

SHB 1319 - H AMD 22

By Representative McCaslin

ADOPTED 02/27/2017

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
7 from time to time minimum criteria for the evaluation of the
8 professional performance capabilities and development of certificated
9 classroom teachers and certificated support personnel. For classroom
10 teachers the criteria shall be developed in the following categories:
11 Instructional skill; classroom management, professional preparation
12 and scholarship; effort toward improvement when needed; the handling
13 of student discipline and attendant problems; and interest in
14 teaching 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
17 41.59.920, establish evaluative criteria and procedures for all
18 certificated classroom teachers and certificated support personnel.
19 The evaluative criteria must contain as a minimum the criteria
20 established by the superintendent of public instruction pursuant to
21 this section and must be prepared within six months following
22 adoption of the superintendent of public instruction's minimum
23 criteria. The district must certify to the superintendent of public
24 instruction that evaluative criteria have been so prepared by the
25 district.

26 (2)(a) (~~Pursuant to the implementation schedule established in~~
27 ~~subsection (7)(c) of this section,~~) Every board of directors shall,
28 in accordance with procedures provided in RCW 41.59.010 through
29 41.59.170, 41.59.910, and 41.59.920, establish (~~revised~~) evaluative
30 criteria and a four-level rating system for all certificated
31 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 must
12 be a substantial factor in evaluating the ~~((summative))~~ performance
13 of certificated classroom teachers for at least three of the
14 evaluation criteria listed in this subsection.

15 (c) The four-level rating system used to evaluate the
16 certificated classroom teacher must describe performance along a
17 continuum that indicates the extent to which the criteria have been
18 met or exceeded. The ~~((summative))~~ performance ratings shall be as
19 follows: Level 1 - unsatisfactory; level 2 - basic; level 3 -
20 proficient; and level 4 - distinguished. A classroom teacher shall
21 receive one of the four ~~((summative))~~ performance ratings for each of
22 the minimum criteria in (b) of this subsection and one of the four
23 ~~((summative))~~ performance ratings for the evaluation as a whole,
24 which shall be the comprehensive ~~((summative-evaluation))~~ performance
25 rating. ~~((By December 1, 2012,))~~ The superintendent of public
26 instruction must adopt rules prescribing a common method for
27 calculating the comprehensive ~~((summative-evaluation))~~ performance
28 rating for each of the preferred instructional frameworks, including
29 for a focused performance 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
33 instruction shall adopt rules that provide descriptors for each of
34 the ~~((summative))~~ performance ratings~~((, based on the development
35 work of pilot school districts under subsection (7) of this section.
36 Any subsequent changes to the descriptors by the superintendent may
37 only be))~~ with updates to the rules made following consultation with
38 ~~((a group broadly reflective of the parties represented))~~ the
39 steering committee described in subsection (7)(a)(i) of this section.

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

12 (f) Student growth data that is relevant to the teacher and
13 subject matter must be a factor in the evaluation process and must be
14 based on multiple measures that can include classroom-based, school-
15 based, district-based, and state-based tools. Student growth data
16 elements may include the teacher's performance as a member of a
17 grade-level, subject matter, or other instructional team within a
18 school when the use of this data is relevant and appropriate. Student
19 growth data elements may also include the teacher's performance as a
20 member of the overall instructional team of a school when use of this
21 data is relevant and appropriate. As used in this subsection,
22 "student growth" means the change in student achievement between two
23 points in time.

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

25 (3)(a) Except as provided in subsection (11) of this section, it
26 shall be the responsibility of a principal or his or her designee to
27 evaluate all certificated personnel in his or her school. During each
28 school year all classroom teachers and certificated support personnel
29 shall be observed for the purposes of evaluation at least twice in
30 the performance of their assigned duties. Total observation time for
31 each employee for each school year shall be not less than sixty
32 minutes. An employee in the third year of provisional status as
33 defined in RCW 28A.405.220 shall be observed at least three times in
34 the performance of his or her duties and the total observation time
35 for the school year shall not be less than ninety minutes. Following
36 each observation, or series of observations, the principal or other
37 evaluator shall promptly document the results of the observation in
38 writing, and shall provide the employee with a copy (~~thereof~~)
39 within three days after such report is prepared. New employees shall
40 be observed at least once for a total observation time of thirty

1 minutes during the first ninety calendar days of their employment
2 period.

