
HOUSE BILL 1593

State of Washington

62nd Legislature

2011 Regular Session

By Representatives Carlyle, Maxwell, Lytton, Probst, Ladenburg, Anderson, Pedersen, Billig, Dammeier, Wilcox, Dahlquist, and Fagan

Read first time 01/26/11. Referred to Committee on Education.

1 AN ACT Relating to recruiting, preparing, and empowering school
2 officials and holding them accountable; amending RCW 28A.400.100,
3 28A.405.230, and 28A.405.245; adding new sections to chapter 28A.410
4 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that a growing
7 body of research indicates that successful school leadership plays a
8 highly significant role in improving student learning. School
9 leadership is second only to classroom instruction among all school-
10 related factors that contribute to what students learn in school. The
11 role of the school leader has progressively shifted from building
12 manager to instructional leader. Effective school leaders create
13 vision, develop and support teachers and school staff, and strengthen
14 school culture. Leadership also involves direction-setting, management
15 of personnel and resources, and redesigning the organization when
16 necessary. Principals should be held accountable for these leadership
17 qualities.

18 (2) Therefore, the legislature intends to encourage highly capable
19 individuals with qualities of leadership to become principals through

1 field-based, rigorous, but flexible preparation programs offered in
2 close collaboration with school districts. The legislature also
3 intends to encourage school districts to provide principals with
4 increased decision-making authority, including over personnel decisions
5 and allocation of financial resources. Finally, the legislature
6 intends to hold principals accountable to demonstrate the qualities
7 essential to lead a school.

8 NEW SECTION. **Sec. 2.** (1) The professional educator standards
9 board shall establish a residency provisional principal certification
10 as provided under this section and sections 3 through 6 of this act.

11 (2) Applicants for residency provisional principal certification
12 must:

13 (a) Document professional managerial and leadership experience that
14 meets the standards established by the professional educator standards
15 board under this section;

16 (b) Complete a record check as required under RCW 28A.410.010;

17 (c) Have been admitted to an alternative route principal
18 certification program approved under section 6 of this act; and

19 (d) Be recommended for certification by a school district
20 superintendent as provided under section 3 of this act.

21 (3)(a) The professional educator standards board shall adopt
22 standards that define a scope and level of professional managerial and
23 leadership experience for residency provisional principal certification
24 that include at a minimum:

25 (i) Strategic planning;

26 (ii) Supervision and evaluation of personnel;

27 (iii) Budgeting and allocation of resources; and

28 (iv) Employee professional development.

29 (b) The standards must also include a consistent record of
30 satisfactory performance in previous employment.

31 (c) The managerial and leadership experience for residency
32 provisional principal certification is not required to have occurred in
33 a school setting.

34 (4) The office of the superintendent of public instruction shall
35 review the qualifications of applicants and recommendations for
36 certification submitted by school district superintendents. If the

1 office determines that the requirements of this section have been met,
2 the office shall issue a residency provisional principal certificate.

3 NEW SECTION. **Sec. 3.** (1) School district superintendents may
4 recommend candidates for residency provisional principal certification.

5 (2) Before recommending a candidate for certification, a school
6 district superintendent must:

7 (a) Conduct a publicly announced search for the principalship of a
8 specific school and accept applications from individuals who are
9 seeking residency provisional principal certificates and from
10 individuals who hold continuing, residency, or professional principal
11 certificates issued by the professional educator standards board;

12 (b) Verify that the candidate meets the standards adopted by the
13 professional educator standards board under section 2 of this act; and

14 (c) Offer the candidate the principalship of the school, contingent
15 on the candidate receiving residency provisional principal
16 certification.

17 NEW SECTION. **Sec. 4.** (1) The holder of a residency provisional
18 principal certificate must be enrolled in an alternative route
19 principal certification program approved under section 6 of this act.

20 (2) The holder of a residency provisional principal certificate may
21 serve as a school principal only in one school district for not more
22 than three years.

23 (3) Residency provisional principal certificates expire:

24 (a) After three years; or

25 (b) If the holder's employment with the school district is
26 terminated.

27 NEW SECTION. **Sec. 5.** The office of the superintendent of public
28 instruction shall issue a residency principal certificate to a holder
29 of a residency provisional principal certificate if the certificate
30 holder has successfully completed an alternative route principal
31 certification program approved under section 6 of this act.

32 NEW SECTION. **Sec. 6.** (1) The professional educator standards
33 board shall adopt standards for approval of alternative route principal

1 certification programs, which may be offered by higher education
2 institutions or nonhigher education program providers.

