

SSB 5246 - S AMD 469  
By Senator Litzow

1       Strike everything after the enacting clause and insert the  
2 following:

3       "**Sec. 1.** RCW 28A.405.100 and 2012 c 35 s 1 are each amended to  
4 read as follows:

5       (1)(a) Except as provided in subsection (2) of this section, the  
6 superintendent of public instruction shall establish and may amend from  
7 time to time minimum criteria for the evaluation of the professional  
8 performance capabilities and development of certificated classroom  
9 teachers and certificated support personnel. For classroom teachers  
10 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       (b) 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  
20 superintendent of public instruction pursuant to this section and must  
21 be prepared within six months following adoption of the superintendent  
22 of public instruction's minimum criteria. The district must certify to  
23 the superintendent of public instruction that evaluative criteria have  
24 been so prepared by the district.

25       (2)(a) Pursuant to the implementation schedule established in  
26 subsection (7)(c) of this section, every board of directors shall, in  
27 accordance with procedures provided in RCW 41.59.010 through 41.59.170,  
28 41.59.910, and 41.59.920, establish revised evaluative criteria and a  
29 four-level rating system for all certificated classroom teachers.

1 (b) The minimum criteria shall include: (i) Centering instruction  
2 on high expectations for student achievement; (ii) demonstrating  
3 effective teaching practices; (iii) recognizing individual student  
4 learning needs and developing strategies to address those needs; (iv)  
5 providing clear and intentional focus on subject matter content and  
6 curriculum; (v) fostering and managing a safe, positive learning  
7 environment; (vi) using multiple student data elements to modify  
8 instruction and improve student learning; (vii) communicating and  
9 collaborating with parents and the school community; and (viii)  
10 exhibiting collaborative and collegial practices focused on improving  
11 instructional practice and student learning. Student growth data, as  
12 determined under (f) of this subsection, must be a substantial factor  
13 in evaluating the summative performance of certificated classroom  
14 teachers for at least three of the evaluation criteria listed in this  
15 subsection.

16 (c) The four-level rating system used to evaluate the certificated  
17 classroom teacher must describe performance along a continuum that  
18 indicates the extent to which the criteria have been met or exceeded.  
19 The summative performance ratings shall be as follows: Level 1 -  
20 unsatisfactory; level 2 - basic; level 3 - proficient; and level 4 -  
21 distinguished. A classroom teacher shall receive one of the four  
22 summative performance ratings for each of the minimum criteria in (b)  
23 of this subsection and one of the four summative performance ratings  
24 for the evaluation as a whole, which shall be the comprehensive  
25 summative evaluation performance rating. By December 1, 2012, the  
26 superintendent of public instruction must adopt rules prescribing a  
27 common method for calculating the comprehensive summative evaluation  
28 performance rating for each of the preferred instructional frameworks,  
29 including for a focused evaluation under subsection (12) of this  
30 section, giving appropriate weight to the indicators evaluated under  
31 each criteria and maximizing rater agreement among the frameworks.

32 (d) By December 1, 2012, the superintendent of public instruction  
33 shall adopt rules that provide descriptors for each of the summative  
34 performance ratings, based on the development work of pilot school  
35 districts under subsection (7) of this section. Any subsequent changes  
36 to the descriptors by the superintendent may only be made following  
37 consultation with a group broadly reflective of the parties represented  
38 in subsection (7)(a) of this section.

1 (e) By September 1, 2012, the superintendent of public instruction  
2 shall identify up to three preferred instructional frameworks that  
3 support the revised evaluation system. The instructional frameworks  
4 shall be research-based and establish definitions or rubrics for each  
5 of the four summative performance ratings for each evaluation criteria.  
6 Each school district must adopt one of the preferred instructional  
7 frameworks and post the selection on the district's web site. The  
8 superintendent of public instruction shall establish a process for  
9 approving minor modifications or adaptations to a preferred  
10 instructional framework that may be proposed by a school district.

11 (f)(i) Student growth data that is relevant to the teacher and  
12 subject matter must be a factor in the evaluation process and must be  
13 based on multiple measures that can include classroom-based, school-  
14 based, district-based, and state-based tools. However, for teachers  
15 who teach reading or language arts or mathematics in a grade in which  
16 the federally mandated statewide student assessments are administered,  
17 one of the multiple measures of student growth must be the student  
18 results on the relevant assessments. The office of the superintendent  
19 of public instruction shall provide to each school district the  
20 relevant state-level assessment information necessary to determine  
21 student growth for the purpose of teacher evaluations.

