criteria shall be notified in writing of stated
22 specific areas of deficiencies along with a suggested specific and
23 reasonable program for improvement on or before February 1st of each
24 year. A probationary period shall be established beginning on or
25 before February 1st and ending no later than May 1st. The purpose of
26 the probationary period is to give the employee opportunity to
27 demonstrate improvements in his or her areas of deficiency. The
28 establishment of the probationary period and the giving of the notice
29 to the employee of deficiency shall be by the school district
30 superintendent and need not be submitted to the board of directors for
31 approval. During the probationary period the evaluator shall meet with
32 the employee at least twice monthly to supervise and make a written
33 evaluation of the progress, if any, made by the employee. The
34 evaluator may authorize one additional certificated employee to
35 evaluate the probationer and to aid the employee in improving his or
36 her areas of deficiency; such additional certificated employee shall be
37 immune from any civil liability that might otherwise be incurred or
38 imposed with regard to the good faith performance of such evaluation.
39 The probationer may be removed from probation if he or she has

1 demonstrated improvement to the satisfaction of the principal in those
2 areas specifically detailed in his or her initial notice of deficiency
3 and subsequently detailed in his or her improvement program. Lack of
4 necessary improvement shall be specifically documented in writing with
5 notification to the probationer and shall constitute grounds for a
6 finding of probable cause under RCW 28A.405.300 or 28A.405.210.

7 The establishment of a probationary period shall not be deemed to
8 adversely affect the contract status of an employee within the meaning
9 of RCW 28A.405.300.

10 (2) Every board of directors shall establish evaluative criteria
11 and procedures for all superintendents, principals, and other
12 administrators. It shall be the responsibility of the district
13 superintendent or his or her designee to evaluate all administrators.
14 Such evaluation shall be based on the administrative position job
15 description. Such criteria, when applicable, shall include at least
16 the following categories: Knowledge of, experience in, and training in
17 recognizing good professional performance, capabilities and
18 development; school administration and management; school finance;
19 professional preparation and scholarship; effort toward improvement
20 when needed; interest in pupils, employees, patrons and subjects taught
21 in school; leadership; and ability and performance of evaluation of
22 school personnel.

23 (3) Each certificated employee shall have the opportunity for
24 confidential conferences with his or her immediate supervisor on no
25 less than two occasions in each school year. Such confidential
26 conference shall have as its sole purpose the aiding of the
27 administrator in his or her professional performance.

28 (4) The failure of any evaluator to evaluate or supervise or cause
29 the evaluation or supervision of certificated employees or
30 administrators in accordance with this section, as now or hereafter
31 amended, when it is his or her specific assigned or delegated
32 responsibility to do so, shall be sufficient cause for the nonrenewal
33 of any such evaluator's contract under RCW 28A.405.210, or the
34 discharge of such evaluator under RCW 28A.405.300.

35 (5) After an employee has four years of satisfactory evaluations
36 under subsection (1) of this section, a school district ((may)) shall
37 use ~~((a short form of evaluation. The short form of evaluation shall~~
38 ~~include either a thirty minute observation during the school year with~~
39 ~~a written summary or a final annual written evaluation based on the~~

1 ~~criteria in subsection (1) of this section and based on at least two~~
2 ~~observation periods during the school year totaling at least sixty~~
3 ~~minutes without a written summary of such observations being prepared))~~
4 an evaluation program as provided in RCW 28A.405.150(3). However, the
5 evaluation process set forth in subsection (1) of this section shall be
6 followed at least once every ~~((three))~~ five years and an employee or
7 evaluator may request that the evaluation process set forth in
8 subsection (1) of this section be conducted in any given school year.
9 The ~~((short form evaluation process))~~ evaluation program provided in
10 RCW 28A.405.150(3) may not be used as a basis for determining that an
11 employee's work is unsatisfactory under subsection (1) of this section
12 nor as probable cause for the nonrenewal of an employee's contract
13 under RCW 28A.405.210.

14 NEW SECTION. **Sec. 2.** This act shall take effect September 1,
15 1994.

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