

HB 1345 - S COMM AMD

By Committee on Early Learning & K-12 Education

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that effective
4 professional learning enables educators to acquire and apply the
5 knowledge, skills, practices, and dispositions needed to help
6 students learn and achieve at higher levels.

7 (2) The legislature further finds that a clear definition of
8 professional learning provides a foundational vision that sets the
9 course for how state, regional, and local education leaders support
10 educator professional learning in order to advance student learning.
11 A shared, statewide definition is a piece of critical infrastructure
12 to guide policy and investments in the content, structure, and
13 provision of the types of professional learning opportunities that
14 are associated with increased student performance. A definition of
15 professional learning is also an accountability measure to assure
16 that professional learning will have the highest possible return on
17 investment in terms of increased student performance.

18 (3) Therefore, the legislature intends to adopt a statewide
19 definition of effective professional learning. Each public school and
20 school district should establish targeted, sustained, relevant
21 professional learning opportunities that meet the definition and are
22 aligned to state and district goals.

23 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
24 RCW to read as follows:

25 (1) The term "professional learning" means a comprehensive,
26 sustained, job-embedded, and collaborative approach to improving
27 teachers' and principals' effectiveness in raising student
28 achievement. Professional learning fosters collective responsibility
29 for improved student performance and must comprise learning that is
30 aligned with student learning needs, educator development needs, and
31 school district, or state improvement goals. Professional learning
32 shall have as its primary focus the improvement of teachers' and

1 school leaders' effectiveness in assisting all students to meet the
2 state learning standards.

3 (2) Professional learning is an ongoing process that is
4 measurable by multiple indicators and includes learning experiences
5 that support the acquisition and transfer of learning, knowledge, and
6 skills into the classroom and daily practice.

7 (3) Professional learning shall incorporate differentiated,
8 coherent, sustained, and evidence-based strategies that improve
9 educator effectiveness and student achievement, including job-
10 embedded coaching or other forms of assistance to support educators'
11 transfer of new knowledge and skills into their practice.

12 (4) Professional learning should include the work of established
13 collaborative teams of teachers, school leaders, and other
14 administrative, instructional, and educational services staff
15 members, who commit to working together on an ongoing basis to
16 accomplish common goals and who are engaged in a continuous cycle of
17 professional improvement that is focused on:

18 (a) Identifying student and educator learning needs using
19 multiple sources of data including teacher and principal evaluations
20 under RCW 28A.405.100;

21 (b) Defining a clear set of educator learning goals based on the
22 rigorous analysis of these multiple data sources and the collective
23 and personalized learning needs of teachers and administrators;

24 (c) Continuously assessing the effectiveness of the professional
25 learning in achieving identified learning goals, improving teaching,
26 and assisting all students in meeting state academic learning
27 standards through reflection, observation, and sustained support;

28 (d) Using formative and summative measures to assess the
29 effectiveness of professional learning in achieving educator learning
30 goals;

31 (e) Realizing the three primary purposes for professional
32 learning: (i) Individual improvement aligned with individual goals;
33 (ii) school and team improvement aligned with school and team goals;
34 and (iii) program implementation aligned with state, district, and
35 school improvement goals and initiatives.

36 (5) Professional learning should be facilitated by well-prepared
37 school and district leaders who incorporate knowledge, skills, and
38 dispositions for leading professional learning of adults and meet the
39 standards described in section 3 of this act. These facilitators may
40 include but are not limited to: Curriculum specialists, central

1 office administrators, principals, coaches, mentors, master teachers,
2 and other teacher leaders.

3 (6) Principals should assist staff with alignment of professional
4 learning tied to curriculum, instruction, and state and local
5 learning goals and assessments.

