
SUBSTITUTE SENATE BILL 5880

State of Washington 63rd Legislature 2014 Regular Session

By Senate Ways & Means (originally sponsored by Senator Hill)

READ FIRST TIME 03/03/14.

1 AN ACT Relating to changing the requirements for the multiple
2 measures of student growth used in teacher and principal evaluations;
3 amending RCW 28A.405.100; creating a new section; and making an
4 appropriation.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that the United
7 States department of education designated Washington's waiver of
8 certain provisions of the federal elementary and secondary education
9 act to be at "high-risk." The legislature further finds that the
10 federal department of education directed Washington to require the use
11 of student results on the federally mandated statewide administered
12 reading or language arts and mathematics assessments as one of the
13 measures of student growth in Washington's teacher and principal
14 evaluations. The legislature intends to address the concerns of the
15 federal department of education by requiring the student results on the
16 federally mandated statewide administered reading or language arts and
17 mathematics assessments be used as one of the multiple measures of
18 student growth for the teachers who teach the relevant subjects in the
19 grades in which the assessments are administered and for principals who

1 are assigned to schools in which at least one of the relevant subjects
2 are taught in at least one of the grades in which the assessments are
3 administered.

4 (2) The legislature recognizes the importance of science in the
5 school curriculum and that the federally mandated statewide
6 administered science assessments are not currently required to be used
7 as one of the multiple measures of student growth for teacher
8 evaluation. The legislature further recognizes that there are
9 technical difficulties in using the science assessments because they
10 are not annual assessments but instead are only administered in the
11 fifth, eighth, and tenth grades. The legislature intends to revisit
12 this issue in the future and further intends, if appropriate, to use
13 the statewide administered science assessment as one of the multiple
14 measures of student growth for teacher evaluation.

15 **Sec. 2.** RCW 28A.405.100 and 2012 c 35 s 1 are each amended to read
16 as follows:

17 (1)(a) Except as provided in subsection (2) of this section, the
18 superintendent of public instruction shall establish and may amend from
19 time to time minimum criteria for the evaluation of the professional
20 performance capabilities and development of certificated classroom
21 teachers and certificated support personnel. For classroom teachers
22 the criteria shall be developed in the following categories:
23 Instructional skill; classroom management, professional preparation and
24 scholarship; effort toward improvement when needed; the handling of
25 student discipline and attendant problems; and interest in teaching
26 pupils and knowledge of subject matter.

27 (b) Every board of directors shall, in accordance with procedure
28 provided in RCW 41.59.010 through 41.59.170, 41.59.910, and 41.59.920,
29 establish evaluative criteria and procedures for all certificated
30 classroom teachers and certificated support personnel. The evaluative
31 criteria must contain as a minimum the criteria established by the
32 superintendent of public instruction pursuant to this section and must
33 be prepared within six months following adoption of the superintendent
34 of public instruction's minimum criteria. The district must certify to
35 the superintendent of public instruction that evaluative criteria have
36 been so prepared by the district.

1 (2)(a) Pursuant to the implementation schedule established in
2 subsection (7)(c) of this section, every board of directors shall, in
3 accordance with procedures provided in RCW 41.59.010 through 41.59.170,
4 41.59.910, and 41.59.920, establish revised evaluative criteria and a
5 four-level rating system for all certificated classroom teachers.

6 (b) The minimum criteria shall include: (i) Centering instruction
7 on high expectations for student achievement; (ii) demonstrating
8 effective teaching practices; (iii) recognizing individual student
9 learning needs and developing strategies to address those needs; (iv)
10 providing clear and intentional focus on subject matter content and
11 curriculum; (v) fostering and managing a safe, positive learning
12 environment; (vi) using multiple student data elements to modify
13 instruction and improve student learning; (vii) communicating and
14 collaborating with parents and the school community; and (viii)
15 exhibiting collaborative and collegial practices focused on improving
16 instructional practice and student learning. Student growth data, as
17 determined under (f) of this subsection, must be a substantial factor
18 in evaluating the summative performance of certificated classroom
19 teachers for at least three of the evaluation criteria listed in this
20 subsection.

