

amendments to RCW 28A.02.201 by section 3 of this act and to RCW 28A.05.010 by section 4 of this act shall be null and void.

NEW SECTION. Sec. 6. The legislature recognizes that its intent to require that specific subject matter be taught in the common schools of this state must be accompanied by a commitment to provide the funding to train teachers in every school in that particular curriculum. Therefore, if sections 3 and 4 of this act are not implemented during 1985 as required in section 5 of this act, the legislature directs the superintendent of public instruction to conduct a study of available staff trained in the prevention of child abuse curriculum in all two hundred ninety-nine school districts and one thousand six hundred ninety-eight school buildings in the state and to report back to the legislature prior to the 1986 session as to the means and cost associated with providing adequate training to meet staff needs in this area.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House April 27, 1985.

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CHAPTER 420

[Engrossed Second Substitute House Bill No. 849]

TEACHER EVALUATION

AN ACT Relating to teacher evaluation; amending RCW 28A.67.065; adding new sections to chapter 28A.67 RCW; creating new sections; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature recognizes the importance of teachers in the educational system. Teachers are the fundamental element in assuring a quality education for the state's and the nation's children. Teachers, through their direct contact with children, have a great impact on the development of the child. The legislature finds that this important role of the teacher requires an assurance that teachers are as successful as possible in attaining the goal of a well-educated society. The legislature finds, therefore, that the evaluation of those persons seeking to enter the teaching profession is no less important than the evaluation of those persons currently teaching. The evaluation of persons seeking teaching credentials should be strenuous while making accommodations uniquely appropriate to the applicants. Strenuous teacher training and preparation should be complemented by examinations of prospective teachers prior to candidates being

granted official certification by the state board of education. Teacher preparation program entrance evaluations, teacher training, teacher preparation program exit examinations, official certification, in-service training, and ongoing evaluations of individual progress and professional growth are all part of developing and maintaining a strong precertification and postcertification professional education system.

The legislature further finds that an evaluation system for teachers has the following elements, goals, and objectives: (1) An evaluation system must be meaningful, helpful, and objective; (2) an evaluation system must encourage improvements in teaching skills, techniques, and abilities by identifying areas needing improvement; (3) an evaluation system must provide a mechanism to make meaningful distinctions among teachers and to acknowledge, recognize, and encourage superior teaching performance; and (4) an evaluation system must encourage respect in the evaluation process by the persons conducting the evaluations and the persons subject to the evaluations through recognizing the importance of objective standards and minimizing subjectivity.

NEW SECTION, Sec. 2. The state board of education shall conduct a comprehensive study of teacher preparation issues, in cooperation with institutions of higher education offering teacher preparation programs, the council for postsecondary education or its successor agency, and other groups or organizations having an interest in teacher preparation issues, and report its findings and recommendations to the legislature by January 1 in the year following the effective date of this act. The report shall include any proposed legislation and costs required to implement any recommendations and shall also include a list of any recommendations that can be implemented without legislative action. The study shall include but not be limited to:

(1) Development of a recommended plan for an undergraduate five-year teacher preparation program that provides for one full year of full time student teaching experience or equivalent supervised field experience and which includes alternatives for compensating students for the period they are engaged in student teaching;

(2) Examining explicit criteria for entrance into and exit from teacher preparation programs including, as precertification requirements, testing and assessments of competency in:

(a) Various subjects with an analysis of how many tests would be needed for current or revised endorsement areas and a determination of cost on use of state-developed tests or use of existing tests;

(b) Pedagogy, including the ability to encourage students to learn and relate to others in a mutually respectful manner; or

(c) Requiring the institutions of higher education offering teacher preparation programs to certify to the state board of education, under state board rules adopted pursuant to chapter 34.04 RCW, that graduates from

the respective teacher preparation programs are qualified in their major field of academic study;

(3) A review of issues relating to endorsements on certificates including consideration of the feasibility of modifying the criteria and requirements for granting endorsements to recognize:

(a) Successful teaching experience in a field in which the teacher does not hold an endorsement, as evidenced by successful evaluations and other relevant factors as determined by the state board of education;

(b) Credit for work completed through an in-service training program approved under RCW 28A.71.210;

(c) Successful completion of courses offered through educational service districts, community colleges, private business, and other cooperative arrangements or through the innovative use of communications technologies;

(d) Successful completion of subject area tests as may be validated and approved by the state board of education; or

(e) Other factors as determined by the state board of education;

(4) A review of breadth and depth of subject matter and program requirements including a determination of what curriculum, inclusive of current generic competencies, is essential to prepare candidates for initial certification;

(5) An examination of ways to strengthen the role of program units;

(6) Developing means to better evaluate and assist student teachers including development of a model for team evaluation of student teachers and including training of persons responsible for supervising student teachers;

(7) Reviewing continuing education requirements for teachers and the relationship of requirements for continuing education to in-service training requirements and the salary schedule developed by the legislative evaluation and accountability program committee;

(8) Reviewing assignment policies for teachers;