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

6 (4)(a) At any time after October 15th, an employee whose work is
7 not judged satisfactory based on district evaluation criteria shall
8 be notified in writing of the specific areas of deficiencies along
9 with a reasonable program for improvement. For classroom teachers who
10 (~~have been transitioned to the revised evaluation system pursuant to~~
11 ~~the district implementation schedule adopted under subsection (7)(c)~~
12 ~~of this section~~) are required to be on the four-level rating
13 evaluation system, the following comprehensive (~~summative~~
14 ~~evaluation~~) performance ratings based on the evaluation criteria in
15 subsection (2)(b) of this section mean a classroom teacher's work is
16 not judged satisfactory:

17 (i) Level 1; or

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

23 (b) During the period of probation, the employee may not be
24 transferred from the supervision of the original evaluator.
25 Improvement of performance or probable cause for nonrenewal must
26 occur and be documented by the original evaluator before any
27 consideration of a request for transfer or reassignment as
28 contemplated by either the individual or the school district. A
29 probationary period of sixty school days shall be established. Days
30 may be added if deemed necessary to complete a program for
31 improvement and evaluate the probationer's performance, as long as
32 the probationary period is concluded before May 15th of the same
33 school year. The probationary period may be extended into the
34 following school year if the probationer has five or more years of
35 teaching experience and has a comprehensive (~~summative evaluation~~)
36 performance rating as of May 15th of less than level 2. The
37 establishment of a probationary period does not adversely affect the
38 contract status of an employee within the meaning of RCW 28A.405.300.
39 The purpose of the probationary period is to give the employee
40 opportunity to demonstrate improvements in his or her areas of

1 deficiency. The establishment of the probationary period and the
2 giving of the notice to the employee of deficiency shall be by the
3 school district superintendent and need not be submitted to the board
4 of directors for approval. During the probationary period the
5 evaluator shall meet with the employee at least twice monthly to
6 supervise and make a written evaluation of the progress, if any, made
7 by the employee. The evaluator may authorize one additional
8 certificated employee to evaluate the probationer and to aid the
9 employee in improving his or her areas of deficiency. Should the
10 evaluator not authorize such additional evaluator, the probationer
11 may request that an additional certificated employee evaluator become
12 part of the probationary process and this request must be implemented
13 by including an additional experienced evaluator assigned by the
14 educational service district in which the school district is located
15 and selected from a list of evaluation specialists compiled by the
16 educational service district. Such additional certificated employee
17 shall be immune from any civil liability that might otherwise be
18 incurred or imposed with regard to the good faith performance of such
19 evaluation. If a procedural error occurs in the implementation of a
20 program for improvement, the error does not invalidate the
21 probationer's plan for improvement or evaluation activities unless
22 the error materially affects the effectiveness of the plan or the
23 ability to evaluate the probationer's performance. The probationer
24 must be removed from probation if he or she has demonstrated
25 improvement to the satisfaction of the evaluator in those areas
26 specifically detailed in his or her initial notice of deficiency and
27 subsequently detailed in his or her program for improvement. A
28 classroom teacher who (~~has been transitioned to the revised~~
29 ~~evaluation system pursuant to the district implementation schedule~~
30 ~~adopted under subsection (7)(c) of this section~~) is required to be
31 on the four-level rating evaluation system must be removed from
32 probation if he or she has demonstrated improvement that results in a
33 new comprehensive (~~summative evaluation~~) performance rating of
34 level 2 or above for a provisional employee or a continuing contract
35 employee with five or fewer years of experience, or of level 3 or
36 above for a continuing contract employee with more than five years of
37 experience. Lack of necessary improvement during the established
38 probationary period, as specifically documented in writing with
39 notification to the probationer constitutes grounds for a finding of
40 probable cause under RCW 28A.405.300 or 28A.405.210.

