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**SENATE BILL 5158**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Hunt, Wellman, and Van De Wege; by request of Superintendent of Public Instruction

Read first time 01/15/19. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to educator evaluations and professional  
2 development; and amending RCW 28A.405.100 and 28A.415.265.

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

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

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

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

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

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

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

26 (c) The four-level rating system used to evaluate the  
27 certificated classroom teacher must describe performance along a  
28 continuum that indicates the extent to which the criteria have been  
29 met or exceeded. The (~~summative~~) performance ratings shall be as  
30 follows: Level 1 - unsatisfactory; level 2 - basic; level 3 -  
31 proficient; and level 4 - distinguished. A classroom teacher shall  
32 receive one of the four (~~summative~~) performance ratings for each of  
33 the minimum criteria in (b) of this subsection and one of the four  
34 (~~summative~~) performance ratings for the evaluation as a whole,  
35 which shall be the comprehensive (~~summative-evaluation~~) performance  
36 rating. (~~By December 1, 2012,~~) The superintendent of public  
37 instruction must adopt rules prescribing a common method for  
38 calculating the comprehensive (~~summative-evaluation~~) performance  
39 rating for each of the preferred instructional frameworks, including  
40 for a focused performance evaluation under subsection (12) of this

1 section, giving appropriate weight to the indicators evaluated under  
2 each criteria and maximizing rater agreement among the frameworks.

3 (d) (~~By December 1, 2012,~~) The superintendent of public  
4 instruction shall adopt rules that provide descriptors for each of  
5 the (~~summative~~) performance ratings (~~, based on the development~~  
6 ~~work of pilot school districts under subsection (7) of this section.~~  
7 ~~Any subsequent changes to the descriptors by the superintendent may~~  
8 ~~only be~~) with updates to the rules made following consultation with  
9 (~~a group broadly reflective of the parties represented~~) the  
10 steering committee described in subsection (7)(a)(i) 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~~) four-level rating evaluation  
14 system. The instructional frameworks shall be research-based and  
15 establish definitions or rubrics for each of the four (~~summative~~)  
16 performance ratings for each evaluation criteria. Each school  
17 district must adopt one of the preferred instructional frameworks and  
18 post the selection on the district's web site. The superintendent of  
19 public instruction shall establish a process for approving minor  
20 modifications or adaptations to a preferred instructional framework  
21 that may be 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~~)  
9 within three days after such report is prepared. New employees shall  
10 be observed at least once for a total observation time of thirty  
11 minutes during the first ninety calendar days of their employment  
12 period.

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

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

27 (i) Level 1; or

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

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

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

1 on the four-level rating evaluation system must be removed from  
2 probation if he or she has demonstrated improvement that results in a  
3 new comprehensive (~~summative evaluation~~) performance rating of  
4 level 2 or above for a provisional employee or a continuing contract  
5 employee with five or fewer years of experience, or of level 3 or  
6 above for a continuing contract employee with more than five years of  
7 experience. Lack of necessary improvement during the established  
8 probationary period, as specifically documented in writing with  
9 notification to the probationer constitutes grounds for a finding of  
10 probable cause under RCW 28A.405.300 or 28A.405.210.

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

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

38 (5) Every board of directors shall establish evaluative criteria  
39 and procedures for all superintendents, principals, and other  
40 administrators. It shall be the responsibility of the district

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

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

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

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

1 evaluation as a whole, which shall be the comprehensive (~~summative~~  
2 ~~evaluation~~) performance rating.

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

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

22 (f) Student growth data that is relevant to the principal must be  
23 a factor in the evaluation process and must be based on multiple  
24 measures that can include classroom-based, school-based, district-  
25 based, and state-based tools. As used in this subsection, "student  
26 growth" means the change in student achievement between two points in  
27 time.

