

HOUSE BILL REPORT

E2SHB 2573

As Passed House:
February 17, 2016

Title: An act relating to the shortage of public school teachers and substitute teachers.

Brief Description: Concerning the shortage of public school teachers and substitute teachers.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Santos, Magendanz, Kilduff, Reykdal, Rossetti, Muri, Pollet and Hickel; by request of Superintendent of Public Instruction).

Brief History:

Committee Activity:

Education: 1/25/16, 2/4/16 [DPS];

Appropriations: 2/8/16, 2/9/16 [DP2S(w/o sub ED)].

Floor Activity:

Passed House: 2/17/16, 92-6.

Brief Summary of Engrossed Second Substitute Bill

- Requires the development and implementation of a comprehensive, statewide initiative to increase the number of qualified individuals who apply for teaching positions in Washington, including recruiting activities and creating statewide recruitment and hiring services.
- Creates a grant program to fund recruitment specialists in teacher preparation programs.
- Requires that certain out-of-state teachers be issued a Washington Professional Certificate.
- Provides that certain retired teachers may work as mentors or advisers to student teachers for up to 630 hours per year without a suspension of their pension benefits.
- Expands Alternate Route Teacher Certification (Alternate Route) programs.
- Requires plans describing how public institutions of higher education with Alternate Route programs will partner with school districts to place resident teachers.
- Expands the Beginning Educator Support Team program.

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.

- Requires development of mentor training program goals for teacher preparation program curricula.
- Expands the Educator Retooling Conditional Scholarship to teachers pursuing endorsements in elementary education or early childhood education.
- Requires development of a Teacher Shortage Conditional Grant program to provide financial aid to individuals in teacher preparation programs.
- Creates a grant program to provide additional funds to student teaching residents at Title I schools who demonstrate financial need.
- Requires districts to report the number of teachers they plan to hire in the following year.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist, Caldier, Griffey, Harris, S. Hunt, Kilduff, Klippert, Kuderer, McCaslin, Orwall, Pollet, Rossetti and Springer.

Minority Report: Without recommendation. Signed by 2 members: Representatives Hargrove and Hayes.

Staff: Megan Wargacki (786-7194).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 24 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Parker, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Cody, Fitzgibbon, Haler, Hansen, Harris, Hudgins, S. Hunt, Jinkins, Kagi, Lytton, Magendanz, Pettigrew, Robinson, Sawyer, Senn, Springer, Stokesbary, Sullivan, Tharinger and Walkinshaw.

Minority Report: Do not pass. Signed by 7 members: Representatives Chandler, Ranking Minority Member; Buys, Dent, MacEwen, Schmick, Taylor and Van Werven.

Minority Report: Without recommendation. Signed by 1 member: Representative Condotta.

Staff: Jessica Harrell (786-7349).

Background:

Teacher Preparation, Certification, and Endorsement.

The Professional Educator Standards Board (PESB), a 13-member board, is responsible for the policy and oversight of Washington's system of educator preparation and certification. The PESB has approved residency teacher preparation programs at 21 institutions of higher education. Some programs offer certificates, while other programs offer bachelor's, master's, or doctor's degrees.

Teaching Certificates. There are two levels of teacher certification: (1) residency, which requires completion of an approved teacher preparation program; and (2) professional, which requires a minimum of two years of experience, and either completion of an external, uniform assessment adopted by the PESB, called the ProTeach Portfolio, or completion of a certificate from the National Board for Professional Teaching Standards, called a National Board Certificate (NBC).

The PESB has an expedited Professional Certification process for out-of-state teachers who have five years or more of successful teaching experience to demonstrate skills and impact on student learning commensurate with Washington requirements for Professional Certification. The PESB has determined that teachers from out-of-state with a NBC may be awarded the Professional Certificate.