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

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

28 (5) Every board of directors shall establish evaluative criteria
29 and procedures for all superintendents, principals, and other
30 administrators. It shall be the responsibility of the district
31 superintendent or his or her designee to evaluate all administrators.
32 Except as provided in subsection (6) of this section, such evaluation
33 shall be based on the administrative position job description. Such
34 criteria, when applicable, shall include at least the following
35 categories: Knowledge of, experience in, and training in recognizing
36 good professional performance, capabilities and development; school
37 administration and management; school finance; professional
38 preparation and scholarship; effort toward improvement when needed;
39 interest in pupils, employees, patrons and subjects taught in school;

1 leadership; and ability and performance of evaluation of school
2 personnel.

3 ~~((Pursuant to the implementation schedule established by~~
4 ~~subsection (7)(b) of this section,))~~ Every board of directors shall
5 establish ~~((revised))~~ evaluative criteria and a four-level rating
6 system for principals.

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

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

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

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

12 (f) Student growth data that is relevant to the principal must be
13 a factor in the evaluation process and must be based on multiple
14 measures that can include classroom-based, school-based, district-
15 based, and state-based tools. As used in this subsection, "student
16 growth" means the change in student achievement between two points in
17 time.

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

20 (h) (~~For principals who have been transitioned to the revised~~
21 ~~evaluation system pursuant to the district implementation schedule~~
22 ~~adopted under subsection (7)(c) of this section,~~) The following
23 comprehensive (~~summative evaluation~~) performance ratings mean a
24 principal's work is not judged satisfactory:

25 (i) Level 1; or

26 (ii) Level 2 if the principal has more than five years of
27 experience in the principal role and if the level 2 comprehensive
28 (~~summative evaluation~~) performance rating has been received for two
29 consecutive years or for two years within a consecutive three-year
30 time period.

31 (7)(a) (~~The superintendent of public instruction, in~~
32 ~~collaboration with state associations representing teachers,~~
33 ~~principals, administrators, school board members, and parents, to be~~
34 ~~known as the steering committee, shall create models for implementing~~
35 ~~the evaluation system criteria, student growth tools, professional~~
36 ~~development programs, and evaluator training for certificated~~
37 ~~classroom teachers and principals. Human resources specialists,~~
38 ~~professional development experts, and assessment experts must also be~~
39 ~~consulted. Due to the diversity of teaching assignments and the many~~
40 ~~developmental levels of students, classroom teachers and principals~~

1 ~~must be prominently represented in this work. The models must be~~
2 ~~available for use in the 2011-12 school year.~~

3 ~~(b) A new certificated classroom teacher evaluation system that~~
4 ~~implements the provisions of subsection (2) of this section and a new~~
5 ~~principal evaluation system that implements the provisions of~~
6 ~~subsection (6) of this section shall be phased in beginning with the~~
7 ~~2010-11 school year by districts identified in (d) of this subsection~~
8 ~~and implemented in all school districts beginning with the 2013-14~~
9 ~~school year.~~

10 ~~(c) Each school district board of directors shall adopt a~~
11 ~~schedule for implementation of the revised evaluation systems that~~
12 ~~transitions a portion of classroom teachers and principals in the~~
13 ~~district to the revised evaluation systems each year beginning no~~
14 ~~later than the 2013-14 school year, until all classroom teachers and~~
15 ~~principals are being evaluated under the revised evaluation systems~~
16 ~~no later than the 2015-16 school year. A school district is not~~
17 ~~precluded from completing the transition of all classroom teachers~~
18 ~~and principals to the revised evaluation systems before the 2015-16~~
19 ~~school year. The schedule adopted under this subsection (7)(c) must~~
20 ~~provide that the following employees are transitioned to the revised~~
21 ~~evaluation systems beginning in the 2013-14 school year:~~

22 ~~(i) Classroom teachers who are provisional employees under RCW~~
23 ~~28A.405.220;~~

24 ~~(ii) Classroom teachers who are on probation under subsection (4)~~
25 ~~of this section;~~

26 ~~(iii) Principals in the first three consecutive school years of~~
27 ~~employment as a principal;~~

28 ~~(iv) Principals whose work is not judged satisfactory in their~~
29 ~~most recent evaluation; and~~

