

# SENATE BILL REPORT

## SHB 1385

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As of April 1, 1997

**Title:** An act relating to the probationary period for certificated educational employees.

**Brief Description:** Changing probation provisions for certificated educational employees.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Johnson, B. Thomas, Talcott, Sump and Hickel).

**Brief History:**

**Committee Activity:** Education: 4/3/97.

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### SENATE COMMITTEE ON EDUCATION

**Staff:** Karen Carter (786-7424)

**Background:** School principals are responsible for evaluating the performance of classroom teachers and certificated support personnel at least twice each year. Work judged to be unsatisfactory by district performance standards is grounds for probation. Under current law, district superintendents must notify employees of their probation by February 1 and such probation cannot extend beyond May 1. The probation notice must be specific as to the areas of work deficiency, and a reasonable, suggested program for improvement must be offered. Lack of necessary performance improvements thereafter is probable cause and grounds for discharge, or for not renewing an employee's contract.

**Summary of Bill:** The time frame governing the probation of a certificated school employee is modified. Transfer or reassignment of probationary employees without documentation is restricted. Options to reassign probationary employees for lack of subsequent performance improvements are created.

Modification of Probationary Period: An employee may be placed on probation any time after October 15 for failure to meet district employee performance standards. The probation is limited to 60 days. Lack of necessary performance improvements by a certificated staff member during his or her 60 days of probation is probable cause and grounds for discharge, or for not renewing the employee's contract.

Documentation Required to Transfer or Reassign: An employee may not be transferred from the supervision of the original evaluator during the probationary period. The original evaluator must document subsequent performance improvement, or probable cause for nonrenewal, before any consideration may be given to a request for transfer or reassignment.

Options for Nonperformance: If the probationary employee does not produce the necessary performance improvements, detailed in the initial notice, then after 60 days has expired, the district may reassign that employee for the remainder of the school year. Reassignments cannot displace another school employee nor should they adversely affect the compensation

or benefits of the reassigned, nonperforming employee. If reassignment is not possible, a district may choose to place the nonperforming employee on paid leave for the balance of his or her contract term.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.