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

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

35 (i) Level 1; or

36 (ii) Level 2 if the principal has more than five years of  
37 experience in the principal role and if the level 2 comprehensive  
38 (~~summative evaluation~~) performance rating has been received for two  
39 consecutive years or for two years within a consecutive three-year  
40 time period.



1           (7) (a)     (~~The superintendent of public instruction, in~~  
2 ~~collaboration with state associations representing teachers,~~  
3 ~~principals, administrators, school board members, and parents, to be~~  
4 ~~known as the steering committee, shall create models for implementing~~  
5 ~~the evaluation system criteria, student growth tools, professional~~  
6 ~~development programs, and evaluator training for certificated~~  
7 ~~classroom teachers and principals. Human resources specialists,~~  
8 ~~professional development experts, and assessment experts must also be~~  
9 ~~consulted. Due to the diversity of teaching assignments and the many~~  
10 ~~developmental levels of students, classroom teachers and principals~~  
11 ~~must be prominently represented in this work. The models must be~~  
12 ~~available for use in the 2011-12 school year.~~

13           ~~(b) A new certificated classroom teacher evaluation system that~~  
14 ~~implements the provisions of subsection (2) of this section and a new~~  
15 ~~principal evaluation system that implements the provisions of~~  
16 ~~subsection (6) of this section shall be phased in beginning with the~~  
17 ~~2010-11 school year by districts identified in (d) of this subsection~~  
18 ~~and implemented in all school districts beginning with the 2013-14~~  
19 ~~school year.~~

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

32           ~~(i) Classroom teachers who are provisional employees under RCW~~  
33 ~~28A.405.220;~~

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

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

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

1       ~~(v) Principals previously employed as a principal by another~~  
2 ~~school district in the state of Washington for three or more~~  
3 ~~consecutive school years and in the first full year as a principal in~~  
4 ~~the school district.~~

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

1 versions developed by school districts should be subject to state  
2 approval, and what the criteria would be for determining if a school  
3 district's evaluation model meets or exceeds a statewide model. The  
4 report shall also identify challenges posed by requiring a state  
5 approval process.

6 (e) (i) The steering committee in subsection (7) (a) of this  
7 section and the pilot school districts in subsection (7) (d) of this  
8 section shall continue to examine implementation issues and refine  
9 tools for the new certificated classroom teacher evaluation system in  
10 subsection (2) of this section and the new principal evaluation  
11 system in subsection (6) of this section during the 2013-14 through  
12 2015-16 implementation phase.

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

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

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

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

24 (D) Refining evaluation system management tools, professional  
25 development programs, and evaluator training programs with an  
26 emphasis on developing rater reliability;

27 (E) Reviewing emerging research regarding teacher and principal  
28 evaluation systems and the development and implementation of  
29 evaluation systems in other states;

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

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

1 ~~(iii) To support the tasks in (e)(ii) of this subsection, the~~  
2 ~~superintendent of public instruction may contract with an independent~~  
3 ~~research organization with expertise in educator evaluations and~~  
4 ~~knowledge of the revised evaluation systems being implemented under~~  
5 ~~this section.~~

6 ~~(iv))~~ (i) The steering committee is composed of the following  
7 participants: State associations representing teachers, principals,  
8 administrators, school board members, and parents.

9 (ii) The superintendent of public instruction, in collaboration  
10 with the steering committee, shall periodically examine  
11 implementation issues and refine tools for the teacher and principal  
12 four-level rating evaluation systems, including professional learning  
13 that addresses issues of equity through the lens of the selected  
14 instructional and leadership frameworks.

15 (b) The superintendent of public instruction shall monitor the  
16 statewide implementation of ((revised)) teacher and principal four-  
17 level rating evaluation systems using data reported under RCW  
18 28A.150.230 as well as periodic input from focus groups of  
19 administrators, principals, and teachers.

