

E2SSB 5179 - H AMD 480

By Representative Bergquist

ADOPTED 4/15/2015

1 Strike everything after the enacting clause and insert the
2 following:

3 NEW SECTION. **Sec. 1.** INTENT. Paraeducators provide the
4 majority of instruction in programs designed by the legislature to
5 reduce the opportunity gap. By setting common statewide standards,
6 training, and career development for paraeducators, as well as
7 training for teachers and principals who have paraeducators in their
8 classrooms, students in these programs have a better chance of
9 succeeding in the classroom.

10 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this
11 section apply throughout this chapter unless the context clearly
12 requires otherwise.

13 (1) "Board" means the professional educator standards board
14 created in RCW 28A.410.200.

15 (2) "Committee" means the paraeducator professional practices
16 committee established in section 4 of this act.

17 (3) "English language learner endorsement" means a credential
18 earned by a paraeducator working with students in English language
19 learner programs.

20 (4) "English language learner programs" means the English
21 language learners program, the transitional bilingual instruction
22 program, and the federal limited English proficiency program.

23 (5) "Paraeducator" means a school district employee who works
24 under the supervision of a certificated staff member to support and
25 assist in providing instructional and other services to students and
26 their families.

27 NEW SECTION. **Sec. 3.** EMPLOYMENT STANDARDS. Effective September
28 1, 2015, the minimum employment entry standards for a paraeducator
29 who works in the learning assistance program, the federal
30 disadvantaged programs, and the English language learner programs are
31 as provided in this section. The paraeducator must:

1 (1) Be at least eighteen years of age, hold a high school diploma
2 or its equivalent, and have received a passing grade on the education
3 testing service paraeducator assessment;

4 (2) Hold an associate of arts degree; or

5 (3) Have earned seventy-two quarter credits or forty-eight
6 semester credits at an institution of higher education.

7 NEW SECTION. **Sec. 4.** PARAEDUCATOR PROFESSIONAL PRACTICES
8 COMMITTEE. (1) By September 1, 2015, the board shall establish a
9 paraeducator professional practices committee to advise the board,
10 the state board for community and technical colleges, and the office
11 of the superintendent of public instruction on the training and
12 development of paraeducators.

13 (2) Appointments to the committee must be made as follows:

14 (a) The superintendent of public instruction shall appoint a
15 paraeducator, a teacher, a principal, and a human resource director;

16 (b) The Washington state parent teacher association shall appoint
17 a parent whose child receives instructional support from a
18 paraeducator;

19 (c) The state board for community and technical colleges shall
20 appoint a representative of the community or technical college
21 system; and

22 (d) The student achievement council shall appoint a
23 representative of a four-year institution of higher education as
24 defined in RCW 28B.10.016.

25 (3) The board shall oversee and administer the committee.

26 NEW SECTION. **Sec. 5.** STANDARDS AND COURSES OF STUDY. (1) The
27 board shall adopt state standards of practice for paraeducators
28 working in the learning assistance program, the federal disadvantaged
29 programs, and the English language learner programs that are based on
30 the recommendations of the paraeducator work group established in
31 chapter 136, Laws of 2014. These standards must include:

32 (a) Supporting instructional opportunities;

33 (b) Demonstrating professionalism and ethical practices;

34 (c) Supporting a positive and safe learning environment;

35 (d) Communicating effectively and participating in the team
36 process; and

37 (e) Demonstrating cultural competency aligned with standards
38 developed by the board under RCW 28A.410.270.

1 (2) The board shall adopt standards and rules for the issuance of
2 an English language learner endorsement, based on the recommendations
3 of the paraeducator work group established in chapter 136, Laws of
4 2014.

5 (3) The committee shall propose that the board adopt standards
6 and rules for the issuance of advanced paraeducator endorsement.
7 These standards and the course of study necessary to meet the
8 standards, as approved under subsection (4) of this section, must
9 qualify an advanced paraeducator to fulfill the following
10 responsibilities: Mentor or coach other paraeducators, assist in
11 highly impacted classrooms, assist in specific specialized
12 instruction support or technology applications, and substitute for
13 teachers in short absence situations in districts with substitute
14 teacher shortages.

15 (4)(a) The committee, in collaboration with the state board for
16 community and technical colleges, the office of the superintendent of
17 public instruction, and the educational service districts, must
18 recommend to the board the course of study necessary to meet the
19 state standards of practice and the endorsement standards adopted by
20 the board under this section.

21 (b) The courses of study must be made available through various
22 means to limit costs and improve access with providers including the
23 community and technical colleges, the educational service districts,
24 and the office of the superintendent of public instruction.

25 (c) The deadlines for the board to approve courses of study are
26 as follows:

27 (i) July 1, 2016, for the course of study necessary to meet the
28 state standards of practice and the English language learner
29 endorsement; and

30 (ii) September 1, 2017, for the course of study necessary to meet
31 the advanced paraeducator endorsement.