Teacher Shortage Areas. The PESB designates official shortage areas based on periodic analysis of educator supply and demand in Washington. An endorsement is the subject area in which a certified educator is authorized to teach, along with designated grade levels for that area. There are 39 endorsements in Washington, not including a large number of career and technical education endorsements. The current endorsement shortage areas, as defined by the PESB, include special education, mathematics, and science.

Alternate Route Programs. The Alternate Route to Residency Certification programs (Alternate Route programs) are designed to fill subject matter or geographic need shortage areas by allowing individuals with work and life experience to segue into teaching through flexible, expedient teacher preparation programs. In these programs, school districts, or districts in cooperation with an Educational Service District (ESD), work in partnership with teacher preparation programs to offer shortened, field-based preparation programs with a mentored internship. There are Alternate Route programs at eight higher education institutions.

Educator Retooling Conditional Scholarship. The Educator Retooling Conditional Scholarship (Educator Retooling) program is limited to current K-12 teachers. In order to receive conditional scholarship awards teachers and individuals certificated with an elementary education endorsement must pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the PESB (endorsement shortage area), including mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education. The annual scholarship, which may not exceed \$3,000, is for the cost of tuition, test fees, and educational expenses, including books, supplies, and transportation for the endorsement pathway being pursued.

Superintendent of Public Instruction.

The Office of the Superintendent of Public Instruction (OSPI) is the primary agency charged with overseeing K-12 public education in Washington. The OSPI provides leadership and support for educators to ensure engaged and effective teaching and learning for all students in public schools.

The Beginning Educator Support Team (BEST) program provides professional development and mentor support for beginning educators and educators on probation. Grant funding for the BEST program is administered by the OSPI. The BEST program includes professional development for beginning educators and mentors, release time for beginning educators and mentors to work together, orientation or individualized assistance before the start of the school year, and program evaluation.

Financial Aid Programs.

The Washington Student Achievement Council (WSAC) administers the majority of the state's student financial aid programs.

State Need Grant. The State Need Grant program provides need-based financial aid to income-eligible undergraduate students at eligible public and private institutions of higher education. Eligible students have a household income that is less than 70 percent of the state's median household income. The State Need Grant award values are based on the tuition and fee rates at Washington's public institutions of higher education and are prorated by income category and part-time enrollment.

Future Teachers Conditional Scholarship Program. The Future Teachers Conditional Scholarship Program was created in 1987. The program is designed to encourage into the teaching profession individuals who demonstrate outstanding academic achievement, leadership ability, willingness to commit to providing teaching service in shortage areas, and who are likely to be good role models for students. Participants in the program incur an obligation to repay the conditional scholarship, with interest and an equalization fee, unless they teach for two years in an approved education program for each year of scholarship received. However, participants who teach in a designated teacher shortage area have one year of loan canceled for each year they teach in the shortage area. The program was last funded in fiscal year 2010 at \$1 million annually.

Postretirement Employment Options.

Washington retirement systems have various rules relating to the conditions under which a retiree may return to work for a retirement system-participating employer and continue to receive pension benefits. For members of the Teachers' Retirement System (TRS), pension benefits will generally be suspended after a member works for more than 867 hours per year with a participating employer. The TRS Plans 2 and 3 have an unreduced retirement age of 65. An early retirement formula, or factor, (ERF) was established in 2000, to permit members with 30 years of service to receive a reduced pension as early as age 55. Members retiring under this provision are able to work for up to 867 hours per year without suspension of benefits, just like those retiring at age 65. Another ERF was established in 2008 that allows members to retire with unreduced pensions beginning at age 62, but members are unable to work for a state retirement system employer until age 65 without immediate suspension of benefits. In 2012 an ERF for certain members hired after May 1, 2013 was

established that would also allow retired members to work for up to first 867 hours per year without suspension of benefits.

Workforce Training and Education Coordinating Board.

The Workforce Training and Education Coordinating Board (WTB), a nine-member board, provides planning, coordination, evaluation, monitoring, and policy analysis for the state training system as a whole, and advice to the Governor and the Legislature concerning the state training system, in cooperation with the state training system and the WSAC.