22 (ii) Student growth data elements may include the teacher's  
23 performance as a member of a grade-level, subject matter, or other  
24 instructional team within a school when the use of this data is  
25 relevant and appropriate.

26 (iii) Any rules adopted by the office of the superintendent of  
27 public instruction regarding student growth goals set by a teacher and  
28 principal must assume that students achieve one year of student growth  
29 in a given academic year. The goal may be less than one full year of  
30 student growth when there are unavoidable circumstances on an  
31 individual student basis.

32 (iv) Student growth data elements may also include the teacher's  
33 performance as a member of the overall instructional team of a school  
34 when use of this data is relevant and appropriate. As used in this  
35 subsection (2), "student growth" means the change in student  
36 achievement between two points in time.

37 (g) Student input may also be included in the evaluation process.

1 (3)(a) Except as provided in subsection (11) of this section, it  
2 shall be the responsibility of a principal or his or her designee to  
3 evaluate all certificated personnel in his or her school. During each  
4 school year all classroom teachers and certificated support personnel  
5 shall be observed for the purposes of evaluation at least twice in the  
6 performance of their assigned duties. Total observation time for each  
7 employee for each school year shall be not less than sixty minutes. An  
8 employee in the third year of provisional status as defined in RCW  
9 28A.405.220 shall be observed at least three times in the performance  
10 of his or her duties and the total observation time for the school year  
11 shall not be less than ninety minutes. Following each observation, or  
12 series of observations, the principal or other evaluator shall promptly  
13 document the results of the observation in writing, and shall provide  
14 the employee with a copy thereof within three days after such report is  
15 prepared. New employees shall be observed at least once for a total  
16 observation time of thirty minutes during the first ninety calendar  
17 days of their employment period.

18 (b) As used in this subsection and subsection (4) of this section,  
19 "employees" means classroom teachers and certificated support personnel  
20 except where otherwise specified.

21 (4)(a) At any time after October 15th, an employee whose work is  
22 not judged satisfactory based on district evaluation criteria shall be  
23 notified in writing of the specific areas of deficiencies along with a  
24 reasonable program for improvement. For classroom teachers who have  
25 been transitioned to the revised evaluation system pursuant to the  
26 district implementation schedule adopted under subsection (7)(c) of  
27 this section, the following comprehensive summative evaluation  
28 performance ratings based on the evaluation criteria in subsection  
29 (2)(b) of this section mean a classroom teacher's work is not judged  
30 satisfactory:

- 31 (i) Level 1; or
- 32 (ii) Level 2 if the classroom teacher is a continuing contract  
33 employee under RCW 28A.405.210 with more than five years of teaching  
34 experience and if the level 2 comprehensive summative evaluation  
35 performance rating has been received for two consecutive years or for  
36 two years within a consecutive three-year time period.

37 (b) During the period of probation, the employee may not be  
38 transferred from the supervision of the original evaluator.

1 Improvement of performance or probable cause for nonrenewal must occur  
2 and be documented by the original evaluator before any consideration of  
3 a request for transfer or reassignment as contemplated by either the  
4 individual or the school district. A probationary period of sixty  
5 school days shall be established. Days may be added if deemed  
6 necessary to complete a program for improvement and evaluate the  
7 probationer's performance, as long as the probationary period is  
8 concluded before May 15th of the same school year. The probationary  
9 period may be extended into the following school year if the  
10 probationer has five or more years of teaching experience and has a  
11 comprehensive summative evaluation performance rating as of May 15th of  
12 less than level 2. The establishment of a probationary period does not  
13 adversely affect the contract status of an employee within the meaning  
14 of RCW 28A.405.300. The purpose of the probationary period is to give  
15 the employee opportunity to demonstrate improvements in his or her  
16 areas of deficiency. The establishment of the probationary period and  
17 the giving of the notice to the employee of deficiency shall be by the  
18 school district superintendent and need not be submitted to the board  
19 of directors for approval. During the probationary period the  
20 evaluator shall meet with the employee at least twice monthly to  
21 supervise and make a written evaluation of the progress, if any, made  
22 by the employee. The evaluator may authorize one additional  
23 certificated employee to evaluate the probationer and to aid the  
24 employee in improving his or her areas of deficiency. Should the  
25 evaluator not authorize such additional evaluator, the probationer may  
26 request that an additional certificated employee evaluator become part  
27 of the probationary process and this request must be implemented by  
28 including an additional experienced evaluator assigned by the  
29 educational service district in which the school district is located  
30 and selected from a list of evaluation specialists compiled by the  
31 educational service district. Such additional certificated employee  
32 shall be immune from any civil liability that might otherwise be  
33 incurred or imposed with regard to the good faith performance of such  
34 evaluation. If a procedural error occurs in the implementation of a  
35 program for improvement, the error does not invalidate the  
36 probationer's plan for improvement or evaluation activities unless the  
37 error materially affects the effectiveness of the plan or the ability  
38 to evaluate the probationer's performance. The probationer must be