3 (2) To receive approval to offer an alternative route principal
4 certification program, a program provider must:

5 (a) Operate the program in partnership with one or more
6 participating school districts;

7 (b) Design, develop, and use a principal development plan for each
8 candidate. The plan must specify the coursework and training required
9 of each candidate and must be developed by comparing the candidate's
10 prior experience and coursework with the performance standards for
11 residency principal certification. The alternative route program may
12 give significant weight to a candidate's prior experience;

13 (c) Require candidates to demonstrate competencies in the knowledge
14 and skills required for residency principal certification as adopted by
15 the professional educator standards board;

16 (d) Provide intensive mentoring of a minimum of one-half of a
17 school year for candidates, and an additional significant amount of
18 time if necessary, progressing to increasingly less intensive
19 monitoring and assistance as the candidate demonstrates the skills
20 necessary to manage and lead a school; and

21 (e) Demonstrate a record of success in principal preparation and
22 certification. If the program provider has not previously offered a
23 principal preparation program, the provider may submit a record of
24 success in preparation and certification of other educators and
25 evidence of appropriate knowledge and experience of the faculty and
26 instructors in the proposed principal certification program.

27 (3) The professional educator standards board may approve an
28 alternative route principal certification program under this section
29 for up to five years.

30 **Sec. 7.** RCW 28A.400.100 and 2002 c 78 s 1 are each amended to read
31 as follows:

32 (1) School districts may employ public school principals and/or
33 vice principals to supervise the operation and management of the school
34 to which they are assigned. Such persons shall hold valid
35 administrative certificates and, except for persons certificated under
36 sections 4 and 5 of this act, shall hold or have held either valid
37 teacher certificates or valid educational staff associate certificates.

1 Persons who hold or have held valid educational staff associate
2 certificates must also have demonstrated successful school-based
3 experience in an instructional role with students. Persons whose
4 certificates were revoked, suspended, or surrendered may not be
5 employed as public school principals or vice principals.

6 (2) In addition to such other duties as shall be prescribed by law
7 and by the job description adopted by the board of directors, each
8 principal shall:

9 ~~((+1))~~ (a) Assume administrative authority, responsibility and
10 instructional leadership, under the supervision of the school district
11 superintendent, and in accordance with the policies of the school
12 district board of directors, for the planning, management, supervision
13 and evaluation of the educational program of the attendance area for
14 which he or she is responsible~~((+))~~;

15 ~~((+2))~~ (b) Submit recommendations to the school district
16 superintendent regarding appointment, assignment, promotion, transfer
17 and dismissal of all personnel assigned to the attendance area for
18 which he or she is responsible~~((+))~~;

19 ~~((+3))~~ (c) Submit recommendations to the school district
20 superintendent regarding the fiscal needs to maintain and improve the
21 instructional program of the attendance area for which he or she is
22 responsible~~((+))~~; and

23 ~~((+4))~~ (d) Assume administrative authority and responsibility for
24 the supervision, counseling and discipline of pupils in the attendance
25 area for which he or she is responsible.

26 (3) In return for the increased accountability for performance
27 expected under RCW 28A.405.245, school district directors and
28 superintendents are encouraged to provide principals with increased
29 autonomy and authority to manage and lead the schools to which they are
30 assigned including, but not limited to, decision-making authority
31 regarding personnel and budgets.

32 **Sec. 8.** RCW 28A.405.230 and 2010 c 235 s 304 are each amended to
33 read as follows:

34 (1) Any certificated employee of a school district employed as an
35 assistant superintendent, director, principal, assistant principal,
36 coordinator, or in any other supervisory or administrative position,
37 hereinafter in this section referred to as "administrator", shall be

1 subject to transfer, at the expiration of the term of his or her
2 employment contract, to any subordinate certificated position within
3 the school district. "Subordinate certificated position" as used in
4 this section, shall mean any administrative or nonadministrative
5 certificated position for which the annual compensation is less than
6 the position currently held by the administrator.

7 (2) Every superintendent determining that the best interests of the
8 school district would be served by transferring any administrator to a
9 subordinate certificated position shall notify that administrator in
10 writing on or before May 15th preceding the commencement of such school
11 term of that determination, or if the omnibus appropriations act has
12 not passed the legislature by May 15th, then notification shall be no
13 later than June 15th, which notification shall state the reason or
14 reasons for the transfer, and shall identify the subordinate
15 certificated position to which the administrator will be transferred.
16 Such notice shall be served upon the administrator personally, or by
17 certified or registered mail, or by leaving a copy of the notice at the
18 place of his or her usual abode with some person of suitable age and
19 discretion then resident therein.

20 (3) Every such administrator so notified, at his or her request
21 made in writing and filed with the president or chair, or secretary of
22 the board of directors of the district within ten days after receiving
23 such notice, shall be given the opportunity to meet informally with the
24 board of directors in an executive session thereof for the purpose of
25 requesting the board to reconsider the decision of the superintendent.
26 Such board, upon receipt of such request, shall schedule the meeting
27 for no later than the next regularly scheduled meeting of the board,
28 and shall notify the administrator in writing of the date, time and
29 place of the meeting at least three days prior thereto. At such
30 meeting the administrator shall be given the opportunity to refute any
31 facts upon which the determination was based and to make any argument
32 in support of his or her request for reconsideration. The
33 administrator and the board may invite their respective legal counsel
34 to be present and to participate at the meeting. The board shall
35 notify the administrator in writing of its final decision within ten
36 days following its meeting with the administrator. No appeal to the
37 courts shall lie from the final decision of the board of directors to
38 transfer an administrator to a subordinate certificated position:

1 PROVIDED, That in the case of principals such transfer shall be made at
2 the expiration of the contract year and only during the first three
3 consecutive school years of employment as a principal by a school
4 district; except that if any such principal has been previously
5 employed as a principal by another school district in the state of
6 Washington for three or more consecutive school years the provisions of
7 this section shall apply only to the first full school year of such
8 employment.

