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HOUSE BILL 1691

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State of Washington

65th Legislature

2017 Regular Session

By Representatives Harris, Santos, Muri, and Bergquist; by request of Superintendent of Public Instruction

Read first time 01/26/17. Referred to Committee on Education.

1 AN ACT Relating to removing the expiration date for the teacher  
2 and principal evaluation program advisory committee; and amending RCW  
3 28A.405.100.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

17 (b) Every board of directors shall, in accordance with procedure  
18 provided in RCW 41.59.010 through 41.59.170, 41.59.910, and  
19 41.59.920, establish evaluative criteria and procedures for all  
20 certificated classroom teachers and certificated support personnel.  
21 The evaluative criteria must contain as a minimum the criteria

1 established by the superintendent of public instruction pursuant to  
2 this section and must be prepared within six months following  
3 adoption of the superintendent of public instruction's minimum  
4 criteria. The district must certify to the superintendent of public  
5 instruction that evaluative criteria have been so prepared by the  
6 district.

7 (2)(a) Pursuant to the implementation schedule established in  
8 subsection (7)(c) of this section, every board of directors shall, in  
9 accordance with procedures provided in RCW 41.59.010 through  
10 41.59.170, 41.59.910, and 41.59.920, establish revised evaluative  
11 criteria and a four-level rating system for all certificated  
12 classroom teachers.

13 (b) The minimum criteria shall include: (i) Centering instruction  
14 on high expectations for student achievement; (ii) demonstrating  
15 effective teaching practices; (iii) recognizing individual student  
16 learning needs and developing strategies to address those needs; (iv)  
17 providing clear and intentional focus on subject matter content and  
18 curriculum; (v) fostering and managing a safe, positive learning  
19 environment; (vi) using multiple student data elements to modify  
20 instruction and improve student learning; (vii) communicating and  
21 collaborating with parents and the school community; and (viii)  
22 exhibiting collaborative and collegial practices focused on improving  
23 instructional practice and student learning. Student growth data must  
24 be a substantial factor in evaluating the summative performance of  
25 certificated classroom teachers for at least three of the evaluation  
26 criteria listed in this subsection.

27 (c) The four-level rating system used to evaluate the  
28 certificated classroom teacher must describe performance along a  
29 continuum that indicates the extent to which the criteria have been  
30 met or exceeded. The summative performance ratings shall be as  
31 follows: Level 1 - unsatisfactory; level 2 - basic; level 3 -  
32 proficient; and level 4 - distinguished. A classroom teacher shall  
33 receive one of the four summative performance ratings for each of the  
34 minimum criteria in (b) of this subsection and one of the four  
35 summative performance ratings for the evaluation as a whole, which  
36 shall be the comprehensive summative evaluation performance rating.  
37 By December 1, 2012, the superintendent of public instruction must  
38 adopt rules prescribing a common method for calculating the  
39 comprehensive summative evaluation performance rating for each of the  
40 preferred instructional frameworks, including for a focused

1 evaluation under subsection (12) of this section, giving appropriate  
2 weight to the indicators evaluated under each criteria and maximizing  
3 rater agreement among the frameworks.

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

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

22 (f) Student growth data that is relevant to the teacher and  
23 subject matter must be a factor in the evaluation process and must be  
24 based on multiple measures that can include classroom-based, school-  
25 based, district-based, and state-based tools. Student growth data  
26 elements may include the teacher's performance as a member of a  
27 grade-level, subject matter, or other instructional team within a  
28 school when the use of this data is relevant and appropriate. Student  
29 growth data elements may also include the teacher's performance as a  
30 member of the overall instructional team of a school when use of this  
31 data is relevant and appropriate. As used in this subsection,  
32 "student growth" means the change in student achievement between two  
33 points in time.

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

35 (3)(a) Except as provided in subsection (11) of this section, it  
36 shall be the responsibility of a principal or his or her designee to  
37 evaluate all certificated personnel in his or her school. During each  
38 school year all classroom teachers and certificated support personnel  
39 shall be observed for the purposes of evaluation at least twice in  
40 the performance of their assigned duties. Total observation time for

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

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

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

25 (i) Level 1; or

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

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

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

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

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

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

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

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

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

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

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

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

29 (i) Level 1; or

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

35 (7)(a) The superintendent of public instruction, in collaboration  
36 with state associations representing teachers, principals,  
37 administrators, school board members, and parents, to be known as the  
38 steering committee, shall create models for implementing the  
39 evaluation system criteria, student growth tools, professional  
40 development programs, and evaluator training for certificated



1 classroom teachers and principals. Human resources specialists,  
2 professional development experts, and assessment experts must also be  
3 consulted. Due to the diversity of teaching assignments and the many  
4 developmental levels of students, classroom teachers and principals  
5 must be prominently represented in this work. The models must be  
6 available for use in the 2011-12 school year.