Summary of Engrossed Second Substitute Bill:

Recruitment to (or Back to) the Teaching Profession.

Superintendent's Initiative. Subject to a specific appropriation, the Superintendent of Public Instruction (SPI), in consultation with ESDs and school district staff, must develop and implement a comprehensive, statewide initiative to increase the number of qualified individuals who apply for teaching positions in Washington. In developing and implementing the initiative, the SPI must:

- include a teacher recruitment component that targets groups of individuals who may be interested in teaching in Washington public schools, such as: college students who have not chosen a major, out-of-state teachers, military personnel and their spouses, and individuals with teaching certificates who are not currently employed as teachers;
- contract for the development of a statewide system to provide recruitment and hiring services, including a centralized hiring portal, to small school districts, and a statewide central application depository that can be accessed by small school districts for purposes of hiring teachers and other certificated positions;
- create or enhance an existing website that provides useful information to individuals who are interested in teaching in Washington; and
- take other actions to increase the number of qualified individuals who apply for teaching positions in Washington.

Recruitment by the Workforce Training and Education Coordinating Board. Subject to a specific appropriation, the WTB, in collaboration with the PESB, must work with appropriate public agencies, school districts and ESDs, and other parties to disseminate information designed to increase recruitment into PESB-approved teacher preparation programs. The information must be disseminated statewide using existing channels. This section expires July 1, 2019.

Recruitment Specialists. Subject to a specific appropriation, the PESB must create and administer the Recruitment Specialists Grant program to provide funds to PESB-approved teacher preparation programs to hire, or contract with, recruitment specialists that focus on recruitment of individuals who are from a traditionally underrepresented group among teachers in Washington when compared to the common school population. This section expires July 1, 2018.

Out-of-state Teachers. The PESB must include a method to determine the comparability of rigor between the Washington Professional Certification process and the second-level teacher certification process of other states in its identification of an expedited Professional Certification process for experienced out-of-state teachers. The PESB must issue a

Professional Certification to out-of-state teachers with five years or more of successful teaching experience if the teacher holds: (1) a valid NBC, or (2) a second-level teacher certificate from another state that has been determined to be comparable to the Washington Professional Certificate.

Retired Teachers. Until August 1, 2020, certain teachers who have retired under the alternate early retirement provisions may be employed with an employer that has documented a shortage of certificated substitute teachers without a suspension of benefits for up to 630 hours per school year, if the retired teacher: (1) reenters employment more than one calendar month after his or her accrual date and after the effective date of this section; (2) is employed exclusively as a mentor to teachers or an adviser to students in PESB-approved teacher preparation programs; and (3) has received appropriate training as defined by the OSPI, such as a NBC or other specialized training.

Alternate Routes. Subject to a specific appropriation, the PESB must convene meetings between school districts that do not have Alternate Route programs and the nearest PESB-approved teacher preparation program to determine whether the districts and institutions can partner to apply to the PESB to operate an Alternate Route program. Subject to a specific appropriation, the public institutions without PESB-approved Alternate Route programs must submit proposals to the PESB to offer such programs by September 1, 2016. If approved, the institutions must implement an Alternate Route program according to a timeline suggested by the PESB. This section expires July 1, 2017.

Mentoring Teachers.

Placement of Resident Teachers. By July 1, 2018, institutions of higher education with PESB-approved Alternate Route programs must develop a plan describing how the institution will partner with school districts in the general geographic region of the school, or where its programs are offered, regarding placement of resident teachers. The plans must be developed in collaboration with districts desiring to partner with the institutions, and may include use of unexpended federal or state funds to support residencies and mentoring for students who are likely to continue teaching in the district in which they have a supervised student teaching residency. The plans must be updated at least biennially.