6 (7) Professional learning may be supported by external expert
7 assistance or additional activities that will be held to the same
8 definition and standards as internally supported professional
9 learning, and that:

10 (a) Address defined student and educator learning goals;

11 (b) Include, but are not limited to, courses, workshops,
12 institutes, networks, studio residencies, virtual learning modules,
13 and conferences provided by for-profit and nonprofit entities outside
14 the school such as universities, educational service districts,
15 technical assistance providers, networks of content specialists, and
16 other education organizations and associations; and

17 (c) Advance ongoing school-based professional learning that
18 occurs throughout the year with opportunities for regular practice
19 and feedback while developing new skills.

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.300
21 RCW to read as follows:

22 Standards for professional learning provide guidance on the
23 preparation and delivery of high quality professional learning to
24 those responsible for planning, facilitating, and sponsoring
25 professional learning.

26 (1) Content standards. High quality professional learning:

27 (a) Includes clear goals and objectives relevant to desired
28 student outcomes; and

29 (b) Aligns with state, district, school, and educator goals or
30 priorities.

31 (2) Process standards. High quality professional learning:

32 (a) Is designed and based upon the analysis of data relevant to
33 the identified goals, objectives, and audience;

34 (b) Is assessed to determine that it is meeting the targeted
35 goals and objectives;

36 (c) Promotes collaboration among educators to encourage sharing
37 of ideas and working together to achieve the identified goals and
38 objectives;

1 (d) Advances an educator's ability to apply acquired knowledge
2 and skills from the professional learning to specific content; and

3 (e) Models good pedagogical practice and applies knowledge of
4 adult learning theory to engage educators.

5 (3) Context standards. High quality professional learning:

6 (a) Makes use of relevant resources to ensure the identified
7 goals and objectives are met;

8 (b) Is facilitated by a professional knowledgeable about the
9 identified objectives; and

10 (c) Is designed in such a way that sessions connect and build
11 upon each other to provide a coherent and useful learning experience
12 for educators.

13 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.300
14 RCW to read as follows:

15 The definitions in this section apply throughout sections 2 and 3
16 of this act unless the context clearly requires otherwise.

17 (1) "Differentiated" means that professional learning experiences
18 are designed to meet the needs of individual educators based on
19 multiple sources of data such as professional growth plans,
20 observations, and student growth data as described in RCW
21 28A.405.100.

22 (2) "Job-embedded" means a sustained series of activities such as
23 workshops and coaching occurring throughout the year that is
24 delivered within the context of an educator's instructional
25 assignments, including both subject and grade level, to support the
26 educator's acquisition and application of the knowledge and skills.

27 (3) "Student outcomes" refers to two broad categories of student
28 measures: Academic measures and nonacademic measures. Academic
29 measures refer to student learning, student growth data as described
30 in RCW 28A.405.100, and student achievement. Nonacademic measures are
31 indicators such as health, behavioral, or socioemotional factors that
32 support student learning.

33 (4) "Sustained" means ongoing professional learning supported
34 throughout the school year occurring several times within and across
35 school years.

36 **Sec. 5.** RCW 28A.405.100 and 2012 c 35 s 1 are each amended to
37 read as follows:

1 (1)(a) Except as provided in subsection (2) of this section, the
2 superintendent of public instruction shall establish and may amend
3 from time to time minimum criteria for the evaluation of the
4 professional performance capabilities and development of certificated
5 classroom teachers and certificated support personnel. For classroom
6 teachers the criteria shall be developed in the following categories:
7 Instructional skill; classroom management, professional preparation
8 and scholarship; effort toward improvement when needed; the handling
9 of student discipline and attendant problems; and interest in
10 teaching pupils and knowledge of subject matter.

11 (b) Every board of directors shall, in accordance with procedure
12 provided in RCW 41.59.010 through 41.59.170, 41.59.910, and
13 41.59.920, establish evaluative criteria and procedures for all
14 certificated classroom teachers and certificated support personnel.
15 The evaluative criteria must contain as a minimum the criteria
16 established by the superintendent of public instruction pursuant to
17 this section and must be prepared within six months following
18 adoption of the superintendent of public instruction's minimum
19 criteria. The district must certify to the superintendent of public
20 instruction that evaluative criteria have been so prepared by the
21 district.