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

29 (8) (a) Beginning with the 2015-16 school year, evaluation results  
30 for certificated classroom teachers and principals must be used as  
31 one of multiple factors in making human resource and personnel  
32 decisions. Human resource decisions include, but are not limited to:  
33 Staff assignment, including the consideration of an agreement to an  
34 assignment by an appropriate teacher, principal, and superintendent;  
35 and reduction in force. Nothing in this section limits the ability to  
36 collectively bargain how the multiple factors shall be used in making  
37 human resource or personnel decisions, with the exception that  
38 evaluation results must be a factor.

39 (b) The office of the superintendent of public instruction must  
40 report to the legislature and the governor regarding the school

1 district implementation of the provisions of (a) of this subsection  
2 by December 1, 2017.

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

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

17 (11) After a certificated classroom teacher (~~(or)~~) who is not  
18 required to be on the four-level rating evaluation system or a  
19 certificated support personnel has four years of satisfactory  
20 evaluations under subsection (1) of this section, a school district  
21 may use a short form of evaluation, a locally bargained evaluation  
22 emphasizing professional growth, an evaluation under subsection (1)  
23 or (2) of this section, or any combination thereof. The short form of  
24 evaluation shall include either a thirty minute observation during  
25 the school year with a written summary or a final annual written  
26 evaluation based on the criteria in subsection (1) or (2) of this  
27 section and based on at least two observation periods during the  
28 school year totaling at least sixty minutes without a written summary  
29 of such observations being prepared. A locally bargained short-form  
30 evaluation emphasizing professional growth must provide that the  
31 professional growth activity conducted by the certificated classroom  
32 teacher be specifically linked to one or more of the certificated  
33 classroom teacher evaluation criteria. However, the evaluation  
34 process set forth in subsection (1) or (2) of this section shall be  
35 followed at least once every three years unless this time is extended  
36 by a local school district under the bargaining process set forth in  
37 chapter 41.59 RCW. The employee or evaluator may require that the  
38 evaluation process set forth in subsection (1) or (2) of this section  
39 be conducted in any given school year. No evaluation other than the  
40 evaluation authorized under subsection (1) or (2) of this section may

1 be used as a basis for determining that an employee's work is not  
2 satisfactory under subsection (1) or (2) of this section or as  
3 probable cause for the nonrenewal of an employee's contract under RCW  
4 28A.405.210 unless an evaluation process developed under chapter  
5 41.59 RCW determines otherwise. (~~The provisions of this subsection~~  
6 ~~apply to certificated classroom teachers only until the teacher has~~  
7 ~~been transitioned to the revised evaluation system pursuant to the~~  
8 ~~district implementation schedule adopted under subsection (7)(c) of~~  
9 ~~this section.~~)

10 (12) (~~All~~) Certificated classroom teachers and principals who  
11 (~~have been transitioned to the revised evaluation systems pursuant~~  
12 ~~to the district implementation schedule adopted under subsection~~  
13 ~~(7)(c) of this section)~~) are required to be on the four-level rating  
14 evaluation system must receive annual performance evaluations as  
15 provided in this subsection(~~(12)~~) (12).

16 (a) (~~All classroom teachers and principals shall receive a~~  
17 ~~comprehensive summative evaluation at least once every four years.~~)  
18 A comprehensive (~~summative~~) performance evaluation assesses all  
19 eight evaluation criteria and all criteria contribute to the  
20 comprehensive (~~summative evaluation~~) performance rating. Classroom  
21 teachers and principals must receive a comprehensive performance  
22 evaluation according to the schedule specified in (b) of this  
23 subsection.

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

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

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

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

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

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

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

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

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

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

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

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

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

38 **Sec. 2.** RCW 28A.415.265 and 2016 c 233 s 11 are each amended to  
39 read as follows:

1 (1) For the purposes of this section, a mentor is an educator  
2 who:

3 (a) Has ((achieved)) successfully completed appropriate training  
4 in assisting, coaching, and advising beginning ~~((teachers))~~ educators  
5 or student teaching residents as defined by the office of the  
6 superintendent of public instruction ~~((, such as national board~~  
7 ~~certification or other specialized training))~~;

8 (b) Has been selected using mentor standards developed by the  
9 office of the superintendent of public instruction; and

10 (c) Is participating in ongoing mentor skills professional  
11 development.