1 removed from probation if he or she has demonstrated improvement to the  
2 satisfaction of the evaluator in those areas specifically detailed in  
3 his or her initial notice of deficiency and subsequently detailed in  
4 his or her program for improvement. A classroom teacher who has been  
5 transitioned to the revised evaluation system pursuant to the district  
6 implementation schedule adopted under subsection (7)(c) of this section  
7 must be removed from probation if he or she has demonstrated  
8 improvement that results in a new comprehensive summative evaluation  
9 performance rating of level 2 or above for a provisional employee or a  
10 continuing contract employee with five or fewer years of experience, or  
11 of level 3 or above for a continuing contract employee with more than  
12 five years of experience. Lack of necessary improvement during the  
13 established probationary period, as specifically documented in writing  
14 with notification to the probationer constitutes grounds for a finding  
15 of probable cause under RCW 28A.405.300 or 28A.405.210.

16 (c) When a continuing contract employee with five or more years of  
17 experience receives a comprehensive summative evaluation performance  
18 rating below level 2 for two consecutive years, the school district  
19 shall, within ten days of the completion of the second comprehensive  
20 summative ((~~comprehensive~~ [~~comprehensive summative~~])) evaluation or May  
21 15th, whichever occurs first, implement the employee notification of  
22 discharge as provided in RCW 28A.405.300.

23 (d) Immediately following the completion of a probationary period  
24 that does not produce performance changes detailed in the initial  
25 notice of deficiencies and program for improvement, the employee may be  
26 removed from his or her assignment and placed into an alternative  
27 assignment for the remainder of the school year. In the case of a  
28 classroom teacher who has been transitioned to the revised evaluation  
29 system pursuant to the district implementation schedule adopted under  
30 subsection (7)(c) of this section, the teacher may be removed from his  
31 or her assignment and placed into an alternative assignment for the  
32 remainder of the school year immediately following the completion of a  
33 probationary period that does not result in the required comprehensive  
34 summative evaluation performance ratings specified in (b) of this  
35 subsection. This reassignment may not displace another employee nor  
36 may it adversely affect the probationary employee's compensation or  
37 benefits for the remainder of the employee's contract year. If such

1 reassignment is not possible, the district may, at its option, place  
2 the employee on paid leave for the balance of the contract term.

3 (5) Every board of directors shall establish evaluative criteria  
4 and procedures for all superintendents, principals, and other  
5 administrators. It shall be the responsibility of the district  
6 superintendent or his or her designee to evaluate all administrators.  
7 Except as provided in subsection (6) of this section, such evaluation  
8 shall be based on the administrative position job description. Such  
9 criteria, when applicable, shall include at least the following  
10 categories: Knowledge of, experience in, and training in recognizing  
11 good professional performance, capabilities and development; school  
12 administration and management; school finance; professional preparation  
13 and scholarship; effort toward improvement when needed; interest in  
14 pupils, employees, patrons and subjects taught in school; leadership;  
15 and ability and performance of evaluation of school personnel.

16 (6)(a) Pursuant to the implementation schedule established by  
17 subsection (7)(b) of this section, every board of directors shall  
18 establish revised evaluative criteria and a four-level rating system  
19 for principals.