21 (c) The four-level rating system used to evaluate the certificated
22 classroom teacher must describe performance along a continuum that
23 indicates the extent to which the criteria have been met or exceeded.
24 The summative performance ratings shall be as follows: Level 1 -
25 unsatisfactory; level 2 - basic; level 3 - proficient; and level 4 -
26 distinguished. A classroom teacher shall receive one of the four
27 summative performance ratings for each of the minimum criteria in (b)
28 of this subsection and one of the four summative performance ratings
29 for the evaluation as a whole, which shall be the comprehensive
30 summative evaluation performance rating. By December 1, 2012, the
31 superintendent of public instruction must adopt rules prescribing a
32 common method for calculating the comprehensive summative evaluation
33 performance rating for each of the preferred instructional frameworks,
34 including for a focused evaluation under subsection (12) of this
35 section, giving appropriate weight to the indicators evaluated under
36 each criteria and maximizing rater agreement among the frameworks.

37 (d) By December 1, 2012, the superintendent of public instruction
38 shall adopt rules that provide descriptors for each of the summative

1 performance ratings, based on the development work of pilot school
2 districts under subsection (7) of this section. Any subsequent changes
3 to the descriptors by the superintendent may only be made following
4 consultation with a group broadly reflective of the parties represented
5 in subsection (7)(a) of this section.

6 (e) By September 1, 2012, the superintendent of public instruction
7 shall identify up to three preferred instructional frameworks that
8 support the revised evaluation system. The instructional frameworks
9 shall be research-based and establish definitions or rubrics for each
10 of the four summative performance ratings for each evaluation criteria.
11 Each school district must adopt one of the preferred instructional
12 frameworks and post the selection on the district's web site. The
13 superintendent of public instruction shall establish a process for
14 approving minor modifications or adaptations to a preferred
15 instructional framework that may be proposed by a school district.

16 (f)(i) Student growth data that is relevant to the teacher and
17 subject matter must be a factor in the evaluation process and must be
18 based on multiple measures that can include classroom-based, school-
19 based, district-based, and state-based tools. However, for teachers
20 who teach reading or language arts or mathematics in a grade in which
21 the federally mandated statewide student assessments are administered,
22 one of the multiple measures of student growth must be the student
23 results on the relevant assessment. The office of the superintendent
24 of public instruction shall provide to each school district the
25 relevant state-level assessment information necessary to determine
26 student growth for the purpose of teacher evaluations.

27 (ii) Student growth data elements may include the teacher's
28 performance as a member of a grade-level, subject matter, or other
29 instructional team within a school when the use of this data is
30 relevant and appropriate. Student growth data elements may also
31 include the teacher's performance as a member of the overall
32 instructional team of a school when use of this data is relevant and
33 appropriate.

34 (iii) As used in this subsection (2), "student growth" means the
35 change in student achievement between two points in time.

36 (g) Student input may also be included in the evaluation process.

37 (3)(a) Except as provided in subsection (11) of this section, it
38 shall be the responsibility of a principal or his or her designee to

1 evaluate all certificated personnel in his or her school. During each
2 school year all classroom teachers and certificated support personnel
3 shall be observed for the purposes of evaluation at least twice in the
4 performance of their assigned duties. Total observation time for each
5 employee for each school year shall be not less than sixty minutes. An
6 employee in the third year of provisional status as defined in RCW
7 28A.405.220 shall be observed at least three times in the performance
8 of his or her duties and the total observation time for the school year
9 shall not be less than ninety minutes. Following each observation, or
10 series of observations, the principal or other evaluator shall promptly
11 document the results of the observation in writing, and shall provide
12 the employee with a copy thereof within three days after such report is
13 prepared. New employees shall be observed at least once for a total
14 observation time of thirty minutes during the first ninety calendar
15 days of their employment period.

16 (b) As used in this subsection and subsection (4) of this section,
17 "employees" means classroom teachers and certificated support personnel
18 except where otherwise specified.

19 (4)(a) At any time after October 15th, an employee whose work is
20 not judged satisfactory based on district evaluation criteria shall be
21 notified in writing of the specific areas of deficiencies along with a
22 reasonable program for improvement. For classroom teachers who have
23 been transitioned to the revised evaluation system pursuant to the
24 district implementation schedule adopted under subsection (7)(c) of
25 this section, the following comprehensive summative evaluation
26 performance ratings based on the evaluation criteria in subsection
27 (2)(b) of this section mean a classroom teacher's work is not judged
28 satisfactory:

29 (i) Level 1; or

30 (ii) Level 2 if the classroom teacher is a continuing contract
31 employee under RCW 28A.405.210 with more than five years of teaching
32 experience and if the level 2 comprehensive summative evaluation
33 performance rating has been received for two consecutive years or for
34 two years within a consecutive three-year time period.

