

# SENATE BILL REPORT

## 2SHB 2212

---

As Reported By Senate Committee On:  
Early Learning, K-12 & Higher Education, March 31, 2005

**Title:** An act relating to educator certification.

**Brief Description:** Revising educator certification provisions.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Hunter, Cox, Haigh, Talcott and Lantz).

**Brief History:** Passed House: 3/14/05, 94-3.

**Committee Activity:** Early Learning, K-12 & Higher Education: 3/31/05 [DPA].

---

### SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

**Majority Report:** Do pass as amended.

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair; Weinstein, Vice Chair; Schmidt, Ranking Minority Member; Benton, Berkey, Carrell, Delvin, Eide, Kohl-Welles, Mulliken, Pflug, Rasmussen, Rockefeller, Schoesler and Shin.

**Staff:** Brian Jeffries (786-7422)

**Background:** Under current law, the State Board of Education (SBE) has the authority to approve or disapprove the program of courses leading to teacher, school administrator, and school specialized personnel certification offered by all accredited institutions of higher education in the state. The board must conduct a review every five years of the program approval standards, including the minimum standards for teacher, administrators, and educational staff associates, to reflect research findings and to assure continued improvement in the programs.

The SBE in 1997 adopted rules for the professional certification programs. The rules became effective in 2000. When rules for professional certification were adopted, only institutions of higher education that are approved to offer residency preparation programs for teachers and principals/program administrators were eligible to offer programs leading to professional certification for teachers and principals/program administrators.

The SBE adopted rules consist of the establishment of a professional education advisory board for each professional certification preparation program and standards for program approval, program accountability, program resources, program design, and candidate knowledge and skills.

**Summary of Amended Bill:** A school district employee must have his or her certificate or permit revoked or suspended upon a finding that the employee has engaged in any unauthorized use of school equipment to intentionally access any material depicting sexually explicit conduct or has intentionally possessed on school grounds any material depicting

sexually explicit conduct. Reference to the current statutory definition of sexually explicit conduct is included. An exception for material used in conjunction with established curriculum is included. A first time offense can result in either suspension or revocation and a second offense results in mandatory revocation of the certificate. A person whose certificate is in question must be given the opportunity to be heard and has the right to appeal. These provisions are only applicable to findings that occur after the effective date of the act.

Degrees earned by certificated instructional staff that move them along the state salary schedule must be earned at accredited educational institutions.

**Amended Bill Compared to Original Bill:** Disciplinary actions for school employees in possession of sexually explicit material and the requirement for degrees be earned at accredited educational institutions that move teachers along the salary schedule were added. The requirement that the PESB adopt rules for professional certification is eliminated.

**Appropriation:** None.

**Fiscal Note:** Requested on March 16, 2005.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** Although the SBE has taken emergency action to address many of the issues and remedies sought in this bill, the bill is still necessary to address issues pertaining to program and candidate costs, the linkages to teacher work in the schools, and to address governance. The PESB has shown that it's capable of managing the policies pertaining to teacher certification; therefore, would caution against splitting policy authority among two or more agencies and would welcome moving all certification policy authority to the PESB.

**Testimony Against:** OSPI has been directed by the SBE to provide an intensive review of all programs providing instruction leading to professional certification. OSPI staff have been working with the administrators of the programs to address issues pertaining to cost, consistency, communication to candidates, reciprocity, and governance. It is believed, given the action of the SBE, and commitments made by OSPI and the institutions, that this bill is not necessary at this time. Professional certification is a huge changes, a culture shift for certification as a whole. Of course there were going to be unintended consequences and bumps in the road. However, these challenges are being addressed. This bill runs into conflict with the finance and governance bills working their way through the Legislature. The change in professional certification should not occur before issues of finance and governance are addressed.

**Who Testified:** PRO: Lucinda Young, WEA; Jennifer Wallace, PESB; CON: Mary Alice Heuschel, OSPI; Bobbie May, SBE; Rainer Houser, AWSP; Barbara Mertens, WASA.