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

28 (b) The minimum criteria shall include: (i) Centering instruction
29 on high expectations for student achievement; (ii) demonstrating
30 effective teaching practices; (iii) recognizing individual student
31 learning needs and developing strategies to address those needs; (iv)
32 providing clear and intentional focus on subject matter content and
33 curriculum; (v) fostering and managing a safe, positive learning
34 environment; (vi) using multiple student data elements to modify
35 instruction and improve student learning; (vii) communicating and
36 collaborating with parents and the school community; and (viii)
37 exhibiting collaborative and collegial practices focused on improving
38 instructional practice and student learning. Student growth data, as
39 determined under (f) of this subsection, must be a substantial factor
40 in evaluating the summative performance of certificated classroom

1 teachers for at least three of the evaluation criteria listed in this
2 subsection.

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

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

27 (e) By September 1, 2012, the superintendent of public
28 instruction shall identify up to three preferred instructional
29 frameworks that support the revised evaluation system. The
30 instructional frameworks shall be research-based and establish
31 definitions or rubrics for each of the four summative performance
32 ratings for each evaluation criteria. Each school district must adopt
33 one of the preferred instructional frameworks and post the selection
34 on the district's web site. The superintendent of public instruction
35 shall establish a process for approving minor modifications or
36 adaptations to a preferred instructional framework that may be
37 proposed by a school district.

38 (f)(i) Student growth data that is relevant to the teacher and
39 subject matter must be a factor in the evaluation process and must be
40 based on multiple measures that can include classroom-based, school-

1 based, district-based, and state-based tools. However, subject to the
2 requirements of (f)(iv) of this subsection and beginning no earlier
3 than the 2017-18 school year, for teachers who teach reading or
4 language arts or mathematics in a grade in which the federally
5 mandated statewide student assessments are administered, one of the
6 multiple measures of student growth must be the student results on
7 the relevant assessments. The methodology of using student results on
8 relevant federally mandated statewide student assessments as one of
9 the multiple measures of student growth shall be subject to
10 collective bargaining. The office of the superintendent of public
11 instruction shall provide to each school district the relevant state-
12 level assessment information necessary to determine student growth
13 for the purpose of teacher evaluations.

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

18 (iii) Student growth data elements may also include the teacher's
19 performance as a member of the overall instructional team of a school
20 when use of this data is relevant and appropriate. As used in this
21 subsection (2), "student growth" means the change in student
22 achievement between two points in time.

23 (iv) The federally mandated statewide assessments shall only be
24 used as one of the multiple measures of student growth once the
25 office of the superintendent of public instruction and the steering
26 committee described in subsection (7)(a) of this section have
27 determined that the relevant assessment meets professionally accepted
28 standards for being a valid and reliable tool for measuring student
29 growth and have certified that the use of relevant federally mandated
30 statewide assessments as one of the multiple measures of student
31 growth will strengthen and not undermine the existing teacher
32 evaluation system.

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

34 (3)(a) Except as provided in subsection (11) of this section, it
35 shall be the responsibility of a principal or his or her designee to
36 evaluate all certificated personnel in his or her school. During each
37 school year all classroom teachers and certificated support personnel
38 shall be observed for the purposes of evaluation at least twice in
39 the performance of their assigned duties. Total observation time for
40 each employee for each school year shall be not less than sixty

1 minutes. An employee in the third year of provisional status as
2 defined in RCW 28A.405.220 shall be observed at least three times in
3 the performance of his or her duties and the total observation time
4 for the school year shall not be less than ninety minutes. Following
5 each observation, or series of observations, the principal or other
6 evaluator shall promptly document the results of the observation in
7 writing, and shall provide the employee with a copy thereof within
8 three days after such report is prepared. New employees shall be
9 observed at least once for a total observation time of thirty minutes
10 during the first ninety calendar days of their employment period.