30 ~~(v) 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.~~

34 ~~(d) A set of school districts shall be selected by the~~
35 ~~superintendent of public instruction to participate in a~~
36 ~~collaborative process resulting in the development and piloting of~~
37 ~~new certificated classroom teacher and principal evaluation systems~~
38 ~~during the 2010-11 and 2011-12 school years. These school districts~~
39 ~~must be selected based on: (i) The agreement of the local~~
40 ~~associations representing classroom teachers and principals to~~

1 collaborate with the district in this developmental work and (ii) the
2 agreement to participate in the full range of development and
3 implementation activities, including: Development of rubrics for the
4 evaluation criteria and ratings in subsections (2) and (6) of this
5 section; identification of or development of appropriate multiple
6 measures of student growth in subsections (2) and (6) of this
7 section; development of appropriate evaluation system forms;
8 participation in professional development for principals and
9 classroom teachers regarding the content of the new evaluation
10 system; participation in evaluator training; and participation in
11 activities to evaluate the effectiveness of the new systems and
12 support programs. The school districts must submit to the office of
13 the superintendent of public instruction data that is used in
14 evaluations and all district collected student achievement, aptitude,
15 and growth data regardless of whether the data is used in
16 evaluations. If the data is not available electronically, the
17 district may submit it in nonelectronic form. The superintendent of
18 public instruction must analyze the districts' use of student data in
19 evaluations, including examining the extent that student data is not
20 used or is underutilized. The superintendent of public instruction
21 must also consult with participating districts and stakeholders,
22 recommend appropriate changes, and address statewide implementation
23 issues. The superintendent of public instruction shall report
24 evaluation system implementation status, evaluation data, and
25 recommendations to appropriate committees of the legislature and
26 governor by July 1, 2011, and at the conclusion of the development
27 phase by July 1, 2012. In the July 1, 2011, report, the
28 superintendent shall include recommendations for whether a single
29 statewide evaluation model should be adopted, whether modified
30 versions developed by school districts should be subject to state
31 approval, and what the criteria would be for determining if a school
32 district's evaluation model meets or exceeds a statewide model. The
33 report shall also identify challenges posed by requiring a state
34 approval process.

35 (e)(i) The steering committee in subsection (7)(a) of this
36 section and the pilot school districts in subsection (7)(d) of this
37 section shall continue to examine implementation issues and refine
38 tools for the new certificated classroom teacher evaluation system in
39 subsection (2) of this section and the new principal evaluation

1 ~~system in subsection (6) of this section during the 2013-14 through~~
2 ~~2015-16 implementation phase.~~

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

4 ~~(A) Developing a report for the legislature and governor, due by~~
5 ~~December 1, 2013, of best practices and recommendations regarding how~~
6 ~~teacher and principal evaluations and other appropriate elements~~
7 ~~shall inform school district human resource and personnel practices.~~
8 ~~The legislature and governor are provided the opportunity to review~~
9 ~~the report and recommendations during the 2014 legislative session;~~

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

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

14 ~~(D) Refining evaluation system management tools, professional~~
15 ~~development programs, and evaluator training programs with an~~
16 ~~emphasis on developing rater reliability;~~

17 ~~(E) Reviewing emerging research regarding teacher and principal~~
18 ~~evaluation systems and the development and implementation of~~
19 ~~evaluation systems in other states;~~

20 ~~(F) Reviewing the impact that variable demographic~~
21 ~~characteristics of students and schools have on the objectivity,~~
22 ~~reliability, validity, and availability of student growth data; and~~

23 ~~(G) Developing recommendations regarding how teacher evaluations~~
24 ~~could inform state policies regarding the criteria for a teacher to~~
25 ~~obtain continuing contract status under RCW 28A.405.210. In~~
26 ~~developing these recommendations the experiences of school districts~~
27 ~~and teachers during the evaluation transition phase must be~~
28 ~~considered. Recommendations must be reported by July 1, 2016, to the~~
29 ~~legislature and the governor.~~

30 ~~(iii) To support the tasks in (c)(ii) of this subsection, the~~
31 ~~superintendent of public instruction may contract with an independent~~
32 ~~research organization with expertise in educator evaluations and~~
33 ~~knowledge of the revised evaluation systems being implemented under~~
34 ~~this section.~~

35 ~~(iv)) (i) The following participants must be known as the~~
36 ~~steering committee: State associations representing teachers,~~
37 ~~principals, administrators, school board members, and parents. The~~
38 ~~committee shall cease to function July 1, 2022.~~

39 ~~(ii) The superintendent of public instruction, in collaboration~~
40 ~~with the steering committee, shall periodically examine~~

1 implementation issues and refine tools for the teacher and principal
2 four-level rating evaluation systems.