35 (b) During the period of probation, the employee may not be
36 transferred from the supervision of the original evaluator.
37 Improvement of performance or probable cause for nonrenewal must occur
38 and be documented by the original evaluator before any consideration of

1 a request for transfer or reassignment as contemplated by either the
2 individual or the school district. A probationary period of sixty
3 school days shall be established. Days may be added if deemed
4 necessary to complete a program for improvement and evaluate the
5 probationer's performance, as long as the probationary period is
6 concluded before May 15th of the same school year. The probationary
7 period may be extended into the following school year if the
8 probationer has five or more years of teaching experience and has a
9 comprehensive summative evaluation performance rating as of May 15th of
10 less than level 2. The establishment of a probationary period does not
11 adversely affect the contract status of an employee within the meaning
12 of RCW 28A.405.300. The purpose of the probationary period is to give
13 the employee opportunity to demonstrate improvements in his or her
14 areas of deficiency. The establishment of the probationary period and
15 the giving of the notice to the employee of deficiency shall be by the
16 school district superintendent and need not be submitted to the board
17 of directors for approval. During the probationary period the
18 evaluator shall meet with the employee at least twice monthly to
19 supervise and make a written evaluation of the progress, if any, made
20 by the employee. The evaluator may authorize one additional
21 certificated employee to evaluate the probationer and to aid the
22 employee in improving his or her areas of deficiency. Should the
23 evaluator not authorize such additional evaluator, the probationer may
24 request that an additional certificated employee evaluator become part
25 of the probationary process and this request must be implemented by
26 including an additional experienced evaluator assigned by the
27 educational service district in which the school district is located
28 and selected from a list of evaluation specialists compiled by the
29 educational service district. Such additional certificated employee
30 shall be immune from any civil liability that might otherwise be
31 incurred or imposed with regard to the good faith performance of such
32 evaluation. If a procedural error occurs in the implementation of a
33 program for improvement, the error does not invalidate the
34 probationer's plan for improvement or evaluation activities unless the
35 error materially affects the effectiveness of the plan or the ability
36 to evaluate the probationer's performance. The probationer must be
37 removed from probation if he or she has demonstrated improvement to the
38 satisfaction of the evaluator in those areas specifically detailed in

1 his or her initial notice of deficiency and subsequently detailed in
2 his or her program for improvement. A classroom teacher who has been
3 transitioned to the revised evaluation system pursuant to the district
4 implementation schedule adopted under subsection (7)(c) of this section
5 must be removed from probation if he or she has demonstrated
6 improvement that results in a new comprehensive summative evaluation
7 performance rating of level 2 or above for a provisional employee or a
8 continuing contract employee with five or fewer years of experience, or
9 of level 3 or above for a continuing contract employee with more than
10 five years of experience. Lack of necessary improvement during the
11 established probationary period, as specifically documented in writing
12 with notification to the probationer constitutes grounds for a finding
13 of probable cause under RCW 28A.405.300 or 28A.405.210.

14 (c) When a continuing contract employee with five or more years of
15 experience receives a comprehensive summative evaluation performance
16 rating below level 2 for two consecutive years, the school district
17 shall, within ten days of the completion of the second (~~summative~~)
18 comprehensive (~~{comprehensive summative}~~) summative evaluation or May
19 15th, whichever occurs first, implement the employee notification of
20 discharge as provided in RCW 28A.405.300.

21 (d) Immediately following the completion of a probationary period
22 that does not produce performance changes detailed in the initial
23 notice of deficiencies and program for improvement, the employee may be
24 removed from his or her assignment and placed into an alternative
25 assignment for the remainder of the school year. In the case of a
26 classroom teacher who has been transitioned to the revised evaluation
27 system pursuant to the district implementation schedule adopted under
28 subsection (7)(c) of this section, the teacher may be removed from his
29 or her assignment and placed into an alternative assignment for the
30 remainder of the school year immediately following the completion of a
31 probationary period that does not result in the required comprehensive
32 summative evaluation performance ratings specified in (b) of this
33 subsection. This reassignment may not displace another employee nor
34 may it adversely affect the probationary employee's compensation or
35 benefits for the remainder of the employee's contract year. If such
36 reassignment is not possible, the district may, at its option, place
37 the employee on paid leave for the balance of the contract term.

