
ENGROSSED SUBSTITUTE SENATE BILL 5983

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Early Learning, K-12 & Higher Education
(originally sponsored by Senators Pflug, Schmidt, Esser, Delvin and
Benson)

READ FIRST TIME 03/02/05.

1 AN ACT Relating to professional certification of teachers; amending
2 RCW 28A.410.210, 28A.305.130, and 28A.410.090; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes the importance of
6 ongoing professional development and growth for teachers with the goal
7 of improving student achievement. It is the intent of the legislature
8 to ensure that professional certification is administered in such a way
9 as to ensure that the professional development and growth of individual
10 teachers is directly aligned to their current and future teaching
11 responsibilities as professional educators.

12 **Sec. 2.** RCW 28A.410.210 and 2000 c 39 s 103 are each amended to
13 read as follows:

14 The Washington professional educator standards board shall:

15 (1) Serve as an advisory body to the superintendent of public
16 instruction and as the sole advisory body to the state board of
17 education on issues related to educator recruitment, hiring,
18 preparation, certification including high quality alternative routes to

1 certification, mentoring and support, professional growth, retention,
2 governance, prospective teacher pedagogy assessment, prospective
3 principal assessment, educator evaluation including but not limited to
4 peer evaluation, and revocation and suspension of licensure;

5 (2) Adopt rules to provide for the approval and disapproval of
6 programs leading to the professional certification of teachers. The
7 rules shall be written to allow the maximum program choice for
8 applicants and shall promote maximum efficiency for applicants in
9 attaining professional certification. All current and future programs
10 must comply with these rules and must receive initial approval based on
11 these rules. The rules shall:

12 (a) Not require professional certification for any certificated
13 teacher before the 2008-09 school year, not require professional
14 certification before the fifth year following the receipt of a
15 continuing employment contract for any individual teacher, not require
16 any teacher with national board certification to earn professional
17 certification, and allow any teacher currently enrolled in or
18 participating in a program leading to professional certification to
19 continue the program under administrative rules in place when the
20 teacher began the program;

21 (b) Provide criteria for the approval and disapproval of accredited
22 institutions of higher education within the state to offer a program
23 leading to professional certification. The rules shall be written to
24 encourage institutions of higher education to partner with local school
25 districts, consortia of school districts, or educational service
26 districts, as appropriate, to provide instruction for teachers seeking
27 professional certification;

28 (c) Encourage institutions of higher education to offer
29 professional certificate coursework as continuing education credit
30 hours. This shall not prevent an institution of higher education from
31 providing the option of including the professional certification
32 requirements as part of a master's degree program;

33 (d) Provide criteria for a liaison relationship between approved
34 programs and school districts in which applicants are employed;

35 (e) Identify a process for out-of-state certificated teachers not
36 yet certificated in Washington who have graduated from an accredited
37 institution of higher education and who hold a valid out-of-state
38 certificate to be granted reciprocity with a professional certificate.

1 The board shall consider in its process to grant reciprocity any
2 additional coursework or assessments needed by out-of-state teachers to
3 demonstrate skills commensurate with Washington requirements for
4 professional certification; and

5 (f) Identify an evaluation process of approved programs that
6 includes a review of the program coursework and applicant coursework
7 load requirements, linkages of programs to individual teacher
8 professional growth plans, linkages to school district and school
9 improvement plans, and, to the extent possible, linkages to school
10 district professional enrichment and growth programs for teachers,
11 where such programs are in place in school districts. The board shall
12 identify:

13 (i) A process for awarding conditional approval of a program that
14 shall include annual evaluations of the program until the program is
15 awarded full approval;

16 (ii) A three-year evaluation cycle once a program receives full
17 approval;

18 (iii) A method for investigating programs that have received
19 numerous complaints from students enrolled in the program and from
20 those recently completing the program; and

21 (iv) A method for using program completer satisfaction responses in
22 making the evaluation;

23 (3) Submit annual reports and recommendations, beginning December
24 1, 2000, to the governor, the education and fiscal committees of the
25 legislature, the state board of education, and the superintendent of
26 public instruction concerning duties and activities within the board's
27 advisory capacity. The Washington professional educator standards
28 board shall submit a separate report by December 1, 2000, to the
29 governor, the education and fiscal committees of the legislature, the
30 state board of education, and the superintendent of public instruction
31 providing recommendations for at least two high quality alternative
32 routes to teacher certification. In its deliberations, the board shall
33 consider at least one route that permits persons with substantial
34 subject matter expertise to achieve residency certification through an
35 on-the-job training program provided by a school district; and

36 ((+3)) (4) Establish the prospective teacher assessment system for
37 basic skills and subject knowledge that shall be required to obtain

1 residency certification pursuant to RCW 28A.410.220 through
2 28A.410.240.