20 (b) The minimum criteria shall include: (i) Creating a school  
21 culture that promotes the ongoing improvement of learning and teaching  
22 for students and staff; (ii) demonstrating commitment to closing the  
23 achievement gap; (iii) providing for school safety; (iv) leading the  
24 development, implementation, and evaluation of a data-driven plan for  
25 increasing student achievement, including the use of multiple student  
26 data elements; (v) assisting instructional staff with alignment of  
27 curriculum, instruction, and assessment with state and local district  
28 learning goals; (vi) monitoring, assisting, and evaluating effective  
29 instruction and assessment practices; (vii) managing both staff and  
30 fiscal resources to support student achievement and legal  
31 responsibilities; and (viii) partnering with the school community to  
32 promote student learning. Student growth data, as determined under (f)  
33 of this subsection, must be a substantial factor in evaluating the  
34 summative performance of the principal for at least three of the  
35 evaluation criteria listed in this subsection.

36 (c) The four-level rating system used to evaluate the principal  
37 must describe performance along a continuum that indicates the extent  
38 to which the criteria have been met or exceeded. The summative

1 performance ratings shall be as follows: Level 1 - unsatisfactory;  
2 level 2 - basic; level 3 - proficient; and level 4 - distinguished. A  
3 principal shall receive one of the four summative performance ratings  
4 for each of the minimum criteria in (b) of this subsection and one of  
5 the four summative performance ratings for the evaluation as a whole,  
6 which shall be the comprehensive summative evaluation performance  
7 rating.

8 (d) By December 1, 2012, the superintendent of public instruction  
9 shall adopt rules that provide descriptors for each of the summative  
10 performance ratings, based on the development work of pilot school  
11 districts under subsection (7) of this section. Any subsequent changes  
12 to the descriptors by the superintendent may only be made following  
13 consultation with a group broadly reflective of the parties represented  
14 in subsection (7)(a) of this section.

15 (e) By September 1, 2012, the superintendent of public instruction  
16 shall identify up to three preferred leadership frameworks that support  
17 the revised evaluation system. The leadership frameworks shall be  
18 research-based and establish definitions or rubrics for each of the  
19 four performance ratings for each evaluation criteria. Each school  
20 district shall adopt one of the preferred leadership frameworks and  
21 post the selection on the district's web site. The superintendent of  
22 public instruction shall establish a process for approving minor  
23 modifications or adaptations to a preferred leadership framework that  
24 may be proposed by a school district.

25 (f)(i) Student growth data that is relevant to the principal must  
26 be a factor in the evaluation process and must be based on multiple  
27 measures that can include classroom-based, school-based, district-  
28 based, and state-based tools. However, for principals assigned to a  
29 school in which reading or language arts or mathematics are taught in  
30 at least one of the grades in which the federally mandated statewide  
31 assessments are administered, one of the multiple measures of student  
32 growth must be the student results on the relevant assessments. The  
33 office of the superintendent of public instruction shall provide to  
34 each school district the relevant state-level assessment information  
35 necessary to determine student growth for the purpose of principal  
36 evaluations.

37 (ii) As used in this subsection (6), "student growth" means the  
38 change in student achievement between two points in time.



1 (g) Input from building staff may also be included in the  
2 evaluation process.

3 (h) For principals who have been transitioned to the revised  
4 evaluation system pursuant to the district implementation schedule  
5 adopted under subsection (7)(c) of this section, the following  
6 comprehensive summative evaluation performance ratings mean a  
7 principal's work is not judged satisfactory:

8 (i) Level 1; or

9 (ii) Level 2 if the principal has more than five years of  
10 experience in the principal role and if the level 2 comprehensive  
11 summative evaluation performance rating has been received for two  
12 consecutive years or for two years within a consecutive three-year time  
13 period.

14 (7)(a) The superintendent of public instruction, in collaboration  
15 with state associations representing teachers, principals,  
16 administrators, school board members, and parents, to be known as the  
17 steering committee, shall create models for implementing the evaluation  
18 system criteria, student growth tools, professional development  
19 programs, and evaluator training for certificated classroom teachers  
20 and principals. Human resources specialists, professional development  
21 experts, and assessment experts must also be consulted. Due to the  
22 diversity of teaching assignments and the many developmental levels of  
23 students, classroom teachers and principals must be prominently  
24 represented in this work. The models must be available for use in the  
25 2011-12 school year.

26 (b) A new certificated classroom teacher evaluation system that  
27 implements the provisions of subsection (2) of this section and a new  
28 principal evaluation system that implements the provisions of  
29 subsection (6) of this section shall be phased-in beginning with the  
30 2010-11 school year by districts identified in (d) of this subsection  
31 and implemented in all school districts beginning with the 2013-14  
32 school year.

