

SENATE BILL REPORT

SB 5945

As of June 6, 2013

Title: An act relating to principal empowerment.

Brief Description: Concerning principal empowerment.

Sponsors: Senators Litzow and Tom.

Brief History:

Committee Activity: Early Learning & K-12 Education:

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Eric Wolf (786-7405)

Background: The Professional Educator Standards Board (PESB) is responsible for regulating the certification of instructional staff and has created administrative rules that districts must conform with when assigning classroom teachers, principals and assistant principals, and educational staff associates within their districts. These rules outline only the necessary certifications teachers must possess to teach in various grade levels or subject areas. Certain special assignments not authorized by the administrative rules may require a waiver from PESB or the Office of Superintendent of Public Instruction's Special Education Department, or may receive local approval from a school board.

Matters such as order of layoffs, or recall in the case of a reduction in force, and transfer or assignment of staff are generally not specified in statute or administrative rules and are instead determined by school district policies or collective bargaining agreements.

Summary of Bill: New Certificated Instructional Staff Assignment Policy. Effective August 1, 2013, or upon the expiration of an applicable collective bargaining agreement, each district must adopt a new policy on assignment of Certificated Instructional Staff (CIS), stipulating that a nonprovisional CIS may be assigned to a particular school only with the agreement of the school's principal and the CIS. The principal must receive input on the assignment decision from at least two teachers employed at the principal's school who are chosen by the faculty of teachers at the school to represent them in the hiring process. Beginning in 2015-16, evaluation results must be used as one of multiple factors in considering such an agreement. CIS includes classroom teachers and educational staff associates including, but not limited to, counselors, nurses, and school psychologists.

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.

Assignment with No Mutual Agreement. The act provides that if an assignment is not identified, the superintendent may assign the CIS to a temporary position, which could be a substitute, instructional support, in the district office, or another position. If a displaced nonprovisional CIS is not assigned to a non-temporary position by May 15 of the year following displacement, contract nonrenewal may be initiated and must include due process in the form of notice of nonrenewal and the opportunity for a hearing pursuant to RCW 28A.405.210. Lack of assignment to a non-temporary teaching position after eight or more months, including time spent in successive temporary assignments, constitutes grounds for a finding of probable cause for nonrenewal under RCW 28A.405.210. The act contains an emergency clause.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.