

2SSB 6408 - H COMM AMD

By Committee on Appropriations

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

3 "NEW SECTION. **Sec. 1.** PARAEDUCATOR PERFORMANCE STANDARDS.

4 (1)(a) By September 1, 2016, the office of the superintendent of
5 public instruction shall adopt performance standards for paraeducator
6 professional development and credentialing as described in this
7 section. The purpose of the standards is to address the knowledge and
8 skills competencies a paraeducator needs to possess and exhibit in
9 order to meet the varied needs of the students served.

10 (b) The adopted standards must be based on the recommendations of
11 the paraeducator work group established under section 2, chapter 136,
12 Laws of 2014.

13 (2) The performance standards for paraeducator professional
14 development and credentialing adopted under this section must clearly
15 define the knowledge and skills competencies necessary for a
16 paraeducator to, at a minimum:

17 (a) Support educational outcomes;

18 (b) Demonstrate professionalism and ethical practices;

19 (c) Support a positive and safe learning environment; and

20 (d) Communicate effectively and participate in the team process.

21 NEW SECTION. **Sec. 2.** PARAEDUCATOR ADVISORY BOARD. (1) Subject
22 to the availability of amounts appropriated for this specific
23 purpose, the office of the superintendent of public instruction shall
24 establish a paraeducator advisory board with eleven members as
25 follows:

26 (a) A paraeducator, a teacher, a principal, a parent, an
27 administrator, a human resources director, a union representative, a
28 representative of a community-based organization, and a
29 representative of the office of the superintendent of public
30 instruction, each appointed by the superintendent of public
31 instruction;

1 (b) A representative of the community and technical college
2 system appointed by the state board for community and technical
3 colleges; and

4 (c) A representative of the professional educator standards
5 board, appointed by the professional educator standards board.

6 (2) The purpose of the paraeducator advisory board is to provide
7 guidance and leadership for the implementation of statewide
8 performance standards for paraeducator professional development and
9 credentialing described in section 1 of this act.

10 (3) Subject to the availability of amounts appropriated for this
11 specific purpose, the paraeducator advisory board shall:

12 (a) In time for school districts to begin piloting the program in
13 the 2017-18 school year, develop a curriculum and design a
14 professional development program for paraeducators that meets the
15 paraeducator performance standards described in section 1 of this
16 act;

17 (b) In time for school districts to begin piloting the program in
18 the 2017-18 school year, develop a curriculum and design a
19 professional development program for teachers and principals that
20 focuses on working with paraeducators, including how teachers can
21 direct a paraeducator working within their classrooms, and how
22 principals can supervise and evaluate paraeducators;

23 (c) Oversee and monitor the implementation of the professional
24 development programs developed under this section in school districts
25 that volunteer to pilot these programs as described in section 3 of
26 this act;

27 (d) Make recommendations to the legislature regarding statewide
28 implementation of the professional development programs developed
29 under this section, as required under section 3 of this act; and

30 (e) Collaborate with the state board for community and technical
31 colleges on aligning the credentials offered by the community and
32 technical colleges with the paraeducator performance standards
33 described in section 1 of this act.

34 NEW SECTION. **Sec. 3.** SCHOOL DISTRICT PILOTS. (1)(a) Subject to
35 the availability of amounts appropriated for this specific purpose,
36 the office of the superintendent of public instruction shall select a
37 diverse set of willing school districts to pilot the implementation
38 of the professional development programs for paraeducators, teachers,

1 and principals developed under section 2 of this act during the
2 2017-18 and 2018-19 school years.

3 (b) By October 31, 2018, the school districts shall report to the
4 paraeducator advisory board and the professional educator standards
5 board with the outcomes of year one of the pilot and any
6 recommendations for implementation of the professional development
7 programs statewide. The outcomes reported must include: An analysis
8 of the costs to the district to implement the paraeducator
9 performance standards, including professional development costs, any
10 costs to paraeducators to meet the standards, and the impact on the
11 size and assignment of the paraeducators in the district as a result
12 of the pilot.

13 (2) Subject to the availability of amounts appropriated for this
14 specific purpose, by December 15, 2018, the paraeducator advisory
15 board shall submit a report to the appropriate committees of the
16 legislature, in accordance with RCW 43.01.036, that includes: The
17 outcomes of the pilot; barriers to statewide implementation of the
18 paraeducator performance standards, including estimated costs of
19 statewide implementation to the state and to districts; recommended
20 changes to state statutes necessary in order to implement the
21 standards statewide; recommendations on a timeline for statewide
22 implementation of the paraeducator performance standards; the effects
23 of requiring paraeducators to obtain a paraeducator certificate; and
24 any other recommendations or concerns developed by the paraeducator
25 advisory board.

26 NEW SECTION. **Sec. 4.** PROFESSIONAL PARAEDUCATOR CERTIFICATION
27 SYSTEM. (1) Subject to the availability of amounts appropriated for
28 this specific purpose, the professional educator standards board
29 shall design a uniform and externally administered professional-level
30 certification assessment for paraeducators based on the paraeducator
31 performance standards described in section 1 of this act.

32 (2) Subject to the availability of amounts appropriated for this
33 specific purpose, by December 15, 2018, the professional educator
34 standards board shall submit a report to the appropriate committees
35 of the legislature, in accordance with RCW 43.01.036, that summarizes
36 its work in the development of the assessment required under this
37 section and makes recommendations for statewide implementation.

1 **Sec. 5.** RCW 28A.150.203 and 2009 c 548 s 102 are each amended to
2 read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Basic education goal" means the student learning goals and
6 the student knowledge and skills described under RCW 28A.150.210.