Beginning Educator Support Team Program. It is specified that a mentor is an educator who has achieved appropriate training in assisting, coaching, and advising beginning teachers or student teaching residents as defined by the OSPI, such as a NBC or other specialized training. Candidates in Alternate Route programs are offered support through the BEST program. Funds are prioritized to school districts with a large influx of beginning teachers. The BEST program must have a goal to provide beginning teachers from underrepresented populations with a mentor who has strong ties to underrepresented populations. The OSPI must notify districts about the BEST program and encourage them to apply for program funds.

Mentor Training. In fiscal year 2017, the OSPI must collaborate with the PESB and the PESB-approved teacher preparation programs to develop mentor training program goals. Once developed, the PESB-approved teacher preparation programs are encouraged to develop and implement curricula that meet the mentor training program goals. This section expires July 1, 2019.

Financial Aid Programs.

Educator Retooling Conditional Scholarship. Teachers pursuing endorsements in elementary education or early childhood education are made eligible for the Educator Retooling program.

Teacher Shortage Conditional Grant. Subject to a specific appropriation, the Teacher Shortage Conditional Grant (conditional grant) program is established within the Future Teachers Conditional Scholarship and Loan Repayment Program. The purpose of the conditional grant program is to encourage individuals to become teachers by providing financial aid to individuals enrolled in professional educator standards-approved teacher preparation programs. The WSAC must develop and adopt rules to administer the program.

As part of its rule-making process, the WSAC must collaborate with the PESB, the Washington State School Directors' Association, and the PESB-approved teacher preparation programs to develop a framework for the conditional grant program, including eligibility requirements, contractual obligations, conditional grant amounts, and loan repayment requirements.

In developing the eligibility requirements, the WSAC must consider: whether the individual has a financial need, is a first-generation college student, or is from a traditionally underrepresented group among teachers in Washington; whether the individual is completing an Alternate Route program; whether the individual plans to obtain an endorsement in subject shortage area; the characteristic of any geographic shortage area that the individual plans to teach in; and whether a school district has committed to offering the individual employment once the individual obtains a Residency Certificate.

In developing the contractual obligations, the WSAC must consider requiring the individual to: obtain a Residency Certificate; teach in an endorsement shortage area; and commit to teach for five school years in an approved education program with a need for a teacher with such an endorsement at the time of hire.

In developing the conditional grant award amounts, the WSAC must consider whether the individual is: enrolled in a public or private institution of higher education, a resident, in a baccalaureate or postbaccalaureate program, or in an Alternate Route program. In addition, the award amounts must not result in a reduction of the individual's federal or state grant aid, including Pell grants, State Need Grants, College Bound Scholarships, or Opportunity Scholarships.

In developing the repayment requirements for a conditional grant that is converted into a loan, the terms and conditions of the loan must follow the interest rate and repayment terms of the federal Direct Subsidized Loan program. In addition, the WSAC must consider the following repayment schedule, including interest and an equalization fee:

- 85 percent of the conditional amount if less than one school year of teaching is completed;
- 75 percent of the conditional amount if less than two school years of teaching are completed;

- 55 percent of the conditional amount if less than three school years of teaching are completed; and
- 40 percent of the conditional amount if less than four school years of teaching are completed.

By November 1, 2018, and November 1, 2020, the WSAC must submit reports to the Legislature that recommend whether the conditional grant program should be continued, modified, or terminated, and that include information about the recipients of the grants under this program.

Residency Grant. Subject to a specific appropriation, the WSAC must administer a Student Teaching Residency Grant program to provide additional funds to individuals completing residencies at public schools in Washington. To qualify for the grant, recipients must be enrolled in a PESB-approved teacher preparation program, be completing or about to start a student teaching residency at a Title I school, and demonstrate financial need.

Other Provisions.