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

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

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

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

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

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

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

38 (d) A set of school districts shall be selected by the  
39 superintendent of public instruction to participate in a  
40 collaborative process resulting in the development and piloting of

1 new certificated classroom teacher and principal evaluation systems  
2 during the 2010-11 and 2011-12 school years. These school districts  
3 must be selected based on: (i) The agreement of the local  
4 associations representing classroom teachers and principals to  
5 collaborate with the district in this developmental work and (ii) the  
6 agreement to participate in the full range of development and  
7 implementation activities, including: Development of rubrics for the  
8 evaluation criteria and ratings in subsections (2) and (6) of this  
9 section; identification of or development of appropriate multiple  
10 measures of student growth in subsections (2) and (6) of this  
11 section; development of appropriate evaluation system forms;  
12 participation in professional development for principals and  
13 classroom teachers regarding the content of the new evaluation  
14 system; participation in evaluator training; and participation in  
15 activities to evaluate the effectiveness of the new systems and  
16 support programs. The school districts must submit to the office of  
17 the superintendent of public instruction data that is used in  
18 evaluations and all district-collected student achievement, aptitude,  
19 and growth data regardless of whether the data is used in  
20 evaluations. If the data is not available electronically, the  
21 district may submit it in nonelectronic form. The superintendent of  
22 public instruction must analyze the districts' use of student data in  
23 evaluations, including examining the extent that student data is not  
24 used or is underutilized. The superintendent of public instruction  
25 must also consult with participating districts and stakeholders,  
26 recommend appropriate changes, and address statewide implementation  
27 issues. The superintendent of public instruction shall report  
28 evaluation system implementation status, evaluation data, and  
29 recommendations to appropriate committees of the legislature and  
30 governor by July 1, 2011, and at the conclusion of the development  
31 phase by July 1, 2012. In the July 1, 2011, report, the  
32 superintendent shall include recommendations for whether a single  
33 statewide evaluation model should be adopted, whether modified  
34 versions developed by school districts should be subject to state  
35 approval, and what the criteria would be for determining if a school  
36 district's evaluation model meets or exceeds a statewide model. The  
37 report shall also identify challenges posed by requiring a state  
38 approval process.

39 (e)(i) The steering committee in (a) of this subsection (~~((7)(a)~~  
40 ~~of this section))~~) and the pilot school districts in (a) of this

1 subsection (~~((7)(d) of this section))~~) shall continue to examine  
2 implementation issues and refine tools for the new certificated  
3 classroom teacher evaluation system in subsection (2) of this section  
4 and the new principal evaluation system in subsection (6) of this  
5 section (~~(during the 2013-14 through 2015-16 implementation phase)~~).

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

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

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

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

17 (D) Refining evaluation system management tools, professional  
18 development programs, and evaluator training programs with an  
19 emphasis on developing rater reliability;

20 (E) Reviewing emerging research regarding teacher and principal  
21 evaluation systems and the development and implementation of  
22 evaluation systems in other states;

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

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

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

38 (iv) The superintendent of public instruction shall monitor the  
39 statewide implementation of revised teacher and principal evaluation

1 systems using data reported under RCW 28A.150.230 as well as periodic  
2 input from focus groups of administrators, principals, and teachers.

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

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

21 (b) The office of the superintendent of public instruction must  
22 report to the legislature and the governor regarding the school  
23 district implementation of the provisions of (a) of this subsection  
24 by December 1, 2017.

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

31 (10) The failure of any evaluator to evaluate or supervise or  
32 cause the evaluation or supervision of certificated classroom  
33 teachers and certificated support personnel or administrators in  
34 accordance with this section, as now or hereafter amended, when it is  
35 his or her specific assigned or delegated responsibility to do so,  
36 shall be sufficient cause for the nonrenewal of any such evaluator's  
37 contract under RCW 28A.405.210, or the discharge of such evaluator  
38 under RCW 28A.405.300.

39 (11) After a certificated classroom teacher or certificated  
40 support personnel has four years of satisfactory evaluations under

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

31 (12) All certificated classroom teachers and principals who have  
32 been transitioned to the revised evaluation systems pursuant to the  
33 district implementation schedule adopted under subsection (7)(c) of  
34 this section must receive annual performance evaluations as provided  
35 in this subsection:

36 (a) All classroom teachers and principals shall receive a  
37 comprehensive summative evaluation at least once every four years. A  
38 comprehensive summative evaluation assesses all eight evaluation  
39 criteria and all criteria contribute to the comprehensive summative  
40 evaluation performance rating.

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

3 (i) Classroom teachers who are provisional employees under RCW  
4 28A.405.220;

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

7 (iii) Principals previously employed as a principal by another  
8 school district in the state of Washington for three or more  
9 consecutive school years and in the first full year as a principal in  
10 the school district; and

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

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

21 (ii) The selected criteria must be approved by the teacher's or  
22 principal's evaluator and may have been identified in a previous  
23 comprehensive summative evaluation as benefiting from additional  
24 attention. A group of teachers may focus on the same evaluation  
25 criteria and share professional growth activities. A group of  
26 principals may focus on the same evaluation criteria and share  
27 professional growth activities.

28 (iii) The evaluator must assign a comprehensive summative  
29 evaluation performance rating for the focused evaluation using the  
30 methodology adopted by the superintendent of public instruction for  
31 the instructional or leadership framework being used.

32 (iv) A teacher or principal may be transferred from a focused  
33 evaluation to a comprehensive summative evaluation at the request of  
34 the teacher or principal, or at the direction of the teacher's or  
35 principal's evaluator.

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

1           (vi) A classroom teacher or principal may apply the focused  
2 evaluation professional growth activities toward the professional  
3 growth plan for professional certificate renewal as required by the  
4 professional educator standards board.

5           (13) Each school district is encouraged to acknowledge and  
6 recognize classroom teachers and principals who have attained level 4  
7 - distinguished performance ratings.

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