32 (5) To support the tasks in this section, the committee and the
33 board may consult with experts.

34 (6) This section is subject to the availability of amounts
35 appropriated for this specific purpose.

36 NEW SECTION. **Sec. 6.** PILOTS. (1) During the 2016-17 and 2017-18
37 school years, the board shall distribute grants, as funded by the
38 legislature, to a diverse set of school districts that volunteer to
39 participate in a collaborative process resulting in the development

1 and piloting of the state paraeducator standards of practice and the
2 English language learner endorsement standards adopted by the board
3 under section 5 of this act.

4 (2) By September 1, 2017, and September 1, 2018, the volunteer
5 districts must report to the committee and the board with the
6 outcomes of year one of the pilot and any recommendations for
7 implementing the paraeducator standards of practice statewide. The
8 outcomes reported must include: An analysis of the costs to the
9 district to implement the state standards of practice and the English
10 language learner endorsement standards and the course of study
11 necessary to meet these standards; any costs to paraeducators to meet
12 the standards; the number of paraeducators in the district that meet
13 the standards; and the impact on the size and assignment of the
14 paraeducator workforce as a result of the pilot.

15 (3) By December 1, 2017, the committee and the board shall submit
16 a report to the appropriate committees of the legislature that
17 includes: (a) The outcomes of the pilot; (b) recommendations on
18 whether the state should implement the standards of practice and the
19 English language learner endorsement standards statewide with
20 estimated costs of statewide implementation to the state and to
21 districts; and (c) the effects of establishing a system of continuing
22 education, licensure, endorsement, or alternative training
23 verification processes and fees. In developing the report, the
24 committee and the board shall collaborate with the office of the
25 superintendent of public instruction, the educational service
26 districts, the state board for community and technical colleges, and
27 the school districts receiving grants under this section.

28 (4) The committee and the board shall include in the board's 2018
29 joint report to the legislature under RCW 28A.305.035 an update of
30 the report required in subsection (3) of this section.

31 (5) This section is subject to the availability of amounts
32 appropriated for this specific purpose.

33 NEW SECTION. **Sec. 7.** STATEWIDE IMPLEMENTATION. (1) No later
34 than September 1, 2018, all school districts must begin implementing
35 the state standards of practice for paraeducators working in the
36 learning assistance program, the federal disadvantaged programs, and
37 the English language learner programs, according to a phase-in
38 schedule specified by the legislature.

1 (2) This section is subject to the availability of amounts
2 appropriated for this specific purpose.

3 **Sec. 8.** RCW 28A.410.212 and 2009 c 531 s 1 are each amended to
4 read as follows:

5 The professional educator standards board shall:

6 (1) Develop and maintain a research base of educator preparation
7 best practices;

8 (2) Develop and coordinate initiatives for educator preparation
9 in high-demand fields as well as outreach and recruitment initiatives
10 for underrepresented populations;

11 (3) Provide program improvement technical assistance to providers
12 of educator preparation programs;

13 (4) Assure educator preparation program compliance; (~~and~~)

14 (5) Prepare and maintain a cohesive educator development policy
15 framework; and

16 (6) Perform the duties related to paraeducators provided in
17 chapter 28A.--- RCW (the new chapter created in section 11 of this
18 act).

19 **Sec. 9.** RCW 28A.630.400 and 2011 1st sp.s. c 11 s 132 are each
20 amended to read as follows:

21 (1) The professional educator standards board and the state board
22 for community and technical colleges, in consultation with the
23 superintendent of public instruction, the state apprenticeship
24 training council, and community colleges, shall adopt rules as
25 necessary under chapter 34.05 RCW to implement the paraeducator
26 associate of arts degree.

27 (2) As used in this section, a "paraeducator" is an individual
28 who has completed an associate of arts degree for a paraeducator. The
29 paraeducator may be hired by a school district to assist certificated
30 instructional staff in the direct instruction of children in small
31 and large groups, individualized instruction, testing of children,
32 recordkeeping, and preparation of materials. The paraeducator shall
33 work under the direction of instructional certificated staff.

34 (3)(a) The training program for a paraeducator associate of arts
35 degree shall include, but is not limited to, the general requirements
36 for receipt of an associate of arts degree and training in the areas
37 of introduction to childhood education, orientation to children with
38 disabilities, fundamentals of childhood education, creative

1 activities for children, instructional materials for children, fine
2 art experiences for children, the psychology of learning,
3 introduction to education, child health and safety, child development
4 and guidance, first aid, and a practicum in a school setting.

5 (b) Subject to the availability of amounts appropriated for this
6 specific purpose, by September 1, 2016, the training program for a
7 paraeducator associate of arts degree must incorporate the state
8 paraeducator standards of practice adopted by the professional
9 educator standards board under section 5 of this act.

10 (4) Consideration shall be given to transferability of credit
11 earned in this program to teacher preparation programs at colleges
12 and universities.