1 (5) Every board of directors shall establish evaluative criteria
2 and procedures for all superintendents, principals, and other
3 administrators. It shall be the responsibility of the district
4 superintendent or his or her designee to evaluate all administrators.
5 Except as provided in subsection (6) of this section, such evaluation
6 shall be based on the administrative position job description. Such
7 criteria, when applicable, shall include at least the following
8 categories: Knowledge of, experience in, and training in recognizing
9 good professional performance, capabilities and development; school
10 administration and management; school finance; professional preparation
11 and scholarship; effort toward improvement when needed; interest in
12 pupils, employees, patrons and subjects taught in school; leadership;
13 and ability and performance of evaluation of school personnel.

14 (6)(a) Pursuant to the implementation schedule established by
15 subsection (7)(b) of this section, every board of directors shall
16 establish revised evaluative criteria and a four-level rating system
17 for principals.

18 (b) The minimum criteria shall include: (i) Creating a school
19 culture that promotes the ongoing improvement of learning and teaching
20 for students and staff; (ii) demonstrating commitment to closing the
21 achievement gap; (iii) providing for school safety; (iv) leading the
22 development, implementation, and evaluation of a data-driven plan for
23 increasing student achievement, including the use of multiple student
24 data elements; (v) assisting instructional staff with alignment of
25 curriculum, instruction, and assessment with state and local district
26 learning goals; (vi) monitoring, assisting, and evaluating effective
27 instruction and assessment practices; (vii) managing both staff and
28 fiscal resources to support student achievement and legal
29 responsibilities; and (viii) partnering with the school community to
30 promote student learning. Student growth data, as determined under (f)
31 of this subsection, must be a substantial factor in evaluating the
32 summative performance of the principal for at least three of the
33 evaluation criteria listed in this subsection.

34 (c) The four-level rating system used to evaluate the principal
35 must describe performance along a continuum that indicates the extent
36 to which the criteria have been met or exceeded. The summative
37 performance ratings shall be as follows: Level 1 - unsatisfactory;
38 level 2 - basic; level 3 - proficient; and level 4 - distinguished. A

1 principal shall receive one of the four summative performance ratings
2 for each of the minimum criteria in (b) of this subsection and one of
3 the four summative performance ratings for the evaluation as a whole,
4 which shall be the comprehensive summative evaluation performance
5 rating.

6 (d) By December 1, 2012, the superintendent of public instruction
7 shall adopt rules that provide descriptors for each of the summative
8 performance ratings, based on the development work of pilot school
9 districts under subsection (7) of this section. Any subsequent changes
10 to the descriptors by the superintendent may only be made following
11 consultation with a group broadly reflective of the parties represented
12 in subsection (7)(a) of this section.

13 (e) By September 1, 2012, the superintendent of public instruction
14 shall identify up to three preferred leadership frameworks that support
15 the revised evaluation system. The leadership frameworks shall be
16 research-based and establish definitions or rubrics for each of the
17 four performance ratings for each evaluation criteria. Each school
18 district shall adopt one of the preferred leadership frameworks and
19 post the selection on the district's web site. The superintendent of
20 public instruction shall establish a process for approving minor
21 modifications or adaptations to a preferred leadership framework that
22 may be proposed by a school district.

23 (f) Student growth data that is relevant to the principal must be
24 a factor in the evaluation process and must be based on multiple
25 measures that can include classroom-based, school-based, district-
26 based, and state-based tools. However, for principals assigned to a
27 school in which reading or language arts or mathematics are taught in
28 at least one of the grades in which the federally mandated statewide
29 assessments are administered, one of the multiple measures of student
30 growth must be the student results on the relevant assessments. The
31 office of the superintendent of public instruction shall provide to
32 each school district the relevant state-level assessment information
33 necessary to determine student growth for the purpose of teacher
34 evaluations.

35 (ii) As used in this subsection (6), "student growth" means the
36 change in student achievement between two points in time.

37 (g) Input from building staff may also be included in the
38 evaluation process.

1 (h) For principals who have been transitioned to the revised
2 evaluation system pursuant to the district implementation schedule
3 adopted under subsection (7)(c) of this section, the following
4 comprehensive summative evaluation performance ratings mean a
5 principal's work is not judged satisfactory:

6 (i) Level 1; or

7 (ii) Level 2 if the principal has more than five years of
8 experience in the principal role and if the level 2 comprehensive
9 summative evaluation performance rating has been received for two
10 consecutive years or for two years within a consecutive three-year time
11 period.