33 (c) Each school district board of directors shall adopt a schedule  
34 for implementation of the revised evaluation systems that transitions  
35 a portion of classroom teachers and principals in the district to the  
36 revised evaluation systems each year beginning no later than the 2013-  
37 14 school year, until all classroom teachers and principals are being  
38 evaluated under the revised evaluation systems no later than the 2015-

1 16 school year. A school district is not precluded from completing the  
2 transition of all classroom teachers and principals to the revised  
3 evaluation systems before the 2015-16 school year. The schedule  
4 adopted under this subsection (7)(c) must provide that the following  
5 employees are transitioned to the revised evaluation systems beginning  
6 in the 2013-14 school year:

7 (i) Classroom teachers who are provisional employees under RCW  
8 28A.405.220;

9 (ii) Classroom teachers who are on probation under subsection (4)  
10 of this section;

11 (iii) Principals in the first three consecutive school years of  
12 employment as a principal;

13 (iv) Principals whose work is not judged satisfactory in their most  
14 recent evaluation; and

15 (v) Principals previously employed as a principal by another school  
16 district in the state of Washington for three or more consecutive  
17 school years and in the first full year as a principal in the school  
18 district.

19 (d) A set of school districts shall be selected by the  
20 superintendent of public instruction to participate in a collaborative  
21 process resulting in the development and piloting of new certificated  
22 classroom teacher and principal evaluation systems during the 2010-11  
23 and 2011-12 school years. These school districts must be selected  
24 based on: (i) The agreement of the local associations representing  
25 classroom teachers and principals to collaborate with the district in  
26 this developmental work and (ii) the agreement to participate in the  
27 full range of development and implementation activities, including:  
28 Development of rubrics for the evaluation criteria and ratings in  
29 subsections (2) and (6) of this section; identification of or  
30 development of appropriate multiple measures of student growth in  
31 subsections (2) and (6) of this section; development of appropriate  
32 evaluation system forms; participation in professional development for  
33 principals and classroom teachers regarding the content of the new  
34 evaluation system; participation in evaluator training; and  
35 participation in activities to evaluate the effectiveness of the new  
36 systems and support programs. The school districts must submit to the  
37 office of the superintendent of public instruction data that is used in  
38 evaluations and all district-collected student achievement, aptitude,

1 and growth data regardless of whether the data is used in evaluations.  
2 If the data is not available electronically, the district may submit it  
3 in nonelectronic form. The superintendent of public instruction must  
4 analyze the districts' use of student data in evaluations, including  
5 examining the extent that student data is not used or is underutilized.  
6 The superintendent of public instruction must also consult with  
7 participating districts and stakeholders, recommend appropriate  
8 changes, and address statewide implementation issues. The  
9 superintendent of public instruction shall report evaluation system  
10 implementation status, evaluation data, and recommendations to  
11 appropriate committees of the legislature and governor by July 1, 2011,  
12 and at the conclusion of the development phase by July 1, 2012. In the  
13 July 1, 2011, report, the superintendent shall include recommendations  
14 for whether a single statewide evaluation model should be adopted,  
15 whether modified versions developed by school districts should be  
16 subject to state approval, and what the criteria would be for  
17 determining if a school district's evaluation model meets or exceeds a  
18 statewide model. The report shall also identify challenges posed by  
19 requiring a state approval process.

20 (e)(i) The steering committee in (a) of this subsection (~~((7)(a) of~~  
21 ~~this section))~~) and the pilot school districts in (d) of this subsection  
22 (~~((7)(d) of this section))~~) shall continue to examine implementation  
23 issues and refine tools for the new certificated classroom teacher  
24 evaluation system in subsection (2) of this section and the new  
25 principal evaluation system in subsection (6) of this section during  
26 the 2013-14 through 2015-16 implementation phase.