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

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

24 (i) Level 1; or

25 (ii) Level 2 if the classroom teacher is a continuing contract
26 employee under RCW 28A.405.210 with more than five years of teaching
27 experience and if the level 2 comprehensive summative evaluation
28 performance rating has been received for two consecutive years or for
29 two years within a consecutive three-year time period.

30 (b) During the period of probation, the employee may not be
31 transferred from the supervision of the original evaluator.
32 Improvement of performance or probable cause for nonrenewal must
33 occur and be documented by the original evaluator before any
34 consideration of a request for transfer or reassignment as
35 contemplated by either the individual or the school district. A
36 probationary period of sixty school days shall be established. Days
37 may be added if deemed necessary to complete a program for
38 improvement and evaluate the probationer's performance, as long as
39 the probationary period is concluded before May 15th of the same
40 school year. The probationary period may be extended into the

1 following school year if the probationer has five or more years of
2 teaching experience and has a comprehensive summative evaluation
3 performance rating as of May 15th of less than level 2. The
4 establishment of a probationary period does not adversely affect the
5 contract status of an employee within the meaning of RCW 28A.405.300.
6 The purpose of the probationary period is to give the employee
7 opportunity to demonstrate improvements in his or her areas of
8 deficiency. The establishment of the probationary period and the
9 giving of the notice to the employee of deficiency shall be by the
10 school district superintendent and need not be submitted to the board
11 of directors for approval. During the probationary period the
12 evaluator shall meet with the employee at least twice monthly to
13 supervise and make a written evaluation of the progress, if any, made
14 by the employee. The evaluator may authorize one additional
15 certificated employee to evaluate the probationer and to aid the
16 employee in improving his or her areas of deficiency. Should the
17 evaluator not authorize such additional evaluator, the probationer
18 may request that an additional certificated employee evaluator become
19 part of the probationary process and this request must be implemented
20 by including an additional experienced evaluator assigned by the
21 educational service district in which the school district is located
22 and selected from a list of evaluation specialists compiled by the
23 educational service district. Such additional certificated employee
24 shall be immune from any civil liability that might otherwise be
25 incurred or imposed with regard to the good faith performance of such
26 evaluation. If a procedural error occurs in the implementation of a
27 program for improvement, the error does not invalidate the
28 probationer's plan for improvement or evaluation activities unless
29 the error materially affects the effectiveness of the plan or the
30 ability to evaluate the probationer's performance. The probationer
31 must be removed from probation if he or she has demonstrated
32 improvement to the satisfaction of the evaluator in those areas
33 specifically detailed in his or her initial notice of deficiency and
34 subsequently detailed in his or her program for improvement. A
35 classroom teacher who has been transitioned to the revised evaluation
36 system pursuant to the district implementation schedule adopted under
37 subsection (7)(c) of this section must be removed from probation if
38 he or she has demonstrated improvement that results in a new
39 comprehensive summative evaluation performance rating of level 2 or
40 above for a provisional employee or a continuing contract employee

1 with five or fewer years of experience, or of level 3 or above for a
2 continuing contract employee with more than five years of experience.
3 Lack of necessary improvement during the established probationary
4 period, as specifically documented in writing with notification to
5 the probationer constitutes grounds for a finding of probable cause
6 under RCW 28A.405.300 or 28A.405.210.

7 (c) When a continuing contract employee with five or more years
8 of experience receives a comprehensive summative evaluation
9 performance rating below level 2 for two consecutive years, the
10 school district shall, within ten days of the completion of the
11 second comprehensive summative (~~comprehensive~~—[~~comprehensive~~
12 ~~summative~~]) evaluation or May 15th, whichever occurs first,
13 implement the employee notification of discharge as provided in RCW
14 28A.405.300.