12 (7)(a) The superintendent of public instruction, in collaboration
13 with state associations representing teachers, principals,
14 administrators, school board members, and parents, to be known as the
15 steering committee, shall create models for implementing the evaluation
16 system criteria, student growth tools, professional development
17 programs, and evaluator training for certificated classroom teachers
18 and principals. Human resources specialists, professional development
19 experts, and assessment experts must also be consulted. Due to the
20 diversity of teaching assignments and the many developmental levels of
21 students, classroom teachers and principals must be prominently
22 represented in this work. The models must be available for use in the
23 2011-12 school year.

24 (b) A new certificated classroom teacher evaluation system that
25 implements the provisions of subsection (2) of this section and a new
26 principal evaluation system that implements the provisions of
27 subsection (6) of this section shall be phased-in beginning with the
28 2010-11 school year by districts identified in (d) of this subsection
29 and implemented in all school districts beginning with the 2013-14
30 school year.

31 (c) Each school district board of directors shall adopt a schedule
32 for implementation of the revised evaluation systems that transitions
33 a portion of classroom teachers and principals in the district to the
34 revised evaluation systems each year beginning no later than the 2013-
35 14 school year, until all classroom teachers and principals are being
36 evaluated under the revised evaluation systems no later than the 2015-
37 16 school year. A school district is not precluded from completing the
38 transition of all classroom teachers and principals to the revised

1 evaluation systems before the 2015-16 school year. The schedule
2 adopted under this subsection (7)(c) must provide that the following
3 employees are transitioned to the revised evaluation systems beginning
4 in the 2013-14 school year:

5 (i) Classroom teachers who are provisional employees under RCW
6 28A.405.220;

7 (ii) Classroom teachers who are on probation under subsection (4)
8 of this section;

9 (iii) Principals in the first three consecutive school years of
10 employment as a principal;

11 (iv) Principals whose work is not judged satisfactory in their most
12 recent evaluation; and

13 (v) Principals previously employed as a principal by another school
14 district in the state of Washington for three or more consecutive
15 school years and in the first full year as a principal in the school
16 district.

17 (d) A set of school districts shall be selected by the
18 superintendent of public instruction to participate in a collaborative
19 process resulting in the development and piloting of new certificated
20 classroom teacher and principal evaluation systems during the 2010-11
21 and 2011-12 school years. These school districts must be selected
22 based on: (i) The agreement of the local associations representing
23 classroom teachers and principals to collaborate with the district in
24 this developmental work and (ii) the agreement to participate in the
25 full range of development and implementation activities, including:
26 Development of rubrics for the evaluation criteria and ratings in
27 subsections (2) and (6) of this section; identification of or
28 development of appropriate multiple measures of student growth in
29 subsections (2) and (6) of this section; development of appropriate
30 evaluation system forms; participation in professional development for
31 principals and classroom teachers regarding the content of the new
32 evaluation system; participation in evaluator training; and
33 participation in activities to evaluate the effectiveness of the new
34 systems and support programs. The school districts must submit to the
35 office of the superintendent of public instruction data that is used in
36 evaluations and all district-collected student achievement, aptitude,
37 and growth data regardless of whether the data is used in evaluations.
38 If the data is not available electronically, the district may submit it

1 in nonelectronic form. The superintendent of public instruction must
2 analyze the districts' use of student data in evaluations, including
3 examining the extent that student data is not used or is underutilized.
4 The superintendent of public instruction must also consult with
5 participating districts and stakeholders, recommend appropriate
6 changes, and address statewide implementation issues. The
7 superintendent of public instruction shall report evaluation system
8 implementation status, evaluation data, and recommendations to
9 appropriate committees of the legislature and governor by July 1, 2011,
10 and at the conclusion of the development phase by July 1, 2012. In the
11 July 1, 2011, report, the superintendent shall include recommendations
12 for whether a single statewide evaluation model should be adopted,
13 whether modified versions developed by school districts should be
14 subject to state approval, and what the criteria would be for
15 determining if a school district's evaluation model meets or exceeds a
16 statewide model. The report shall also identify challenges posed by
17 requiring a state approval process.

18 (e)(i) The steering committee in (a) of this subsection (~~((7)(a) of~~
19 ~~this section))~~ and the pilot school districts in (d) of this subsection
20 (~~((7)(d) of this section))~~ shall continue to examine implementation
21 issues and refine tools for the new certificated classroom teacher
22 evaluation system in subsection (2) of this section and the new
23 principal evaluation system in subsection (6) of this section during
24 the 2013-14 through 2015-16 implementation phase.