3 **Sec. 3.** RCW 28A.305.130 and 2002 c 205 s 3 are each amended to
4 read as follows:

5 In addition to any other powers and duties as provided by law, the
6 state board of education shall:

7 (1) Approve or disapprove the program of courses leading to initial
8 teacher, school administrator, and school specialized personnel
9 certification offered by all institutions of higher education within
10 the state which may be accredited and whose graduates may become
11 entitled to receive such certification, except those programs leading
12 to professional certification.

13 (2) Conduct every five years a review of the program approval
14 standards, except those programs leading to professional certification,
15 including the minimum standards for teachers, administrators, and
16 educational staff associates, to reflect research findings and assure
17 continued improvement of preparation programs for teachers,
18 administrators, and educational staff associates.

19 (3) Investigate the character of the work required to be performed
20 as a condition of entrance to and graduation from any institution of
21 higher education in this state relative to such certification as
22 provided for in subsection (1) of this section, and prepare a list of
23 accredited institutions of higher education of this and other states
24 whose graduates may be awarded such certificates.

25 (4)(a) The state board of education shall adopt rules to allow a
26 teacher certification candidate to fulfill, in part, teacher
27 preparation program requirements through work experience as a
28 classified teacher's aide in a public school or private school meeting
29 the requirements of RCW 28A.195.010. The rules shall include, but are
30 not limited to, limitations based upon the recency of the teacher
31 preparation candidate's teacher aide work experience, and limitations
32 based on the amount of work experience that may apply toward teacher
33 preparation program requirements under this chapter.

34 (b) The state board of education shall require that at the time of
35 the individual's enrollment in a teacher preparation program, the
36 supervising teacher and the building principal shall jointly provide to
37 the teacher preparation program of the higher education institution at

1 which the teacher candidate is enrolled, a written assessment of the
2 performance of the teacher candidate. The assessment shall contain
3 such information as determined by the state board of education and
4 shall include: Evidence that at least fifty percent of the candidate's
5 work as a classified teacher's aide was involved in instructional
6 activities with children under the supervision of a certificated
7 teacher and that the candidate worked a minimum of six hundred thirty
8 hours for one school year; the type of work performed by the candidate;
9 and a recommendation of whether the candidate's work experience as a
10 classified teacher's aide should be substituted for teacher preparation
11 program requirements. In compliance with such rules as may be
12 established by the state board of education under this section, the
13 teacher preparation programs of the higher education institution where
14 the candidate is enrolled shall make the final determination as to what
15 teacher preparation program requirements may be fulfilled by teacher
16 aide work experience.

17 (5) Supervise the issuance of such certificates, except
18 professional certificates, as provided for in subsection (1) of this
19 section and specify the types and kinds of certificates necessary for
20 the several departments of the common schools by rule or regulation in
21 accordance with RCW 28A.410.010.

22 (6) Accredite, subject to such accreditation standards and
23 procedures as may be established by the state board of education, all
24 schools that apply for accreditation, and approve, subject to the
25 provisions of RCW 28A.195.010, private schools carrying out a program
26 for any or all of the grades kindergarten through twelve: PROVIDED,
27 That no private school may be approved that operates a kindergarten
28 program only: PROVIDED FURTHER, That no public or private schools
29 shall be placed upon the list of accredited schools so long as secret
30 societies are knowingly allowed to exist among its students by school
31 officials: PROVIDED FURTHER, That the state board may elect to require
32 all or certain classifications of the public schools to conduct and
33 participate in such preaccreditation examination and evaluation
34 processes as may now or hereafter be established by the board.

35 (7) Make rules and regulations governing the establishment in any
36 existing nonhigh school district of any secondary program or any new
37 grades in grades nine through twelve. Before any such program or any

1 new grades are established the district must obtain prior approval of
2 the state board.

3 (8) Prepare such outline of study for the common schools as the
4 board shall deem necessary, and prescribe such rules for the general
5 government of the common schools, as shall seek to secure regularity of
6 attendance, prevent truancy, secure efficiency, and promote the true
7 interest of the common schools.

8 (9) Continuously reevaluate courses and adopt and enforce
9 regulations within the common schools so as to meet the educational
10 needs of students and articulate with the institutions of higher
11 education and unify the work of the public school system.

