

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2277

Chapter 115, Laws of 1994

53rd Legislature
1994 Regular Session

TEACHERS' EVALUATIONS

EFFECTIVE DATE: 9/1/94

Passed by the House February 8, 1994
Yeas 88 Nays 2

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Passed by the Senate March 4, 1994
Yeas 31 Nays 18

JOEL PRITCHARD

President of the Senate

Approved March 28, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2277** as passed by the House of Representatives and the Senate on the dates hereon set forth.

MARILYN SHOWALTER

Chief Clerk

FILED

March 28, 1994 - 11:21 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2277

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By House Committee on Education (originally sponsored by Representatives Jones, Dorn, R. Meyers, Schmidt, Pruitt, Karahalios, Holm, Kessler, Zellinsky, Brough, Mastin, Patterson, Basich and J. Kohl)

Read first time 02/02/94.

1 AN ACT Relating to teacher evaluation; amending RCW 28A.405.100;
2 and providing an effective date.

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

4 **Sec. 1.** RCW 28A.405.100 and 1990 c 33 s 386 are each amended to
5 read as follows:

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

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

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

6 Except as provided in subsection (5) of this section, it shall be
7 the responsibility of a principal or his or her designee to evaluate
8 all certificated personnel in his or her school. During each school
9 year all classroom teachers and certificated support personnel,
10 hereinafter referred to as "employees" in this section, shall be
11 observed for the purposes of evaluation at least twice in the
12 performance of their assigned duties. Total observation time for each
13 employee for each school year shall be not less than sixty minutes.
14 Following each observation, or series of observations, the principal or
15 other evaluator shall promptly document the results of the
16 ((evaluation)) observation in writing, and shall provide the employee
17 with a copy thereof within three days after such report is prepared.
18 New employees shall be observed at least once for a total observation
19 time of thirty minutes during the first ninety calendar days of their
20 employment period.

21 Every employee whose work is judged unsatisfactory based on
22 district evaluation criteria shall be notified in writing of stated
23 specific areas of deficiencies along with a suggested specific and
24 reasonable program for improvement on or before February 1st of each
25 year. A probationary period shall be established beginning on or
26 before February 1st and ending no later than May 1st. The purpose of
27 the probationary period is to give the employee opportunity to
28 demonstrate improvements in his or her areas of deficiency. The
29 establishment of the probationary period and the giving of the notice
30 to the employee of deficiency shall be by the school district
31 superintendent and need not be submitted to the board of directors for
32 approval. During the probationary period the evaluator shall meet with
33 the employee at least twice monthly to supervise and make a written
34 evaluation of the progress, if any, made by the employee. The
35 evaluator may authorize one additional certificated employee to
36 evaluate the probationer and to aid the employee in improving his or
37 her areas of deficiency; such additional certificated employee shall be
38 immune from any civil liability that might otherwise be incurred or
39 imposed with regard to the good faith performance of such evaluation.

1 The probationer may be removed from probation if he or she has
2 demonstrated improvement to the satisfaction of the principal in those
3 areas specifically detailed in his or her initial notice of deficiency
4 and subsequently detailed in his or her improvement program. Lack of
5 necessary improvement shall be specifically documented in writing with
6 notification to the probationer and shall constitute grounds for a
7 finding of probable cause under RCW 28A.405.300 or 28A.405.210.

8 The establishment of a probationary period shall not be deemed to
9 adversely affect the contract status of an employee within the meaning
10 of RCW 28A.405.300.

11 (2) Every board of directors shall establish evaluative criteria
12 and procedures for all superintendents, principals, and other
13 administrators. It shall be the responsibility of the district
14 superintendent or his or her designee to evaluate all administrators.
15 Such evaluation shall be based on the administrative position job
16 description. Such criteria, when applicable, shall include at least
17 the following categories: Knowledge of, experience in, and training in
18 recognizing good professional performance, capabilities and
19 development; school administration and management; school finance;
20 professional preparation and scholarship; effort toward improvement
21 when needed; interest in pupils, employees, patrons and subjects taught
22 in school; leadership; and ability and performance of evaluation of
23 school personnel.

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

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

37 (5) After an employee has four years of satisfactory evaluations
38 under subsection (1) of this section, a school district may use a short
39 form of evaluation, a locally bargained evaluation emphasizing

1 professional growth, an evaluation under subsection (1) of this
2 section, or any combination thereof. The short form of evaluation
3 shall include either a thirty minute observation during the school year
4 with a written summary or a final annual written evaluation based on
5 the criteria in subsection (1) of this section and based on at least
6 two observation periods during the school year totaling at least sixty
7 minutes without a written summary of such observations being prepared.
8 However, the evaluation process set forth in subsection (1) of this
9 section shall be followed at least once every three years ~~((and an~~
10 ~~employee or evaluator may request))~~ unless this time is extended by a
11 local school district under the bargaining process set forth in chapter
12 41.59 RCW. The employee or evaluator may require that the evaluation
13 process set forth in subsection (1) of this section be conducted in any
14 given school year. ~~((The short form evaluation process))~~ No evaluation
15 other than the evaluation authorized under subsection (1) of this
16 section may ~~((not))~~ be used as a basis for determining that an
17 employee's work is unsatisfactory under subsection (1) of this section
18 ~~((not))~~ or as probable cause for the nonrenewal of an employee's
19 contract under RCW 28A.405.210 unless an evaluation process developed
20 under chapter 41.59 RCW determines otherwise.

21 NEW SECTION. Sec. 2. This act shall take effect September 1,
22 1994.

Passed the House February 8, 1994.

Passed the Senate March 4, 1994.

Approved by the Governor March 28, 1994.

Filed in Office of Secretary of State March 28, 1994.