

SENATE BILL REPORT

SB 6278

As of February 3, 2012

Title: An act relating to provisional school employees.

Brief Description: Regarding provisional school employees' contracts.

Sponsors: Senators Hobbs and Schoesler; by request of Superintendent of Public Instruction.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/23/12.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Ingrid Mungia (786-7423)

Background: Except for superintendents, all school district employees are hired on a one year contract. Teachers and other certificated instructional staff (CIS) are considered provisional employees during the first three years of employment or during the first year in a new district if they have worked at least two years in another district. While there are some procedures and due process requirements for nonrenewal of a provisional employee's contract, it is not necessary for the district to show probable cause as a justification. All other certificated staff are considered to have continuing contract status where probable cause must be shown for nonrenewal.

For teachers and other CIS whose performance is judged not satisfactory, a probationary period of 60 school days must be established, along with a program for improvement in specific areas of deficiency. The employee may be removed from probation if the employee has demonstrated improvement to the satisfaction of the evaluator in the areas identified. Lack of improvement is grounds for a finding of probable cause for nonrenewal of contract.

Legislation enacted in 2010 directed development of revised evaluation systems for teachers and principals. The revised systems must be implemented in all school districts beginning in the 2013-14 school year.

Summary of Bill: Beginning in the 2013-14 school year, teachers and other CIS who are under continuing contracts who receive an unsatisfactory evaluation rating for two years in a row are moved back to provisional status, including those who have been on probation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Superintendent of Public Instruction must adopt rules by July 1, 2013, to implement these provisions.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: All these evaluations are out there, and we know we need evaluations. Everything needs to be on the table. Our evaluation system is a step in the right direction. The idea was to make a system that is robust and fair. The system needs professional development. Principals need more professional development not because they are not doing it correctly, but to make sure they are getting it right and they understand it. To make sure they have the skills to help the teacher that is struggling and also to identify the teacher that is struggling. Identifying great teachers is more difficult than people thought. We are learning as we go. We are committed to an evaluation pilot. If we have a struggling teacher, then we have a struggling classroom. Don't underestimate the quality of teachers have on children.

CON: The Washington Education Association (WEA) believes these concepts were presented last year, and they failed for good reason. There is no indication they will help student learning. There is not any research to show an evaluation system should be a valid tool for using it as a tool in a reduction in force. This bill eliminates due process in the system.

Persons Testifying: PRO: Senator Hobbs, prime sponsor; Randy Dorn, Superintendent of Public Instruction; Ramona Hattendorf, WA State PTA; Jonelle Adams, WA State School Directors Assn.

CON: Lucinda Young, WEA.