12 (10) Carry out board powers and duties relating to the organization
13 and reorganization of school districts under chapter 28A.315 RCW
14 (~~((28A.315.010 through 28A.315.680 and 28A.315.900))~~).

15 (11) Hear and decide appeals as otherwise provided by law.

16 The state board of education is given the authority to promulgate
17 information and rules dealing with the prevention of child abuse for
18 purposes of curriculum use in the common schools.

19 **Sec. 4.** RCW 28A.410.090 and 2004 c 134 s 2 are each amended to
20 read as follows:

21 (1) Any certificate or permit authorized under the provisions of
22 this chapter, chapter 28A.405 RCW, or rules promulgated thereunder may
23 be revoked or suspended by the authority authorized to grant the same
24 based upon a criminal records report authorized by law, or upon the
25 complaint of any school district superintendent, educational service
26 district superintendent, or private school administrator for
27 immorality, violation of written contract, unprofessional conduct,
28 intemperance, or crime against the law of the state.

29 If the superintendent of public instruction has reasonable cause to
30 believe that an alleged violation of this chapter or rules adopted
31 under it has occurred based on a written complaint alleging physical
32 abuse or sexual misconduct by a certificated school employee filed by
33 a parent or another person, but no complaint has been forwarded to the
34 superintendent by a school district superintendent, educational service
35 district superintendent, or private school administrator, and that a
36 school district superintendent, educational service district
37 superintendent, or private school administrator has sufficient notice

1 of the alleged violation and opportunity to file a complaint, the
2 superintendent of public instruction may cause an investigation to be
3 made of the alleged violation, together with such other matters that
4 may be disclosed in the course of the investigation related to
5 certificated personnel.

6 (2) A parent or another person may file a written complaint with
7 the superintendent of public instruction alleging physical abuse or
8 sexual misconduct by a certificated school employee if:

9 (a) The parent or other person has already filed a written
10 complaint with the educational service district superintendent
11 concerning that employee;

12 (b) The educational service district superintendent has not caused
13 an investigation of the allegations and has not forwarded the complaint
14 to the superintendent of public instruction for investigation; and

15 (c) The written complaint states the grounds and factual basis upon
16 which the parent or other person believes an investigation should be
17 conducted.

18 (3) Any such certificate or permit authorized under this chapter or
19 chapter 28A.405 RCW shall be revoked by the authority authorized to
20 grant the certificate upon a guilty plea or the conviction of any
21 felony crime involving the physical neglect of a child under chapter
22 9A.42 RCW, the physical injury or death of a child under chapter 9A.32
23 or 9A.36 RCW (excepting motor vehicle violations under chapter 46.61
24 RCW), sexual exploitation of a child under chapter 9.68A RCW, sexual
25 offenses under chapter 9A.44 RCW where a minor is the victim, promoting
26 prostitution of a minor under chapter 9A.88 RCW, the sale or purchase
27 of a minor child under RCW 9A.64.030, or violation of similar laws of
28 another jurisdiction. The person whose certificate is in question
29 shall be given an opportunity to be heard. Mandatory permanent
30 revocation upon a guilty plea or the conviction of felony crimes
31 specified under this subsection shall apply to such convictions or
32 guilty pleas which occur after July 23, 1989. Revocation of any
33 certificate or permit authorized under this chapter or chapter 28A.405
34 RCW for a guilty plea or criminal conviction occurring prior to July
35 23, 1989, shall be subject to the provisions of subsection (1) of this
36 section.

37 (4)(a) Any such certificate or permit authorized under this chapter
38 or chapter 28A.405 RCW shall be suspended or revoked, according to the

1 provisions of this subsection, by the authority authorized to grant the
2 certificate upon a finding that an employee has engaged in an
3 unauthorized use of school equipment to intentionally access material
4 depicting sexually explicit conduct or has intentionally possessed on
5 school grounds any material depicting sexually explicit conduct; except
6 for material used in conjunction with established curriculum. A first
7 time violation of this subsection shall result in either suspension or
8 revocation of the employee's certificate or permit as determined by the
9 office of the superintendent of public instruction. A second violation
10 shall result in a mandatory revocation of the certificate or permit.

11 (b) In all cases under this subsection (4), the person whose
12 certificate is in question shall be given an opportunity to be heard
13 and has the right to appeal as established in RCW 28A.410.100.
14 Certificates or permits shall be suspended or revoked under this
15 subsection only if findings are made on or after the effective date of
16 this section. For the purposes of this subsection, "sexually explicit
17 conduct" has the same definition as provided in RCW 9.68A.011.

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