

HOUSE BILL REPORT

HB 2625

As Passed House:

February 8, 1996

Title: An act relating to the probationary period for certificated educational employees.

Brief Description: Changing provisions for probationary certificated educational employees.

Sponsors: Representatives Pelesky, Brumsickle, Johnson, Talcott and Smith.

Brief History:

Committee Activity:

Education: 1/25/96, 2/1/96 [DP].

Floor Activity:

Passed House: 2/8/96, 78-16.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 17 members: Representatives Brumsickle, Chairman; Elliot, Vice Chairman; Johnson, Vice Chairman; Cole, Ranking Minority Member; Keiser, Assistant Ranking Minority Member; Clements; Fuhrman; Hatfield; Linville; McMahan; Pelesky; Quall; Radcliff; Smith; Talcott; B. Thomas and Thompson.

Minority Report: Without recommendation. Signed by 2 members: Representatives Poulsen and Veloria.

Staff: Susan Ronn (786-7292).

Background: The Superintendent of Public Instruction establishes minimum criteria for the evaluation of certificated teachers and certificated support personnel. These minimum criteria must be included within a school district's evaluation criteria and procedures for certificated teachers and certificated support personnel. It is the responsibility of the principal to evaluate these employees. Observation criteria are set forth in statute.

When an employee's work has been judged unsatisfactory based on these criteria, the employee is notified in writing of specific areas of deficiency and suggestions for improvement on or before February 1 of each year. A probationary period is

established, beginning on or before February 1 and ending no later than May 1, with no minimum time frame.

The purpose of a probationary period is to give the employee an opportunity to improve. Procedures include meetings with the evaluator and progress reports. If the employee demonstrates improvement to the satisfaction of the principal, the employee may be removed from probation. No improvement is grounds for a finding of probable cause for discharge.

Establishment of a probationary period does not adversely affect the contract status of an employee.

Summary of Bill: The certificated teacher or certificated support personnel whose work has been judged unsatisfactory shall be notified in writing of specific areas of deficiency and suggestions for improvement any time after October 15. A probation period is established at that time and must continue for a minimum of 60 school days. When a probationary period does not produce desired performance changes, the employee may be placed in an alternative assignment for the remainder of the school year. This assignment shall not adversely affect the employee's compensation or benefits for the remainder of the contract year.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The bill will help to bring about better classrooms. Stating an earlier date for probation to begin will cause an earlier evaluation of teachers. Guaranteeing a minimum probation period is important for both employees and employers. The provision allowing an unsatisfactory teacher to be moved out of the classroom and into a different position for the remainder of the year without adverse effect is important. The need to implement these provisions will be rare.

Testimony Against: The bill does not change current law and is not clear. This bill will cause more work for administrators, who already argue that the process is too cumbersome. The provision allowing an employee to be placed in an alternative position is troublesome.

Testified: Representative Pelesky, prime sponsor; Bob Maier, Washington Education Association (con); Walter Ball, Association of Washington School Principals (pro); Randy Hathaway and Reuben Kvamme, Washington School Personnel Association (pro); Al Svinth, retired principal (pro); Dirk Gleystein, Central Kitsap Administrator (pro); and Barbara Mertens, Washington Association of School Administrators (pro).