(9) Reviewing policies for granting certificates to persons from out-of-state;

(10) Developing strategies to attract more students to teacher preparation programs and to generally promote awareness of and interest in teaching as a career alternative and to enhance the image of teaching;

(11) Looking at ways to assist higher education institutions offering teacher preparation programs to conduct follow-up studies of their graduates to assess the strengths and weaknesses of the respective teacher preparation programs; and

(12) An evaluation of recent, current, and anticipated activities by institutions offering teacher preparation programs and the state board of education to respectively improve individual programs and the state-wide system for teacher preparation.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.67 RCW to read as follows:

School districts shall require each administrator, each principal, or other supervisory personnel who has responsibility for evaluating classroom teachers to have training in evaluation procedures. The superintendent of public instruction shall provide technical assistance to the local school districts and to the educational service districts in providing training to evaluators.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.67 RCW to read as follows:

No administrator, principal, or other supervisory personnel may evaluate a teacher without having received training in evaluation procedures.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.67 RCW to read as follows:

After an evaluation conducted pursuant to RCW 28A.67.065, the school district may require the teacher to take in-service training provided by the district in the area of teaching skills needing improvement.

Sec. 6. Section 22, chapter 34, Laws of 1969 ex. sess. as last amended by section 3, chapter 114, Laws of 1975-'76 2nd ex. sess. and RCW 28A.67.065 are each amended to read as follows:

(1) The superintendent of public instruction shall(~~(, or or before January 1, 1977,)~~) establish and may amend from time to time minimum criteria for the evaluation of the professional performance capabilities and development of certificated classroom teachers and certificated support personnel. For classroom teachers the criteria shall be developed in the following categories: Instructional skill; classroom management, professional preparation and scholarship; effort toward improvement when needed; the handling of student discipline and attendant problems; and interest in teaching pupils and knowledge of subject matter. (~~(Such criteria shall be subject to review by November 1, 1976, by four members of the legislature, one from each caucus of each house, including the chairpersons of the respective education committees.)~~)

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

Except as provided in subsection (5) of this section, it shall be the responsibility of a principal or his or her designee to evaluate all certificated

personnel in his or her school. During each school year all classroom teachers and certificated support personnel, hereinafter referred to as "employees" in this section, shall be observed for the purposes of evaluation at least twice in the performance of their assigned duties. Total observation time for each employee for each school year shall be not less than sixty minutes. Following each observation, or series of observations, the principal or other evaluator shall promptly document the results of the evaluation in writing, and shall provide the employee with a copy thereof within three days after such report is prepared. New employees shall be observed at least once for a total observation time of thirty minutes during the first ninety calendar days of their employment period.

Every employee whose work is judged unsatisfactory based on district evaluation criteria shall be notified in writing of stated specific areas of deficiencies along with a suggested specific and reasonable program for improvement on or before February 1st of each year. A probationary period shall be established beginning on or before February 1st and ending no later than May 1st. The purpose of the probationary period is to give the employee opportunity to demonstrate improvements in his or her areas of deficiency. The establishment of the probationary period and the giving of the notice to the employee of deficiency shall be by the school district superintendent and need not be submitted to the board of directors for approval. During the probationary period the evaluator shall meet with the employee at least twice monthly to supervise and make a written evaluation of the progress, if any, made by the employee. The evaluator may authorize one additional certificated employee to evaluate the probationer and to aid the employee in improving his or her areas of deficiency; such additional certificated employee shall be immune from any civil liability that might otherwise be incurred or imposed with regard to the good faith performance of such evaluation. The probationer may be removed from probation if he or she has demonstrated improvement to the satisfaction of the principal in those areas specifically detailed in his or her initial notice of deficiency and subsequently detailed in his or her improvement program. Lack of necessary improvement shall be specifically documented in writing with notification to the probationer and shall constitute grounds for a finding of probable cause under RCW 28A.58.450 or 28A.67.070, as now or hereafter amended.

The establishment of a probationary period shall not be deemed to adversely affect the contract status of an employee within the meaning of RCW 28A.58.450, as now or hereafter amended.

(2) Every board of directors shall establish evaluative criteria and procedures for all superintendents, principals, and other administrators. It shall be the responsibility of the district superintendent or his or her designee to evaluate all administrators. Such evaluation shall be based on the administrative position job description. Such criteria, when applicable, shall include at least the following categories: Knowledge of, experience in, and training

in recognizing good professional performance, capabilities and development; school administration and management; school finance; professional preparation and scholarship; effort toward improvement when needed; interest in pupils, employees, patrons and subjects taught in school; leadership; and ability and performance of evaluation of school personnel.

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

(4) The failure of any evaluator to evaluate or supervise or cause the evaluation or supervision of certificated employees or administrators in accordance with this section, as now or hereafter amended, when it is his or her specific assigned or delegated responsibility to do so, shall be sufficient cause for the nonrenewal of any such evaluator's contract under RCW 28A.67.070, as now or hereafter amended, or the discharge of such evaluator under RCW 28A.58.450, as now or hereafter amended.