3 (b) The superintendent of public instruction shall monitor the
4 statewide implementation of ((revised)) teacher and principal four-
5 level rating evaluation systems using data reported under RCW
6 28A.150.230 as well as periodic input from focus groups of
7 administrators, principals, and teachers.

8 ~~((v) The superintendent of public instruction shall submit~~
9 ~~reports detailing findings, emergent issues or trends,~~
10 ~~recommendations from the steering committee, and pilot school~~
11 ~~districts, and other recommendations, to enhance implementation and~~
12 ~~continuous improvement of the revised evaluation systems to~~
13 ~~appropriate committees of the legislature and the governor beginning~~
14 ~~July 1, 2013, and each July 1st thereafter for each year of the~~
15 ~~school district implementation transition period concluding with a~~
16 ~~report on December 1, 2016.))~~

17 (8)(a) Beginning with the 2015-16 school year, evaluation results
18 for certificated classroom teachers and principals must be used as
19 one of multiple factors in making human resource and personnel
20 decisions. Human resource decisions include, but are not limited to:
21 Staff assignment, including the consideration of an agreement to an
22 assignment by an appropriate teacher, principal, and superintendent;
23 and reduction in force. Nothing in this section limits the ability to
24 collectively bargain how the multiple factors shall be used in making
25 human resource or personnel decisions, with the exception that
26 evaluation results must be a factor.

27 (b) The office of the superintendent of public instruction must
28 report to the legislature and the governor regarding the school
29 district implementation of the provisions of (a) of this subsection
30 by December 1, 2017.

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

37 (10) The failure of any evaluator to evaluate or supervise or
38 cause the evaluation or supervision of certificated classroom
39 teachers and certificated support personnel or administrators in
40 accordance with this section, as now or hereafter amended, when it is

1 his or her specific assigned or delegated responsibility to do so,
2 shall be sufficient cause for the nonrenewal of any such evaluator's
3 contract under RCW 28A.405.210, or the discharge of such evaluator
4 under RCW 28A.405.300.

5 (11) After a certificated classroom teacher (~~(or)~~) who is not
6 required to be on the four-level rating evaluation system or a
7 certificated support personnel has four years of satisfactory
8 evaluations under subsection (1) of this section, a school district
9 may use a short form of evaluation, a locally bargained evaluation
10 emphasizing professional growth, an evaluation under subsection (1)
11 or (2) of this section, or any combination thereof. The short form of
12 evaluation shall include either a thirty minute observation during
13 the school year with a written summary or a final annual written
14 evaluation based on the criteria in subsection (1) or (2) of this
15 section and based on at least two observation periods during the
16 school year totaling at least sixty minutes without a written summary
17 of such observations being prepared. A locally bargained short-form
18 evaluation emphasizing professional growth must provide that the
19 professional growth activity conducted by the certificated classroom
20 teacher be specifically linked to one or more of the certificated
21 classroom teacher evaluation criteria. However, the evaluation
22 process set forth in subsection (1) or (2) of this section shall be
23 followed at least once every three years unless this time is extended
24 by a local school district under the bargaining process set forth in
25 chapter 41.59 RCW. The employee or evaluator may require that the
26 evaluation process set forth in subsection (1) or (2) of this section
27 be conducted in any given school year. No evaluation other than the
28 evaluation authorized under subsection (1) or (2) of this section may
29 be used as a basis for determining that an employee's work is not
30 satisfactory under subsection (1) or (2) of this section or as
31 probable cause for the nonrenewal of an employee's contract under RCW
32 28A.405.210 unless an evaluation process developed under chapter
33 41.59 RCW determines otherwise. (~~The provisions of this subsection~~
34 ~~apply to certificated classroom teachers only until the teacher has~~
35 ~~been transitioned to the revised evaluation system pursuant to the~~
36 ~~district implementation schedule adopted under subsection (7)(c) of~~
37 ~~this section.~~)

38 (12) (~~All~~) Certificated classroom teachers and principals who
39 (~~have been transitioned to the revised evaluation systems pursuant~~
40 ~~to the district implementation schedule adopted under subsection~~

1 ~~(7)(c) of this section))~~ are required to be on the four-level rating
2 evaluation system must receive annual performance evaluations as
3 provided in this subsection~~((+))~~ (12).