Reporting Requirement. By June 15 of each year, school districts must report to the OSPI the number of classroom teachers the district projects will be hired in the following school year.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available. New fiscal note requested on February 11, 2016.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Education):

(In support) There are many factors contributing to the current educator shortage, including the recession and individuals working longer. The current shortage is real, substantial, ongoing, and not cyclical. It is a new normal of persistent shortage, especially in hard-to-fill schools and subjects. There are a set of district shortage problems that need to be addressed through a range of thoughtful responses. This bill represents such a comprehensive and thoughtful response.

Sometimes principals and vice principals have to substitute teach because there are no other substitutes available. Many administrators have to do this at least one day per week. Substitute teachers do not always have the qualifications to teach students.

Shortages of teachers in special education, math, and science have continued. There are now shortages in elementary education and early learning. If class sizes are also reduced in grades 4 through 12, which they probably should be, then there will also be shortages in those grades.

Washington has high standards for teachers. The higher the standards the harder it is to have a large pool of people who meet the standards. But as the number of qualified individuals decreases, pay increases, and then more people decide to become qualified.

The educator preparation system might not be able to make the nimble adjustment necessary to train new educators. There might need to be an investment in programs that allow individuals to learn how to teach while working in the classroom. There should be highly qualified mentors available to help new teachers.

The Legislature made the decision that highly qualified, retired teachers cannot come back into the workforce; hopefully, the Legislature will correct that decision at least on a temporary basis.

Some other states offer a second-level certificate after three to five years. Experienced teachers with second-level certificates should be allowed to teach in Washington with Professional Certificates. Hiring bonuses are important to districts with high poverty rates, high minority rates, and high cost of living. Often teachers with spouses cannot find jobs for their spouses in rural districts. Even schools with high graduation rates are in failing districts. It is hard to get teachers into these schools because people do not want to work in failing districts. The state needs to help with mentoring teachers to help them feel valued, capable, and respected.

The State Board of Education (SBE) and the PESB are in agreement about supporting systemic measures to address a persistent and multifaceted problem of teacher and principal shortage. Access to an effective teacher is essential to student achievement and educational equity.

Some ESDs do recruitment for their districts and have a statewide system of publication of job offerings. There is tremendous benefit in shared partnership and resources. A pool of applicants significantly mitigates some of the challenges faced when districts try to recruit and hire on their own. The benefits are that the pool of applicants is larger, there is a common approach to human resource practices, the districts are better able to share the expenses of recruitment, so they can access the benefits of large-scale career fairs in and out-of-state.

Some districts ask teachers in January whether they will be retiring at the end of the school year. This allows the district to complete the majority of its hiring by April. However, it often takes into August to fill all vacancies. Some people do not want to move to, or stay in, rural districts. The hiring incentive and reciprocity parts of the bill will be very helpful to small and rural districts that do not have funds to go to career fairs. This school year, many districts have had to recruit up to 20 percent of their staff. When some districts can pay teachers more, it affects the neighboring district's ability to recruit good teachers.

In some rural areas, 15 to 20 percent of the teaching force is not fully licensed. In these districts, emergency substitute teachers are teaching full-time in the classroom, even though there is no education or experience requirement for emergency substitutes. There are many routes to becoming teachers, including Alternate Routes and Teach for America. All are

important. One challenge to incentivizing individuals who are already working or who already have bachelor's degrees is making up for lost wages and providing tuition assistance.

Some teachers teach special courses and really push their students. When those teachers retire, and are not replaced with teachers of a similar quality, the special courses are no longer offered. Some of these special courses are essential to Washington's global competitiveness in science, technology, mathematics, and technology subjects. There should be equity between districts so that all students can have high quality teachers.

Students develop special connections with their full-time teachers. When those teachers leave for better pay, the students do not get the right attention and are left having to develop new relationships with adults. Teachers need to be there for the students. Good teachers are professional and can still relate to their students. Students are not motivated to go into public service because of the low pay.

The state needs to get the best prepared teachers in front of students and support them so that they stay in the profession. Mentors are very important to assist with new classroom teachers. The bottleneck will be finding and training good mentors. The bill does not address this. Allow retired teachers to serve as substitute teachers. This is important but it is also important to allow retired teachers to work as instructional coaches, site mentors, or university mentors.