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

33 (5) Every board of directors shall establish evaluative criteria
34 and procedures for all superintendents, principals, and other
35 administrators. It shall be the responsibility of the district
36 superintendent or his or her designee to evaluate all administrators.
37 Except as provided in subsection (6) of this section, such evaluation
38 shall be based on the administrative position job description. Such
39 criteria, when applicable, shall include at least the following
40 categories: Knowledge of, experience in, and training in recognizing

1 good professional performance, capabilities and development; school
2 administration and management; school finance; professional
3 preparation and scholarship; effort toward improvement when needed;
4 interest in pupils, employees, patrons and subjects taught in school;
5 leadership; and ability and performance of evaluation of school
6 personnel.

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

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

28 (c) The four-level rating system used to evaluate the principal
29 must describe performance along a continuum that indicates the extent
30 to which the criteria have been met or exceeded. The summative
31 performance ratings shall be as follows: Level 1 - unsatisfactory;
32 level 2 - basic; level 3 - proficient; and level 4 - distinguished. A
33 principal shall receive one of the four summative performance ratings
34 for each of the minimum criteria in (b) of this subsection and one of
35 the four summative performance ratings for the evaluation as a whole,
36 which shall be the comprehensive summative evaluation performance
37 rating.

38 (d) By December 1, 2012, the superintendent of public instruction
39 shall adopt rules that provide descriptors for each of the summative
40 performance ratings, based on the development work of pilot school

1 districts under subsection (7) of this section. Any subsequent
2 changes to the descriptors by the superintendent may only be made
3 following consultation with a group broadly reflective of the parties
4 represented in subsection (7)(a) of this section.

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

16 (f)(i) Student growth data that is relevant to the principal must
17 be a factor in the evaluation process and must be based on multiple
18 measures that can include classroom-based, school-based, district-
19 based, and state-based tools. However, subject to the requirements of
20 (f)(iii) of this subsection and beginning no earlier than 2017-18
21 school year, for principals assigned to a school in which reading or
22 language arts or mathematics are taught in at least one of the grades
23 in which the federally mandated statewide assessments are
24 administered, one of the multiple measures of student growth must be
25 the student results on the relevant assessments. The methodology of
26 using student results on relevant federally mandated statewide
27 student assessments as one of the multiple measures of student growth
28 shall be subject to collective bargaining. The office of the
29 superintendent of public instruction shall provide to each school
30 district the relevant state-level assessment information necessary to
31 determine student growth for the purpose of principal evaluations.

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

34 (iii) The federally mandated statewide assessments shall only be
35 used as one of the multiple measures of student growth once the
36 office of the superintendent of public instruction and the steering
37 committee described in subsection (7)(a) of this section have
38 determined that the relevant assessment meets professionally accepted
39 standards for being a valid and reliable tool for measuring student
40 growth and have certified that the use of relevant federally mandated

1 statewide assessments as one of the multiple measures of student
2 growth will strengthen and not undermine the existing principal
3 evaluation system.

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

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

11 (i) Level 1; or

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

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

29 (b) A new certificated classroom teacher evaluation system that
30 implements the provisions of subsection (2) of this section and a new
31 principal evaluation system that implements the provisions of
32 subsection (6) of this section shall be phased-in beginning with the
33 2010-11 school year by districts identified in (d) of this subsection
34 and implemented in all school districts beginning with the 2013-14
35 school year.