12 (2) (a) The beginning educator support team program is established  
13 to provide beginning educator induction, including professional  
14 development and ~~((mentor))~~ mentoring support for beginning educators,  
15 candidates in alternative route teacher certification programs  
16 ~~((under RCW 28A.660.040)),~~ and educators on probation under RCW  
17 28A.405.100 ~~((, to be composed of the beginning educator support team~~  
18 ~~for beginning educators and continuous improvement coaching for~~  
19 ~~educators on probation, as provided in this section))~~.

20 (b) The superintendent of public instruction shall notify school  
21 districts about the beginning educator support team program and  
22 encourage districts to apply for program funds.

23 (3) Subject to the availability of amounts appropriated for this  
24 specific purpose, the office of the superintendent of public  
25 instruction shall allocate funds for the beginning educator support  
26 team on a competitive basis to individual school districts ~~((or)),~~  
27 consortia of districts, or tribal compact schools. ~~((School districts~~  
28 ~~are encouraged to include educational service districts in creating~~  
29 ~~regional consortia.))~~ In allocating funds, the office of the  
30 superintendent of public instruction shall give priority to:

31 (a) School districts with low-performing schools identified for  
32 supports under RCW 28A.657.020 ~~((as being challenged schools in need~~  
33 ~~of improvement))~~; ~~((and))~~

34 (b) School districts with a large influx of beginning ~~((classroom~~  
35 ~~teachers))~~ educators; and

36 (c) School districts that demonstrate understanding of the  
37 research-based standards for beginning educator induction developed  
38 by the office of the superintendent of public instruction.

39 (4) A portion of the appropriated funds may be used for program  
40 coordination and provision of statewide or regional professional



1 development through the office of the superintendent of public  
2 instruction.

3 (5) A beginning educator support team program must include the  
4 following components:

5 (a) A paid instructional orientation or individualized assistance  
6 before the start of the school year for beginning educators;

7 (b) Assignment of a trained and qualified mentor for up to the  
8 first three years for beginning educators, with intensive support in  
9 the first year and decreasing support over the following years  
10 depending on the needs of the beginning educator;

11 (c) A goal to provide beginning (~~teachers~~) educators from  
12 underrepresented populations with a mentor who has strong ties to  
13 underrepresented populations;

14 (d) Ongoing professional development for beginning educators that  
15 is designed to meet their unique needs for supplemental training and  
16 skill development;

17 (e) Initial and ongoing professional development for mentors;

18 (f) Release time for mentors and their designated educators to  
19 work together, as well as time for beginning educators to observe  
20 accomplished peers; (~~and~~)

21 (g) When possible, an assignment for beginning educators that is  
22 less challenging than that for more experienced colleagues;

23 (h) Nonevaluative observations by mentors with written feedback  
24 for beginning educators;

25 (i) Support in understanding and participating in the state and  
26 district evaluation process and using either the instructional  
27 framework, leadership framework, or both to promote growth;

28 (j) Adherence to research-based standards for beginning educator  
29 induction developed by the office of the superintendent of public  
30 instruction; and

31 (k) A program evaluation (~~using a standard evaluation tool~~  
32 ~~provided from the office of the superintendent of public instruction~~  
33 ~~that measures increased knowledge, skills~~) that identifies program  
34 strengths and gaps using the standards for beginning educator  
35 induction, the retention of beginning educators, and positive impact  
36 on student (~~learning~~) growth for program participants.

37 (6) Subject to the availability of amounts appropriated for this  
38 specific purpose, the beginning educator support team components  
39 under subsection (3) of this section may be provided for continuous

1 improvement coaching to support educators on probation under RCW  
2 28A.405.100.

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