

HOUSE BILL REPORT

SB 5340

As Reported By House Committee On:
Education

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

Brief Description: Changing probation provisions for certificated educational employees.

Sponsors: Senators Hochstatter, Johnson, Zarelli, Oke and Finkbeiner.

Brief History:

Committee Activity:

Education: 4/1/97 [DPA].

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 11 members: Representatives Johnson, Chairman; Hickel, Vice Chairman; Cole, Ranking Minority Member; Keiser, Assistant Ranking Minority Member; Linville; Quall; Smith; Sterk; Sump; Talcott and Veloria.

Staff: 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 non-renewal. However, the probationary period itself must not adversely affect the contract status of the employee.

Summary of Amended 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. During the period of probation, the employee may not be transferred from the supervision of the original evaluator. The evaluator must document improvement of performance or probable cause for nonrenewal before a request for transfer is considered. 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.

Amended Bill Compared to Original Bill: Two provisions are added: (1) the employee on probation must remain under the supervision of the original evaluator; and (2) a request for transfer to a different position may not be considered until the evaluator documents improvement in performance or probable cause for non-renewal. These provisions are contained in two house bills that passed the House. A study provision is deleted.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: None.

Testimony Against: None.

Testified: None.