7 (2) "Certificated administrative staff" means all those persons
8 who are chief executive officers, chief administrative officers,
9 confidential employees, supervisors, principals, or assistant
10 principals within the meaning of RCW 41.59.020(4).

11 (3) "Certificated employee" as used in this chapter and RCW
12 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250,
13 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those
14 persons who hold certificates as authorized by rule of the Washington
15 professional educator standards board, but does not mean those
16 persons working as paraeducators.

17 (4) "Certificated instructional staff" means those persons
18 employed by a school district who are nonsupervisory certificated
19 employees within the meaning of RCW 41.59.020(8).

20 (5) "Class size" means an instructional grouping of students
21 where, on average, the ratio of students to teacher is the number
22 specified.

23 (6) "Classified employee" means a person who does not hold a
24 professional education certificate, including a paraeducator, or who
25 is employed in a position that does not require such a certificate.

26 (7) "Classroom teacher" means a person who holds a professional
27 education certificate and is employed in a position for which such
28 certificate is required whose primary duty is the daily educational
29 instruction of students. In exceptional cases, people of unusual
30 competence but without certification may teach students so long as a
31 certificated person exercises general supervision, but the hiring of
32 such classified employees shall not occur during a labor dispute, and
33 such classified employees shall not be hired to replace certificated
34 employees during a labor dispute.

35 (8) "Instructional program of basic education" means the minimum
36 program required to be provided by school districts and includes
37 instructional hour requirements and other components under RCW
38 28A.150.220.

39 (9) "Paraeducator" means a classified employee who works under
40 the supervision of a certificated employee to support and assist in

1 providing instructional and other services to children and youth and
2 their families. The certificated employee remains responsible for the
3 overall conduct and management of the classroom or program including
4 the design, implementation, and evaluation of the instructional
5 programs and student progress.

6 (10) "Program of basic education" means the overall program under
7 RCW 28A.150.200 and deemed by the legislature to comply with the
8 requirements of Article IX, section 1 of the state Constitution.

9 ~~((10))~~ (11) "School day" means each day of the school year on
10 which pupils enrolled in the common schools of a school district are
11 engaged in academic and career and technical instruction planned by
12 and under the direction of the school.

13 ~~((11))~~ (12) "School year" includes the minimum number of school
14 days required under RCW 28A.150.220 and begins on the first day of
15 September and ends with the last day of August, except that any
16 school district may elect to commence the annual school term in the
17 month of August of any calendar year and in such case the operation
18 of a school district for such period in August shall be credited by
19 the superintendent of public instruction to the succeeding school
20 year for the purpose of the allocation and distribution of state
21 funds for the support of such school district.

22 ~~((12))~~ (13) "Teacher planning period" means a period of a
23 school day as determined by the administration and board of ~~(the)~~
24 directors of the district that may be used by teachers for
25 instruction-related activities including but not limited to preparing
26 instructional materials; reviewing student performance; recording
27 student data; consulting with other teachers, instructional
28 assistants, mentors, instructional coaches, administrators, and
29 parents; or participating in professional development.

30 NEW SECTION. Sec. 6. Sections 1 through 3 of this act are each
31 added to chapter 28A.400 RCW.

32 NEW SECTION. Sec. 7. If specific funding for the purposes of
33 this act, referencing this act by bill or chapter number, is not
34 provided by June 30, 2016, in the omnibus appropriations act, this
35 act is null and void."

36 Correct the title.

EFFECT: Removes all underlying language and inserts language that:

Defines "paraeducator" as a classified employee who works under the supervision of a certificated employee to support and assist in providing instructional and other services to children and youth and their families, and specifies that the certificated employee remains responsible for the overall conduct and management of the classroom or program including the design, implementation, and evaluation of the instructional programs and student progress.

Requires the Office of the Superintendent of Public Instruction (OSPI) to adopt performance standards for paraeducator professional development and credentialing that must be based on the recommendations of the Paraeducator Work Group.

Establishes, subject to an appropriation, a Paraeducator Advisory Board with eleven specified members under the OSPI.

Specifies that, subject to an appropriation, the Paraeducator Advisory Board must develop a curriculum and design a professional development program for paraeducators that meets the paraeducator performance standards; develop a curriculum and design a professional development program for teachers and principals that focuses on working with paraeducators; oversee and monitor implementation of the professional development programs in school districts that volunteer to pilot these programs; and collaborate with the State Board for Community and Technical Colleges on aligning the credentials offered by the community and technical colleges with the paraeducator performance standards.

Requires, subject to an appropriation, the OSPI to select willing school districts to pilot for two years the implementation of the professional development programs for paraeducators, teachers, and administrators, and requires the districts to report back on the outcomes of the pilot after one year.

Requires, subject to an appropriation, and by December 15, 2018, that the Paraeducator Advisory Board must submit a report to the Legislature that includes: The outcomes of the pilot; barriers to statewide implementation of the paraeducator performance standards, including estimated costs of statewide implementation to the state and to districts; recommended changes to state statutes necessary in order to implement the standards statewide; recommendations on a timeline for statewide implementation of the paraeducator performance standards; the effects of requiring paraeducators to obtain a paraeducator certificate; and any other recommendations or concerns developed by the Paraeducator Advisory Board.

Requires, subject to an appropriation, the Professional Educator Standards Board to design a uniform and externally administered professional-level certification assessment for paraeducators based on the paraeducator performance standards and report to the Legislature its recommendations for statewide implementation, by December 15, 2016.

A null and void clause is added. If specific funding is not provided in the omnibus appropriations act for the bill, then the bill is null and void.

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