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

1 principals are being evaluated under the revised evaluation systems
2 no later than the 2015-16 school year. A school district is not
3 precluded from completing the transition of all classroom teachers
4 and principals to the revised evaluation systems before the 2015-16
5 school year. The schedule adopted under this subsection (7)(c) must
6 provide that the following employees are transitioned to the revised
7 evaluation systems beginning in the 2013-14 school year:

8 (i) Classroom teachers who are provisional employees under RCW
9 28A.405.220;

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

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

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

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

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

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

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

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

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

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

37 (C) Providing guidance regarding the use of student growth data
38 to 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
3 emphasis on developing rater reliability;

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

7 (F) Reviewing the impact that variable demographic
8 characteristics of students and schools have on the objectivity,
9 reliability, validity, 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
13 developing these recommendations the experiences of school districts
14 and teachers during the evaluation transition phase must be
15 considered. Recommendations must be reported by July 1, 2016, to the
16 legislature 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
28 the 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
32 1st 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
36 one of multiple factors in making human resource and personnel
37 decisions. Human resource decisions include, but are not limited to:
38 Staff assignment, including the consideration of an agreement to an
39 assignment by an appropriate teacher, principal, and superintendent;
40 and reduction in force. Nothing in this section limits the ability to

1 collectively bargain how the multiple factors shall be used in making
2 human resource or personnel decisions, with the exception that
3 evaluation results must be a factor.

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

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

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

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

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

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

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

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

26 (i) Classroom teachers who are provisional employees under RCW
27 28A.405.220;

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

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

34 (iv) Any classroom teacher or principal who received a
35 comprehensive summative evaluation performance rating of level 1 or
36 level 2 in the previous school year.

37 (c)(i) In the years when a comprehensive summative evaluation is
38 not required, classroom teachers and principals who received a
39 comprehensive summative evaluation performance rating of level 3 or
40 above in the previous school year are required to complete a focused

1 evaluation. A focused evaluation includes an assessment of one of the
2 eight criteria selected for a performance rating plus professional
3 growth activities specifically linked to the selected criteria.

4 (ii) The selected criteria must be approved by the teacher's or
5 principal's evaluator and may have been identified in a previous
6 comprehensive summative evaluation as benefiting from additional
7 attention. A group of teachers may focus on the same evaluation
8 criteria and share professional growth activities. A group of
9 principals may focus on the same evaluation criteria and share
10 professional growth activities.

11 (iii) The evaluator must assign a comprehensive summative
12 evaluation performance rating for the focused evaluation using the
13 methodology adopted by the superintendent of public instruction for
14 the instructional or leadership framework being used.

15 (iv) A teacher or principal may be transferred from a focused
16 evaluation to a comprehensive summative evaluation at the request of
17 the teacher or principal, or at the direction of the teacher's or
18 principal's evaluator.

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

24 (vi) A classroom teacher or principal may apply the focused
25 evaluation professional growth activities toward the professional
26 growth plan for professional certificate renewal as required by the
27 professional educator standards board.

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

HB 1345 - S COMM AMD

By Committee on Early Learning & K-12 Education

31 On page 1, line 2 of the title, after "learning;" strike the
32 remainder of the title and insert "amending RCW 28A.405.100; adding
33 new sections to chapter 28A.300 RCW; and creating a new section."

EFFECT: The striking amendment maintains the provisions of the
bill related to defining and specifying characteristics of

professional learning; specifying standards for the content, process, and context of professional learning; and defining several terms, while making the following changes and additions:

Specifies that the multiple sources of data that are used to identify student and educator learning needs for the purpose of professional learning and improvement includes teacher and principal evaluations under RCW 28A.405.100.

The term "student growth data" as used in the definitions in section 4 means data such as described under RCW 28A.405.100.

Beginning no earlier than the 2017-18 school year, student results from the relevant federally mandated statewide student assessments must be used as one of the multiple measures of student growth for certain teacher and principal evaluations under RCW 28A.405.100.

The methodology of using the assessment results in the evaluations must be subject to collective bargaining and the results must only be used once OSPI and the steering committee have determined that the assessments meet professionally accepted standards for being a valid and reliable tool for measuring student growth and have certified that using the assessments as one of the multiple measures of student growth will strengthen and not undermine the existing teacher and principal evaluation system.

OSPI must provide to districts the relevant state-level assessment information necessary to determine student growth for the purposes of teacher and principal evaluations.

Makes grammatical corrections.

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