

HOUSE BILL ANALYSIS

HB 1385

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

Brief Description: *Changing probation provisions for certificated educational employees.*

Sponsors: *Representatives Johnson, B. Thomas, Talcott, Sump and Hickel.*

HOUSE COMMITTEE ON EDUCATION

Meeting Date: *February 6, 1997.*

Bill Analysis Prepared by: *Pat Shelledy (786-7149).*

Background: *The Superintendent of Public Instruction must establish minimum criteria for evaluating the performance of certificated classroom teachers and support personnel. Minimum criteria and evaluation procedures are in statute and the Washington Administrative Code. Every board of directors also must establish evaluation criteria and procedures, according to the terms of collective bargaining agreements and the minimum criteria established by the Superintendent of Public Instruction. The principal of each school must evaluate each certificated employee.*

If the principal determines an employee's work is unsatisfactory, the employee is entitled to a written notice stating the specific areas of deficiencies along with a suggested specific and reasonable program for improvement. This notice must be delivered by February 1 of each year. A probationary period begins by February 1 and must end no later than May 1. Lack of necessary improvement in the areas of deficiencies constitutes grounds for discharge, an adverse change in the employee's contract status, or nonrenewal. However, the probationary period itself must not adversely affect the contract status of the employee.

Summary of Bill: *A notice of deficiency in performance may be provided at any time after October 15. After the notice is provided, the employee will be placed on probation for 60 school days. If the employee does not correct the deficiencies within the probation period, the district may immediately remove the employee from the current assignment and transfer the employee into an alternative assignment for the remainder of the school year. The reassignment may not displace another employee nor may it adversely affect the probationary employee's compensation or benefits for the remainder of the school year. If reassignment is unfeasible, the district may place the employee on paid leave for the balance of the contract term.*

The Superintendent of Public Instruction must conduct a study in consultation with local school directors, administrators, parents, students, certificated instructional personnel, and deans of schools of education. The purpose of the study is to review and make recommendations about the evaluation criteria, performance standards, and probationary provisions for certificated personnel consistent with the changes in instructional certificated staff preparation programs and higher standards for students. The report is due to the Legislature by November 15, 1999.

Fiscal Note: Requested on January 30, 1997.

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