27 (ii) Particular attention shall be given to the following issues:

28 (A) Developing a report for the legislature and governor, due by  
29 December 1, 2013, of best practices and recommendations regarding how  
30 teacher and principal evaluations and other appropriate elements shall  
31 inform school district human resource and personnel practices. The  
32 legislature and governor are provided the opportunity to review the  
33 report and recommendations during the 2014 legislative session;

34 (B) Taking the new teacher and principal evaluation systems to  
35 scale and the use of best practices for statewide implementation;

36 (C) Providing guidance regarding the use of student growth data to  
37 assure it is used responsibly and with integrity;

1 (D) Refining evaluation system management tools, professional  
2 development programs, and evaluator training programs with an emphasis  
3 on developing rater reliability;

4 (E) Reviewing emerging research regarding teacher and principal  
5 evaluation systems and the development and implementation of evaluation  
6 systems in other states;

7 (F) Reviewing the impact that variable demographic characteristics  
8 of students and schools have on the objectivity, reliability, validity,  
9 and availability of student growth data; and

10 (G) Developing recommendations regarding how teacher evaluations  
11 could inform state policies regarding the criteria for a teacher to  
12 obtain continuing contract status under RCW 28A.405.210. In developing  
13 these recommendations the experiences of school districts and teachers  
14 during the evaluation transition phase must be considered.  
15 Recommendations must be reported by July 1, 2016, to the legislature  
16 and the governor.

17 (iii) To support the tasks in (e)(ii) of this subsection, the  
18 superintendent of public instruction may contract with an independent  
19 research organization with expertise in educator evaluations and  
20 knowledge of the revised evaluation systems being implemented under  
21 this section.

22 (iv) The superintendent of public instruction shall monitor the  
23 statewide implementation of revised teacher and principal evaluation  
24 systems using data reported under RCW 28A.150.230 as well as periodic  
25 input from focus groups of administrators, principals, and teachers.

26 (v) The superintendent of public instruction shall submit reports  
27 detailing findings, emergent issues or trends, recommendations from the  
28 steering committee, and pilot school districts, and other  
29 recommendations, to enhance implementation and continuous improvement  
30 of the revised evaluation systems to appropriate committees of the  
31 legislature and the governor beginning July 1, 2013, and each July 1st  
32 thereafter for each year of the school district implementation  
33 transition period concluding with a report on December 1, 2016.

34 (8)(a) Beginning with the 2015-16 school year, evaluation results  
35 for certificated classroom teachers and principals must be used as one  
36 of multiple factors in making human resource and personnel decisions.  
37 Human resource decisions include, but are not limited to: Staff  
38 assignment, including the consideration of an agreement to an

1 assignment by an appropriate teacher, principal, and superintendent;  
2 and reduction in force. Nothing in this section limits the ability to  
3 collectively bargain how the multiple factors shall be used in making  
4 human resource or personnel decisions, with the exception that  
5 evaluation results must be a factor.

6 (b) The office of the superintendent of public instruction must  
7 report to the legislature and the governor regarding the school  
8 district implementation of the provisions of (a) of this subsection by  
9 December 1, 2017.

10 (9) Each certificated classroom teacher and certificated support  
11 personnel shall have the opportunity for confidential conferences with  
12 his or her immediate supervisor on no less than two occasions in each  
13 school year. Such confidential conference shall have as its sole  
14 purpose the aiding of the administrator in his or her assessment of the  
15 employee's professional performance.

16 (10) The failure of any evaluator to evaluate or supervise or cause  
17 the evaluation or supervision of certificated classroom teachers and  
18 certificated support personnel or administrators in accordance with  
19 this section, as now or hereafter amended, when it is his or her  
20 specific assigned or delegated responsibility to do so, shall be  
21 sufficient cause for the nonrenewal of any such evaluator's contract  
22 under RCW 28A.405.210, or the discharge of such evaluator under RCW  
23 28A.405.300.

24 (11) After a certificated classroom teacher or certificated support  
25 personnel has four years of satisfactory evaluations under subsection  
26 (1) of this section, a school district may use a short form of  
27 evaluation, a locally bargained evaluation emphasizing professional  
28 growth, an evaluation under subsection (1) or (2) of this section, or  
29 any combination thereof. The short form of evaluation shall include  
30 either a thirty minute observation during the school year with a  
31 written summary or a final annual written evaluation based on the  
32 criteria in subsection (1) or (2) of this section and based on at least  
33 two observation periods during the school year totaling at least sixty  
34 minutes without a written summary of such observations being prepared.  
35 A locally bargained short-form evaluation emphasizing professional  
36 growth must provide that the professional growth activity conducted by  
37 the certificated classroom teacher be specifically linked to one or  
38 more of the certificated classroom teacher evaluation criteria.