(5) After an employee has four years of satisfactory evaluations under subsection (1) of this section, a school district may use a short form of evaluation. The short form of evaluation shall include either a thirty minute observation during the school year with a written summary or a final annual written evaluation based on the criteria in subsection (1) of this section and based on at least two observation periods during the school year totaling at least sixty minutes without a written summary of such observations being prepared. However, the evaluation process set forth in subsection (1) of this section shall be followed at least once every three years and an employee or evaluator may request that the evaluation process set forth in subsection (1) of this section be conducted in any given school year. The short form evaluation process may not be used as a basis for determining that an employee's work is unsatisfactory under subsection (1) of this section nor as probable cause for the nonrenewal of an employee's contract under RCW 28A.67.070.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.67 RCW to read as follows:

(1) The superintendent of public instruction shall develop and test in local districts minimum standards based on available research to be used by local districts in evaluations conducted pursuant to RCW 28A.67.065. The superintendent of public instruction shall compensate any district participating in such tests for the actual expenses incurred by the district. The minimum standards for evaluation shall include: (a) A statement of the purpose of evaluations; (b) the frequency of evaluations, with recognition of the need for more frequent evaluations for beginning teachers; (c) the conduct of the evaluation; (d) the procedure to be used in making the evaluation; and (e) the use of the results of the evaluation.

In developing the minimum standards, the superintendent of public instruction shall consider a variety of proposals, such as proposals providing for peer review and evaluation, input by parents, input by students in appropriate circumstances, instructional assistance teams, and outside professional evaluation.

The superintendent of public instruction shall adopt the minimum standards not later than July 1, 1986. This subsection shall not preclude a local district from adopting local procedures or alternative programs which exceed the minimum standards.

(2) The superintendent of public instruction shall develop or purchase and test in local districts model evaluation programs, including standardized evaluation instruments, which meet the minimum standards established pursuant to subsection (1) of this section and the minimum criteria established pursuant to RCW 28A.67.065. Such programs shall include specific indicators of performance or detailed work expectations against which performance can be measured. The superintendent of public instruction shall compensate any district participating in such tests for the actual expenses incurred by the district. Not later than July 1, 1988, the superintendent of public instruction shall select from one to five model evaluation programs which may be used by local districts in conducting evaluations pursuant to RCW 28A.67.065. Local school districts shall establish an evaluation program by selecting one of the models approved by the superintendent of public instruction or by adopting an evaluation program pursuant to the bargaining process set forth in chapters 41.56 and 41.59 RCW. Local school districts may adopt an evaluation program which contains criteria and standards in excess of the minimum criteria and standards established by the superintendent of public instruction.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.67 RCW to read as follows:

The superintendent of public instruction shall provide technical assistance to local districts for implementation of the minimum standards and model evaluation programs selected under section 7 of this act.

NEW SECTION. Sec. 9. The superintendent of public instruction shall report to the legislature not later than January 1, in the year following the effective date of this act on any additional legislation or other action necessary to implement this act.

NEW SECTION. Sec. 10. Section 4 of this act shall take effect September 1, 1986.

NEW SECTION. Sec. 11. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by the legislature by July 1, 1987, sections 1 through 5 and 7 through 10 of this act shall be null and void. This act shall be of no effect unless such specific funding is so

provided. If such funding is so provided, this act shall take effect when the legislation providing the funding takes effect.

NEW SECTION. Sec. 12. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House April 27, 1985.

Passed the Senate April 25, 1985.

Approved by the Governor May 20, 1985.

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CHAPTER 421

[Substitute House Bill No. 877]

ADOPTION

AN ACT Relating to adoption; amending RCW 26.33.080, 26.33.090, 26.33.100, 26.33.110, 26.33.160, and 26.33.310; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 8, chapter 155, Laws of 1984 and RCW 26.33.080 are each amended to read as follows:

(1) A parent, an alleged father, the department, or an agency may file with the court a petition to relinquish a child to the department or an agency. The parent's or alleged father's written consent to adoption shall accompany the petition. The written consent of the department or the agency to assume custody shall be filed with the petition.

(2) A parent, alleged father, or prospective adoptive parent may file with the court a petition to relinquish a child to the prospective adoptive parent. The parent's or alleged father's written consent to adoption shall accompany the petition. The written consent of the prospective adoptive parent to assume custody shall be filed with the petition. The identity of the prospective adoptive parent need not be disclosed to the petitioner.

(3) A petition for relinquishment, together with the written consent to adoption, may be filed before the child's birth.

Sec. 2. Section 9, chapter 155, Laws of 1984 and RCW 26.33.090 are each amended to read as follows:

(1) The court shall set a time and place for a hearing on the petition for relinquishment. The hearing may not be held sooner than forty-eight hours after the child's birth or the signing of all necessary consents to adoption, whichever is later. The court may enter a temporary order giving custody of the child to the prospective adoptive parent, if a preplacement report has been filed, or to the department or agency to whom the child will be relinquished pending the court's hearing on the petition.