25 (ii) Particular attention shall be given to the following issues:

26 (A) Developing a report for the legislature and governor, due by
27 December 1, 2013, of best practices and recommendations regarding how
28 teacher and principal evaluations and other appropriate elements shall
29 inform school district human resource and personnel practices. The
30 legislature and governor are provided the opportunity to review the
31 report and recommendations during the 2014 legislative session;

32 (B) Taking the new teacher and principal evaluation systems to
33 scale and the use of best practices for statewide implementation;

34 (C) Providing guidance regarding the use of student growth data to
35 assure it is used responsibly and with integrity;

36 (D) Refining evaluation system management tools, professional
37 development programs, and evaluator training programs with an emphasis
38 on developing rater reliability;

1 (E) Reviewing emerging research regarding teacher and principal
2 evaluation systems and the development and implementation of evaluation
3 systems in other states;

4 (F) Reviewing the impact that variable demographic characteristics
5 of students and schools have on the objectivity, reliability, validity,
6 and availability of student growth data; and

7 (G) Developing recommendations regarding how teacher evaluations
8 could inform state policies regarding the criteria for a teacher to
9 obtain continuing contract status under RCW 28A.405.210. In developing
10 these recommendations the experiences of school districts and teachers
11 during the evaluation transition phase must be considered.
12 Recommendations must be reported by July 1, 2016, to the legislature
13 and the governor.

14 (iii) To support the tasks in (e)(ii) of this subsection, the
15 superintendent of public instruction may contract with an independent
16 research organization with expertise in educator evaluations and
17 knowledge of the revised evaluation systems being implemented under
18 this section.

19 (iv) The superintendent of public instruction shall monitor the
20 statewide implementation of revised teacher and principal evaluation
21 systems using data reported under RCW 28A.150.230 as well as periodic
22 input from focus groups of administrators, principals, and teachers.

23 (v) The superintendent of public instruction shall submit reports
24 detailing findings, emergent issues or trends, recommendations from the
25 steering committee, and pilot school districts, and other
26 recommendations, to enhance implementation and continuous improvement
27 of the revised evaluation systems to appropriate committees of the
28 legislature and the governor beginning July 1, 2013, and each July 1st
29 thereafter for each year of the school district implementation
30 transition period concluding with a report on December 1, 2016.

31 (8)(a) Beginning with the 2015-16 school year, evaluation results
32 for certificated classroom teachers and principals must be used as one
33 of multiple factors in making human resource and personnel decisions.
34 Human resource decisions include, but are not limited to: Staff
35 assignment, including the consideration of an agreement to an
36 assignment by an appropriate teacher, principal, and superintendent;
37 and reduction in force. Nothing in this section limits the ability to

1 collectively bargain how the multiple factors shall be used in making
2 human resource or personnel decisions, with the exception that
3 evaluation results must be a factor.

4 (b) The office of the superintendent of public instruction must
5 report to the legislature and the governor regarding the school
6 district implementation of the provisions of (a) of this subsection by
7 December 1, 2017.

8 (9) Each certificated classroom teacher and certificated support
9 personnel shall have the opportunity for confidential conferences with
10 his or her immediate supervisor on no less than two occasions in each
11 school year. Such confidential conference shall have as its sole
12 purpose the aiding of the administrator in his or her assessment of the
13 employee's professional performance.

14 (10) The failure of any evaluator to evaluate or supervise or cause
15 the evaluation or supervision of certificated classroom teachers and
16 certificated support personnel or administrators in accordance with
17 this section, as now or hereafter amended, when it is his or her
18 specific assigned or delegated responsibility to do so, shall be
19 sufficient cause for the nonrenewal of any such evaluator's contract
20 under RCW 28A.405.210, or the discharge of such evaluator under RCW
21 28A.405.300.