1 However, the evaluation process set forth in subsection (1) or (2) of  
2 this section shall be followed at least once every three years unless  
3 this time is extended by a local school district under the bargaining  
4 process set forth in chapter 41.59 RCW. The employee or evaluator may  
5 require that the evaluation process set forth in subsection (1) or (2)  
6 of this section be conducted in any given school year. No evaluation  
7 other than the evaluation authorized under subsection (1) or (2) of  
8 this section may be used as a basis for determining that an employee's  
9 work is not satisfactory under subsection (1) or (2) of this section or  
10 as probable cause for the nonrenewal of an employee's contract under  
11 RCW 28A.405.210 unless an evaluation process developed under chapter  
12 41.59 RCW determines otherwise. The provisions of this subsection  
13 apply to certificated classroom teachers only until the teacher has  
14 been transitioned to the revised evaluation system pursuant to the  
15 district implementation schedule adopted under subsection (7)(c) of  
16 this section.

17 (12) All certificated classroom teachers and principals who have  
18 been transitioned to the revised evaluation systems pursuant to the  
19 district implementation schedule adopted under subsection (7)(c) of  
20 this section must receive annual performance evaluations as provided in  
21 this subsection:

22 (a) All classroom teachers and principals shall receive a  
23 comprehensive summative evaluation at least once every four years. A  
24 comprehensive summative evaluation assesses all eight evaluation  
25 criteria and all criteria contribute to the comprehensive summative  
26 evaluation performance rating.

27 (b) The following categories of classroom teachers and principals  
28 shall receive an annual comprehensive summative evaluation:

29 (i) Classroom teachers who are provisional employees under RCW  
30 28A.405.220;

31 (ii) Principals in the first three consecutive school years of  
32 employment as a principal;

33 (iii) Principals previously employed as a principal by another  
34 school district in the state of Washington for three or more  
35 consecutive school years and in the first full year as a principal in  
36 the school district; and

37 (iv) Any classroom teacher or principal who received a

1 comprehensive summative evaluation performance rating of level 1 or  
2 level 2 in the previous school year.

3 (c)(i) In the years when a comprehensive summative evaluation is  
4 not required, classroom teachers and principals who received a  
5 comprehensive summative evaluation performance rating of level 3 or  
6 above in the previous school year are required to complete a focused  
7 evaluation. A focused evaluation includes an assessment of one of the  
8 eight criteria selected for a performance rating plus professional  
9 growth activities specifically linked to the selected criteria.

10 (ii) The selected criteria must be approved by the teacher's or  
11 principal's evaluator and may have been identified in a previous  
12 comprehensive summative evaluation as benefiting from additional  
13 attention. A group of teachers may focus on the same evaluation  
14 criteria and share professional growth activities. A group of  
15 principals may focus on the same evaluation criteria and share  
16 professional growth activities.

17 (iii) The evaluator must assign a comprehensive summative  
18 evaluation performance rating for the focused evaluation using the  
19 methodology adopted by the superintendent of public instruction for the  
20 instructional or leadership framework being used.

21 (iv) A teacher or principal may be transferred from a focused  
22 evaluation to a comprehensive summative evaluation at the request of  
23 the teacher or principal, or at the direction of the teacher's or  
24 principal's evaluator.

25 (v) Due to the importance of instructional leadership and assuring  
26 rater agreement among evaluators, particularly those evaluating teacher  
27 performance, school districts are encouraged to conduct comprehensive  
28 summative evaluations of principal performance on an annual basis.

29 (vi) A classroom teacher or principal may apply the focused  
30 evaluation professional growth activities toward the professional  
31 growth plan for professional certificate renewal as required by the  
32 professional educator standards board.

33 (13) Each school district is encouraged to acknowledge and  
34 recognize classroom teachers and principals who have attained level 4 -  
35 distinguished performance ratings."

1        On page 1, line 2 of the title, after "process;" strike the  
2 remainder of the title and insert "and amending RCW 28A.405.100."

EFFECT:    Removes provisions requiring school districts to create rankings of teachers and principals based on student growth data collected in assessments.

              Removes a provision requiring seniority to only be used as a tie-breaking factor in human resource and personnel decisions.

              Maintains provisions mandating that federally mandated statewide student assessments be used as one of the multiple measures of student growth when results from those assessments are available.

              Maintains a provision mandating that any rules adopted by the OSPI regarding student growth goals set by a teacher and principal must assume that students achieve one year of student growth in a given academic year.

--- END ---