
HOUSE BILL 2800

State of Washington

63rd Legislature

2014 Regular Session

By Representative Sullivan; by request of Governor Inslee and Superintendent of Public Instruction

Read first time 03/03/14. Referred to Committee on Appropriations.

1 AN ACT Relating to specifying that student growth data elements
2 used in educator evaluations include results from federally mandated
3 statewide student assessments beginning in the 2017-18 school year,
4 contingent on federal approval of a waiver of the elementary and
5 secondary education act for Washington state; amending RCW 28A.405.100;
6 and providing a contingent effective date.

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

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

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

1 (b) Every board of directors shall, in accordance with procedure
2 provided in RCW 41.59.010 through 41.59.170, 41.59.910, and 41.59.920,
3 establish evaluative criteria and procedures for all certificated
4 classroom teachers and certificated support personnel. The evaluative
5 criteria must contain as a minimum the criteria established by the
6 superintendent of public instruction pursuant to this section and must
7 be prepared within six months following adoption of the superintendent
8 of public instruction's minimum criteria. The district must certify to
9 the superintendent of public instruction that evaluative criteria have
10 been so prepared by the district.

11 (2)(a) Pursuant to the implementation schedule established in
12 subsection (7)(c) of this section, every board of directors shall, in
13 accordance with procedures provided in RCW 41.59.010 through 41.59.170,
14 41.59.910, and 41.59.920, establish revised evaluative criteria and a
15 four-level rating system for all certificated classroom teachers.

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

30 (c) The four-level rating system used to evaluate the certificated
31 classroom teacher must describe performance along a continuum that
32 indicates the extent to which the criteria have been met or exceeded.
33 The summative performance ratings shall be as follows: Level 1 -
34 unsatisfactory; level 2 - basic; level 3 - proficient; and level 4 -
35 distinguished. A classroom teacher shall receive one of the four
36 summative performance ratings for each of the minimum criteria in (b)
37 of this subsection and one of the four summative performance ratings
38 for the evaluation as a whole, which shall be the comprehensive

1 summative evaluation performance rating. By December 1, 2012, the
2 superintendent of public instruction must adopt rules prescribing a
3 common method for calculating the comprehensive summative evaluation
4 performance rating for each of the preferred instructional frameworks,
5 including for a focused evaluation under subsection (12) of this
6 section, giving appropriate weight to the indicators evaluated under
7 each criteria and maximizing rater agreement among the frameworks.

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

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

25 (f) Student growth data that is relevant to the teacher and subject
26 matter must be a factor in the evaluation process and must be based on
27 multiple measures that can include classroom-based, school-based,
28 district-based, and state-based tools. Student growth data elements
29 may include the teacher's performance as a member of a grade-level,
30 subject matter, or other instructional team within a school when the
31 use of this data is relevant and appropriate. Beginning with the 2017-
32 18 school year, when relevant to the teacher and subject matter,
33 student growth data elements must include results from federally
34 mandated statewide student assessments. Student growth data elements
35 may also include the teacher's performance as a member of the overall
36 instructional team of a school when use of this data is relevant and
37 appropriate. As used in this subsection, "student growth" means the
38 change in student achievement between two points in time.

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

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

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

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

32 (i) Level 1; or

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

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

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

18 (c) When a continuing contract employee with five or more years of
19 experience receives a comprehensive summative evaluation performance
20 rating below level 2 for two consecutive years, the school district
21 shall, within ten days of the completion of the second (~~summative~~)
22 comprehensive (~~{comprehensive summative}~~) summative evaluation or May
23 15th, whichever occurs first, implement the employee notification of
24 discharge as provided in RCW 28A.405.300.

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

1 benefits for the remainder of the employee's contract year. If such
2 reassignment is not possible, the district may, at its option, place
3 the employee on paid leave for the balance of the contract term.

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

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

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

36 (c) The four-level rating system used to evaluate the principal
37 must describe performance along a continuum that indicates the extent
38 to which the criteria have been met or exceeded. The summative

1 performance ratings shall be as follows: Level 1 - unsatisfactory;
2 level 2 - basic; level 3 - proficient; and level 4 - distinguished. A
3 principal shall receive one of the four summative performance ratings
4 for each of the minimum criteria in (b) of this subsection and one of
5 the four summative performance ratings for the evaluation as a whole,
6 which shall be the comprehensive summative evaluation performance
7 rating.

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

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

25 (f) Student growth data that is relevant to the principal must be
26 a factor in the evaluation process and must be based on multiple
27 measures that can include classroom-based, school-based, district-
28 based, and state-based tools. Beginning with the 2017-18 school year,
29 when relevant to the principal, student growth data elements must
30 include results from federally mandated statewide student assessments.
31 As used in this subsection, "student growth" means the change in
32 student achievement between two points in time.

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

35 (h) For principals who have been transitioned to the revised
36 evaluation system pursuant to the district implementation schedule
37 adopted under subsection (7)(c) of this section, the following

1 comprehensive summative evaluation performance ratings mean a
2 principal's work is not judged satisfactory:

- 3 (i) Level 1; or
- 4 (ii) Level 2 if the principal has more than five years of
5 experience in the principal role and if the level 2 comprehensive
6 summative evaluation performance rating has been received for two
7 consecutive years or for two years within a consecutive three-year time
8 period.

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

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

28 (c) Each school district board of directors shall adopt a schedule
29 for implementation of the revised evaluation systems that transitions
30 a portion of classroom teachers and principals in the district to the
31 revised evaluation systems each year beginning no later than the 2013-
32 14 school year, until all classroom teachers and principals are being
33 evaluated under the revised evaluation systems no later than the 2015-
34 16 school year. A school district is not precluded from completing the
35 transition of all classroom teachers and principals to the revised
36 evaluation systems before the 2015-16 school year. The schedule
37 adopted under this subsection (7)(c) must provide that the following

1 employees are transitioned to the revised evaluation systems beginning
2 in the 2013-14 school year:

3 (i) Classroom teachers who are provisional employees under RCW
4 28A.405.220;

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

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

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

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

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

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

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

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

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

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

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

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

37 (E) Reviewing emerging research regarding teacher and principal

1 evaluation systems and the development and implementation of evaluation
2 systems in other states;

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

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

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

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

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

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

1 human resource or personnel decisions, with the exception that
2 evaluation results must be a factor.

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

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

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

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

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

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

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

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

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

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

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

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

37 (c)(i) In the years when a comprehensive summative evaluation is
38 not required, classroom teachers and principals who received a

1 comprehensive summative evaluation performance rating of level 3 or
2 above in the previous school year are required to complete a focused
3 evaluation. A focused evaluation includes an assessment of one of the
4 eight criteria selected for a performance rating plus professional
5 growth activities specifically linked to the selected criteria.

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

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

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

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

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

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

32 NEW SECTION. **Sec. 2.** This act takes effect only if:

33 (1) The United States department of education approves Washington
34 state's elementary and secondary education act waiver application to
35 include results from federally mandated statewide student assessments
36 as one measure of student growth for purposes of teacher and principal
37 evaluations no sooner than the 2017-18 school year;

1 (2) The approval of Washington state's waiver application described
2 in subsection (1) of this section is received in writing by the office
3 of the superintendent of public instruction by September 1, 2014; and

4 (3) The office of the superintendent of public instruction provides
5 notice to the office of the governor, the legislature, and the code
6 reviser's office by September 15, 2014.

--- END ---