

# SENATE BILL REPORT

## SHB 2003

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, March 27, 2009

**Title:** An act relating to the professional educator standards board membership and duties.

**Brief Description:** Changing professional educator standards board provisions.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Orwall, Sullivan, Quall, Priest and Maxwell; by request of Governor Gregoire).

**Brief History:** Passed House: 3/09/09, 94-0.

**Committee Activity:** Early Learning & K-12 Education: 3/26/09, 3/27/09 [DPA, w/oRec].

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

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

Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King, Ranking Minority Member; Brandland, Hobbs, Jarrett, McDermott and Tom.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Roach.

**Staff:** Juliana Roe (786-7438)

**Background:** In 2000 the Professional Educator Standards Board (PESB) was created as an advisory board to the Governor, Legislature, State Board of Education, and Office of the Superintendent of Public Instruction (OSPI) on policy issues related to certificated education professionals. Since then, PESB has been given additional authority and responsibilities. PESB serves as an advisory body to OSPI on issues related to educator recruitment, hiring, mentoring and support, professional growth, retention, evaluation, and revocation and suspension of licensure. It consists of 20 Governor-appointed members as well as the Superintendent of Public Instruction. Members are subject to confirmation by the Senate, serve four-year terms, and are prohibited from serving more than two consecutive full terms. The chair is appointed by the Governor to a one-year term. No board member may serve as chair for more than two consecutive years. Membership includes seven public school teachers, one private school teacher, three representatives of higher education educator

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preparation programs, four school administrators, one classified staff who assists in public school student instruction, one parent, and one member of the public.

OSPI authorizes the issuance, suspension, and revocation of certificates. A certificated person has the right to appeal such a decision to OSPI. The appeal procedure consists of two levels, one informal by a review officer appointed by OSPI, and the second a formal administrative hearing in conformance with the Administrative Procedures Act (APA). Either OSPI or an administrative law judge from the Office of Administrative Hearings presides over the formal hearing and issues a decision. From this decision, there is an additional appeal available to the PESB and the APA provides for judicial review of such decisions.

**Summary of Bill (Recommended Amendments):** PESB must (1) develop and maintain a research base of educator preparation best practices; (2) develop and coordinate initiatives for educator preparation in high-demand fields as well as outreach and recruitment initiatives for underrepresented populations; (3) provide program improvement technical assistance to educator preparation programs; (4) assure educator preparation program compliance; and (5) prepare and maintain a cohesive educator development policy framework.

The number of Governor-appointed members is reduced from 20-12. The Superintendent of Public Instruction is maintained as an additional member to the PESB. The term of the chair is increased from one to two years; and no board member may serve as chair for more than four consecutive years. A majority of the members must have classroom experience. The board must also include individuals possessing experience of one or more of the following types: (1) providing or leading a state-approved preparation program; (2) mentoring and coaching education professionals or others; and (3) education-related community experience.

In making appointments, the Governor must consider the individual's commitment to quality education and the ongoing improvement of instruction, experiences in the public or private schools, involvement in developing quality teaching preparation and support programs, and vision for assuring teaching quality. The Governor must also consider the diversity of the population of the state. The Senate must confirm appointments to PESB.

PESB is authorized to create informal advisory groups as needed to inform the board's work.

The additional PESB appeal is removed.

**EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Amendments):** The requirement that on August 1, 2009, the eight members removed from the board be those with the least amount of time remaining in their terms is removed.

The PESB members must be active practitioners with the majority being classroom based.

The Governor, in appointing board members, must consider experience in public or private schools.

The gubernatorial appointees to the PESB are subject to Senate confirmation.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Effective Date:** Ninety days after adjournment of session in which bill is passed, except for section 2, relating to ending the terms of appointed members, which takes effect on August 1, 2009.

**Staff Summary of Public Testimony on Substitute House Bill:** PRO: This bill builds upon the good work of the PESB. It improves best practices and recruitment, in certain subject areas and of certain types of persons.

The Senate version of this bill contained very important changes that we hope to see mirrored in the House version. There is an important clause contained within the House version of the bill that requires a majority of the PESB to be active classroom teachers. There is also a change that should be made with regard to the reduction of persons on the board. The House bill currently requires those persons that have been on the board for the longest period of time to be removed from the PESB. The PESB needs a balance of experienced members and new appointees.

The state licensure system is better because of the PESB. We support this unique body moving forward and hope that the Legislature moves staff along with appropriate funding so that when the hiring freeze ends, we will be able to fill the empty positions.

With regard to the appeals process, removing the one level of appeal is both a cost and time savings. It is a duplicative process. This change also allows teachers to get to the final step in the appeals process more quickly.

**Persons Testifying:** PRO: Representative Orwall, prime sponsor; Lucinda Young, WEA; Jennifer Wallace, PESB; Bob Cooper, Washington Association of Colleges for Teacher Education; Leslie Goldstein, Governor's Executive Policy Office.