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## Education Committee

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### HB 2309

**Brief Description:** Regarding provisional school employees' contracts.

**Sponsors:** Representatives Pettigrew and Dammeier; by request of Superintendent of Public Instruction.

#### Brief Summary of Bill

- Provides that, beginning in the 2013-14 school year, teachers and other certificated instructional staff who are under continuing contracts and who receive an unsatisfactory evaluation rating for two years in a row are moved back to provisional status.

**Hearing Date:** 1/24/12

**Staff:** Barbara McLain (786-7383).

#### Background:

Except for superintendents, all school district employees are hired on a one year contract. Teachers and other certificated instructional staff (CIS) are considered provisional employees during the first three years of employment or during the first year in a new district if they have worked at least two years in another district. While there are some procedures and due process requirements for nonrenewal of a provisional employee's contract, it is not necessary for the district to show probable cause as a justification. All other certificated staff are considered to have continuing contract status where probable cause must be shown for nonrenewal.

For teachers and other CIS whose performance is judged not satisfactory, a probationary period of 60 school days must be established, along with a program for improvement in specific areas of deficiency. The employee may be removed from probation if he or she has demonstrated improvement to the satisfaction of the evaluator in the areas identified. Lack of improvement is grounds for a finding of probable cause for nonrenewal of contract.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Legislation enacted in 2010 directed development of revised evaluation systems for teachers and principals. The revised systems must be implemented in all school districts beginning in the 2013-14 school year.

**Summary of Bill:**

Beginning in the 2013-14 school year, teachers and other CIS who are under continuing contracts who receive an unsatisfactory evaluation rating for two years in a row are moved back to provisional status, including those who have been on probation.

The Superintendent of Public Instruction must adopt rules by July 1, 2013, to implement these provisions.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** This bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 2 and 3 relating to moving employees back to provisional status, which takes effect September 1, 2013