13 **Sec. 10.** RCW 28B.50.891 and 2014 c 136 s 4 are each amended to
14 read as follows:

15 Beginning with the ((2015-16)) 2016-17 academic year, any
16 community or technical college that offers an apprenticeship program
17 or certificate program for paraeducators must provide candidates the
18 opportunity to earn transferrable course credits within the program.
19 The programs must also incorporate the standards for cultural
20 competence, including multicultural education and principles of
21 language acquisition, developed by the professional educator
22 standards board under RCW 28A.410.270. Subject to the availability of
23 amounts appropriated for this specific purpose, by September 1, 2016,
24 the paraeducator apprenticeship and certificate programs must also
25 incorporate the state paraeducator standards of practice adopted by
26 the professional educator standards board under section 5 of this
27 act.

28 NEW SECTION. **Sec. 11.** Sections 1 through 7 of this act
29 constitute a new chapter in Title 28A RCW."

30 Correct the title.

EFFECT: INTENT: Retains the intent language.

MINIMUM EMPLOYMENT STANDARDS: Retains the requirement that
minimum employment entry standards for paraeducators who work in
English Language Learner (ELL) Programs, the Learning Assistance
Program (LAP), and the Federal Disadvantaged Programs be implemented
September 1, 2015.

PARAEDUCATOR PROFESSIONAL PRACTICES COMMITTEE: Creates a
Paraeducator Professional Practices Committee (Committee) overseen
and administered by the Professional Educator Standards Board (PESB)

by September 1, 2015, rather than a Paraeducator Board administered by the PESB. Adds to the membership of the Committee a human resources director, in addition to a paraeducator, a teacher, a principal, a parent whose child receives instructional support from a paraeducator, a representative from the community and technical colleges, and a representative from the four-year institutions of higher education. Removes language making a representative of the PESB a nonvoting member. Places the responsibility of developing rules and policies and adopting standards for paraeducator standards of practice and endorsement standards with the PESB, rather than with the Paraeducator Board.

STANDARDS OF PRACTICE AND COURSES OF STUDY: Removes language relating to a Paraeducator Certificate. Retains the standards for paraeducators working in the ELL Programs, the LAP, and the Federal Disadvantaged Programs, but calls them Standards of Practice, rather than Certification Standards. Requires the PESB, rather than the Paraeducator Board, to adopt the Standards of Practice, as well as standards and rules for the issuance of an ELL Endorsement and an Advanced Paraeducator Endorsement. Requires the Committee to recommend courses of study necessary to meet the Standards of Practice and the endorsement standards to the PESB, in collaboration with the State Board for Community and Technical Colleges, the Office of the Superintendent of Public Instruction (OSPI), and the Educational Service Districts (ESDs), rather than requiring the OSPI and the ESDs, in collaboration with the Paraeducator Board, to develop the courses. Requires the PESB to approve the courses for the Standards of Practice and the ELL Endorsement by July 1, 2016, and for the Advanced Paraeducator Endorsement by September 1, 2017. Retains the requirement that the courses of study be made available through various means to limit costs and improve access. Provides that the Committee and the PESB may consult with experts.

Removes requirements specifying how long paraeducators have to acquire a paraeducator certification and endorsement, and when paraeducators must renew. Removes the requirement that the OSPI be provided funds to administer the paraeducator certificate and endorsement and the permission for the Paraeducator Board to establish certification fees.

PILOTS: Moves the start date for volunteer districts to field test, or pilot, for two years, the implementation of the Standards of Practice for certain programs and the ELL Endorsement standards to 2016-17, rather than 2015-16. Retains the specification that the volunteer districts be provided with grants funds. Retains the requirement that the volunteer districts report the costs to implement the pilot, and adds that other outcomes be reported. Requires that the committee and the PESB submit a year one report to the Legislature by December 1, 2017, that includes (1) the outcomes of the pilot; (2) recommendations on whether the state should implement the Standards of Practice and the ELL Endorsement standards statewide with estimated costs of statewide implementation to the state and to districts; and (3) the effects of establishing a system of continuing education, licensure, endorsement, or alternative training verification processes and fees. Requires the committee and the PESB, in developing the report, to collaborate with certain entities. Requires the committee and the PESB to update the report in its 2018 Joint Report to the Legislature.

STATEWIDE IMPLEMENTATION: Moves the start date for the statewide implementation of the Standards of Practice for certain programs and the ELL Endorsement standards to September 1, 2018, rather than September 1, 2017. Provides that the implementation be phased in according to a schedule specified by the Legislature.

PARAEDUCATOR EDUCATION: Provides that the Standards of Practice be incorporated into the Paraeducator Associate of Arts Degree and the Paraeducator Apprenticeship and Certificate Programs by September 1, 2016, rather than 90 days after adjournment of the session in which the bill is passed.

APPROPRIATIONS: Continues to make all sections of the bill subject to the availability of amounts appropriated for the specific purpose.

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