

SENATE BILL REPORT

SB 5802

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 19, 2009

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

Brief Description: Changing professional educator standards board provisions.

Sponsors: Senators Oemig, McAuliffe, Hobbs, Kauffman, Jarrett, Tom and Shin; by request of Governor Gregoire.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/16/09, 2/19/09 [DPS, DNP].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5802 be substituted therefor, and the substitute bill do pass.

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: Do not pass.

Signed by Senator Holmquist.

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 (SBE), 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

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

educator 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 Substitute): 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 term of the chair is increased from one to two years; no board member may serve as chair for more than four consecutive years. A majority of the members must be active practitioners. 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 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 requirement that the Senate confirm appointments to PESB is removed.

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 Substitute): Specifies that a majority of the PESB members must be active practitioners, with the majority being classroom based. Members having experience in a state-approved preparation program must have experience in providing or leading such a program. Requires OSPI to develop and coordinate outreach and recruitment initiatives for underrepresented populations.

Appropriation: None.

Fiscal Note: Requested on February 2, 2009.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed, except for Section 2 which takes effect on August 1, 2009.

Staff Summary of Public Testimony on Original Bill: PRO: This bill provides for a logical management proposal and new implementation of responsibilities. Over time, PESB has taken on more and more responsibilities. This bill will help bring together staff that should operate as one. The board will continue to maintain strong policies of professional conduct, but the additional level of appeal being removed from statute did not add any value to the process. It is beneficial to include current teachers as members of the board. They are in the best position to understand what the job entails and how the license system should look.

This bill should allow for private school teachers to be included in the PESB membership. They are currently included and should continue to be included.

Persons Testifying: PRO: Jennifer Wallace, Professional Educator Standards Board; Judy Hartmann, Governor's Policy Office; Lucinda Young, Washington Education Association; Bob Cooper, Washington Association of Colleges for Teacher Education; Judy Jennings, Washington Federation of Independent Schools.