4 ~~(a) ((All classroom teachers and principals shall receive a~~
5 ~~comprehensive summative evaluation at least once every four years.))~~
6 A comprehensive ~~((summative))~~ performance evaluation assesses all
7 eight evaluation criteria and all criteria contribute to the
8 comprehensive ~~((summative evaluation))~~ performance rating. Classroom
9 teachers and principals must receive a comprehensive performance
10 evaluation according to the schedule specified in (b) of this
11 subsection.

12 (b)(i) Except as otherwise provided in this subsection (12)(b),
13 classroom teachers and principals must receive a comprehensive
14 performance evaluation at least once every four years.

15 ~~((b))~~ (ii) The following ~~((categories))~~ types of classroom
16 teachers and principals ~~((shall))~~ must receive an annual
17 comprehensive ~~((summative))~~ performance evaluation:

18 ~~((i))~~ (A) A classroom teacher~~((s))~~ who ~~((are))~~ is a provisional
19 employee~~((s))~~ under RCW 28A.405.220;

20 ~~((ii))~~ (B) A principal~~((s))~~ in the first three consecutive
21 school years of employment as a principal;

22 ~~((iii))~~ (C) A principal~~((s))~~ previously employed as a principal
23 by another school district in the state of Washington for three or
24 more consecutive school years and in the first full year as a
25 principal in the school district; and

26 ~~((iv) Any))~~ (D) A classroom teacher or principal who received a
27 comprehensive ~~((summative evaluation))~~ performance rating of level 1
28 or level 2 in the previous school year.

29 (iii) A classroom teacher who holds a valid Washington
30 professional teaching certificate or a valid certification from the
31 national board for professional teaching standards and a principal
32 who holds a valid Washington professional administrator certificate,
33 and who received a comprehensive performance rating of level 3 or
34 above in his or her previous comprehensive performance evaluation
35 must receive a comprehensive performance evaluation at least every
36 six years.

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

1 year)) their previous comprehensive performance evaluation are
2 required to complete a focused performance evaluation. A focused
3 performance evaluation includes an assessment of one of the eight
4 criteria selected for a performance rating plus professional growth
5 activities specifically linked to the selected criteria.

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

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

18 (iv) A teacher or principal may be transferred from a focused
19 performance evaluation to a comprehensive (~~summative~~) performance
20 evaluation at the request of the teacher or principal, or at the
21 direction of the teacher's or principal's evaluator.

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

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

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

34 Correct the title.

EFFECT: Retains the policy that classroom teachers with a Washington professional teacher certificate or a National Board Certificate, and principals with a Washington professional principal certificate, who previously received a comprehensive performance rating of level 3 or above must receive a comprehensive performance

evaluation at least every six years, rather than every four years as required in current statute.

Extends the evaluation system steering committee until July 1, 2022.

Makes the following nonsubstantive/clarifying changes:

Specifies that a focused performance evaluation must be completed for classroom teachers and principals who received a rating of level 3 or above "in their previous comprehensive performance evaluation," rather than "in the previous year" (some will not have received a comprehensive performance evaluation in the previous year).

Replaces the term "revised evaluation system" with "four-level rating evaluation system" for clarity.

Removes references to "summative" when describing the evaluations and rating, and uses the following terms instead: Comprehensive performance evaluation, comprehensive performance rating, focused performance evaluation, and focused performance rating.

Strikes language related to the implementation schedule, pilots, and related reports, as well as distinctions between classroom teachers and principals who have been transitioned to the revised system because these provisions are no longer applicable.

Makes technical changes.

--- END ---