22 (11) After a certificated classroom teacher or certificated support
23 personnel has four years of satisfactory evaluations under subsection
24 (1) of this section, a school district may use a short form of
25 evaluation, a locally bargained evaluation emphasizing professional
26 growth, an evaluation under subsection (1) or (2) of this section, or
27 any combination thereof. The short form of evaluation shall include
28 either a thirty minute observation during the school year with a
29 written summary or a final annual written evaluation based on the
30 criteria in subsection (1) or (2) of this section and based on at least
31 two observation periods during the school year totaling at least sixty
32 minutes without a written summary of such observations being prepared.
33 A locally bargained short-form evaluation emphasizing professional
34 growth must provide that the professional growth activity conducted by
35 the certificated classroom teacher be specifically linked to one or
36 more of the certificated classroom teacher evaluation criteria.
37 However, the evaluation process set forth in subsection (1) or (2) of
38 this section shall be followed at least once every three years unless

1 this time is extended by a local school district under the bargaining
2 process set forth in chapter 41.59 RCW. The employee or evaluator may
3 require that the evaluation process set forth in subsection (1) or (2)
4 of this section be conducted in any given school year. No evaluation
5 other than the evaluation authorized under subsection (1) or (2) of
6 this section may be used as a basis for determining that an employee's
7 work is not satisfactory under subsection (1) or (2) of this section or
8 as probable cause for the nonrenewal of an employee's contract under
9 RCW 28A.405.210 unless an evaluation process developed under chapter
10 41.59 RCW determines otherwise. The provisions of this subsection
11 apply to certificated classroom teachers only until the teacher has
12 been transitioned to the revised evaluation system pursuant to the
13 district implementation schedule adopted under subsection (7)(c) of
14 this section.

15 (12) All certificated classroom teachers and principals who have
16 been transitioned to the revised evaluation systems pursuant to the
17 district implementation schedule adopted under subsection (7)(c) of
18 this section must receive annual performance evaluations as provided in
19 this subsection:

20 (a) All classroom teachers and principals shall receive a
21 comprehensive summative evaluation at least once every four years. A
22 comprehensive summative evaluation assesses all eight evaluation
23 criteria and all criteria contribute to the comprehensive summative
24 evaluation performance rating.

25 (b) The following categories of classroom teachers and principals
26 shall receive an annual comprehensive summative evaluation:

27 (i) Classroom teachers who are provisional employees under RCW
28 28A.405.220;

29 (ii) Principals in the first three consecutive school years of
30 employment as a principal;

31 (iii) Principals previously employed as a principal by another
32 school district in the state of Washington for three or more
33 consecutive school years and in the first full year as a principal in
34 the school district; and

35 (iv) Any classroom teacher or principal who received a
36 comprehensive summative evaluation performance rating of level 1 or
37 level 2 in the previous school year.

1 (c)(i) In the years when a comprehensive summative evaluation is
2 not required, classroom teachers and principals who received a
3 comprehensive summative evaluation performance rating of level 3 or
4 above in the previous school year are required to complete a focused
5 evaluation. A focused evaluation includes an assessment of one of the
6 eight criteria selected for a performance rating plus professional
7 growth activities specifically linked to the selected criteria.

8 (ii) The selected criteria must be approved by the teacher's or
9 principal's evaluator and may have been identified in a previous
10 comprehensive summative evaluation as benefiting from additional
11 attention. A group of teachers may focus on the same evaluation
12 criteria and share professional growth activities. A group of
13 principals may focus on the same evaluation criteria and share
14 professional growth activities.

15 (iii) The evaluator must assign a comprehensive summative
16 evaluation performance rating for the focused evaluation using the
17 methodology adopted by the superintendent of public instruction for the
18 instructional or leadership framework being used.

19 (iv) A teacher or principal may be transferred from a focused
20 evaluation to a comprehensive summative evaluation at the request of
21 the teacher or principal, or at the direction of the teacher's or
22 principal's evaluator.

23 (v) Due to the importance of instructional leadership and assuring
24 rater agreement among evaluators, particularly those evaluating teacher
25 performance, school districts are encouraged to conduct comprehensive
26 summative evaluations of principal performance on an annual basis.

27 (vi) A classroom teacher or principal may apply the focused
28 evaluation professional growth activities toward the professional
29 growth plan for professional certificate renewal as required by the
30 professional educator standards board.

31 (13) Each school district is encouraged to acknowledge and
32 recognize classroom teachers and principals who have attained level 4 -
33 distinguished performance ratings.

34 NEW SECTION. **Sec. 3.** The sum of one hundred thousand dollars, or
35 as much thereof as may be necessary, is appropriated for the fiscal
36 year ending June 30, 2015, from the general fund to The Evergreen State

1 College for the Washington institute for public policy to conduct an
2 analysis on the K-12 student growth measurements as assessed by the
3 state's smarter balanced assessment.

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