9 (4) This section applies to any person employed as an administrator
10 by a school district on June 25, 1976, and to all persons so employed
11 at any time thereafter, except ~~((that))~~:

12 (a) RCW 28A.405.245 applies to persons first employed after June
13 10, 2010, as a principal by a school district meeting the criteria of
14 RCW 28A.405.245(1)(b); and

15 (b) RCW 28A.405.245 applies to persons first employed after the
16 effective date of this section as a principal by any Washington school
17 district.

18 (5) This section provides the exclusive means for transferring an
19 administrator subject to this section to a subordinate certificated
20 position at the expiration of the term of his or her employment
21 contract.

22 **Sec. 9.** RCW 28A.405.245 and 2010 c 235 s 302 are each amended to
23 read as follows:

24 (1)(a) Any certificated employee of a school district under (b) of
25 this ~~((section))~~ subsection who is first employed as a principal after
26 June 10, 2010, and any certificated employee of a school district under
27 (c) of this subsection who is first employed as a principal after the
28 effective date of this section, shall be subject to transfer as
29 provided under this section, at the expiration of the term of his or
30 her employment contract, to any subordinate certificated position
31 within the school district. "Subordinate certificated position" as
32 used in this section means any administrative or nonadministrative
33 certificated position for which the annual compensation is less than
34 the position currently held by the administrator.

35 (b) For persons first employed as a principal after June 10, 2010,
36 but before the effective date of this section, this section applies

1 only to school districts with an annual average student enrollment of
2 more than thirty-five thousand full-time equivalent students.

3 (c) For persons first employed as a principal after the effective
4 date of this section, this section applies to all school districts.

5 (2) During the first three consecutive school years of employment
6 as a principal by the school district, or during the first full school
7 year of such employment in the case of a principal who has been
8 previously employed as a principal by another school district in the
9 state for three or more consecutive school years, the transfer of the
10 principal to a subordinate certificated position may be made by a
11 determination of the superintendent that the best interests of the
12 school district would be served by the transfer.

13 (3) Commencing with the fourth consecutive school year of
14 employment as a principal, or the second consecutive school year of
15 such employment in the case of a principal who has been previously
16 employed as a principal by another school district in the state for
17 three or more consecutive school years, the transfer of the principal
18 to a subordinate certificated position shall be based on the
19 superintendent's determination that the results of the evaluation of
20 the principal's performance using the evaluative criteria and rating
21 system established under RCW 28A.405.100 provide a valid reason for the
22 transfer without regard to whether there is probable cause for the
23 transfer. If a valid reason is shown, it shall be deemed that the
24 transfer is reasonably related to the principal's performance. No
25 probationary period is required. However, provision of support and an
26 attempt at remediation of the performance of the principal, as defined
27 by the superintendent, are required for a determination by the
28 superintendent under this subsection that the principal should be
29 transferred to a subordinate certificated position.

30 (4) Any superintendent transferring a principal under this section
31 to a subordinate certificated position shall notify that principal in
32 writing on or before May 15th before the beginning of the school year
33 of that determination, or if the omnibus appropriations act has not
34 passed the legislature by May 15th, then notification shall be no later
35 than June 15th. The notification shall state the reason or reasons for
36 the transfer and shall identify the subordinate certificated position
37 to which the principal will be transferred. The notification shall be
38 served upon the principal personally, or by certified or registered

1 mail, or by leaving a copy of the notice at the place of his or her
2 usual abode with some person of suitable age and discretion then
3 resident therein.

4 (5) Any principal so notified may request to the president or chair
5 of the board of directors of the district, in writing and within ten
6 days after receiving notice, an opportunity to meet informally with the
7 board of directors in an executive session for the purpose of
8 requesting the board to reconsider the decision of the superintendent,
9 and shall be given such opportunity. The board, upon receipt of such
10 request, shall schedule the meeting for no later than the next
11 regularly scheduled meeting of the board, and shall give the principal
12 written notice at least three days before the meeting of the date,
13 time, and place of the meeting. At the meeting the principal shall be
14 given the opportunity to refute any evidence upon which the
15 determination was based and to make any argument in support of his or
16 her request for reconsideration. The principal and the board may
17 invite their respective legal counsel to be present and to participate
18 at the meeting. The board shall notify the principal in writing of its
19 final decision within ten days following its meeting with the
20 principal. No appeal to the courts shall lie from the final decision
21 of the board of directors to transfer a principal to a subordinate
22 certificated position.

23 (6) This section provides the exclusive means for transferring a
24 certificated employee first employed by a school district under this
25 section as a principal after June 10, 2010, to a subordinate
26 certificated position at the expiration of the term of his or her
27 employment contract.

28 NEW SECTION. **Sec. 10.** Sections 2 through 6 of this act are each
29 added to chapter 28A.410 RCW.

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