(Opposed) None.

(Other) In section five of the bill, the section being amended conflicts with a newer section of code: one section refers to Professional Certification after five years, the other after two years. Also, "second tier" is not a well-defined term. Some states certify student teachers, largely for safety reasons, so the second tier is the regular certificate. It is understood that the intent of the bill is to recognize comparable levels of certification; that it allows teachers who have already attained a level of knowledge and skills to be awarded the Professional Certification in Washington. Washington already recognizes the NBC. In addition, this state is ahead of the pack with its Professional Certification, which is a rigorous level of second tier certification. Teachers coming from out-of-state have seven years to obtain the Professional Certificate, and this is the only continuing education they are required to accomplish in that time. The cost for the ProTeach is \$495.

Some people are concerned with jumping ahead and changing state policy before it is clear if it will help. Recruiting teachers and attracting new talented people into the profession is supported by some people. Some people oppose individual hiring bonuses because there is not enough money to go around and districts are able to locally bargain this type of incentive. If there is money to be spent, it would be better if it went toward conditional loan forgiveness programs and to support Alternate Route programs. The central depository for applications makes sense, maybe a regional database would also work. Some people support amending retirement rules as needed to allow retired teachers to come back into the education system. Some people strongly oppose weakening the licensure system. There is not enough evidence to conclude that our system is preventing people from coming into this state. Some people support conditional loan programs to bring interested people into the profession.

Staff Summary of Public Testimony (Appropriations):

(In support) The teacher shortage is real. It is the new normal. The labor market has changed and the perception of teachers has changed, so individuals who used to go into teaching now have other options. However, this bill does a number of things to address the shortage, pulling the best pieces from other bills.

The teacher shortage impacts students every day, maybe more acutely in remote regions. Some schools are not able to fill certain full-time positions and are not even able to find substitute teachers to fill positions on a temporary basis. Some schools are hiring many teachers with emergency certificates. There should be more alternate routes to teacher certification and more financial aid for individuals following these routes.

There will not be much of an immediate impact on the teacher shortage from the parts of the bill that focus on the teacher preparation pipeline. It would be good to remove the Professional Certification requirements barrier for out-of-state certificated teachers who want to begin teaching here and for experienced Washington teachers who want to remain in the profession. It is important to maintain teacher certification standards.

Some teacher preparation programs produce many teachers from diverse backgrounds. Some of these teachers stay in-state to teach. Some of these programs have specialized programs, Alternate Route programs, multiple locations, and national accreditations.

Multiple years of mentoring will help keep teachers in the profession for the long term.

(Opposed) None.

Persons Testifying (Education): (In support) Representative Santos, prime sponsor; Randy Dorn, Office of the Superintendent of Public Instruction; Dana Anderson, Educational Service District 113; Kevin Chase, Grandview School District; Mark Heid, Goldendale School District; Isaac Kipust, Legislative Youth Advisory Council; Twinny Alipio and Alrick Hollingsworth, 206 Forward; Denise Walters, Eatonville School District; Ken Bergevin, Heritage University; and Robert Manahan, Lake Chelan School District.

(Other) Jennifer Wallace, Professional Educator Standards Board; Lucinda Young, Washington Education Association; and Jack Archer, State Board of Education.

Persons Testifying (Appropriations): Kevin Foster and Jean Marczynski, Valley School District and Eastern Washington Quality Schools Coalition; David Brenna, Professional Educator Standards Board; Steve Dupont, Central Washington University; Becca Kenna-Schenk, Western Washington University; and Bob Cooper, Washington Association for Colleges for Teacher Education.

Persons Signed In To Testify But Not Testifying (Education): Bob Cooper and Joyce Westgard, Washington Association of Colleges for Teacher Education; Jerry Bender, Association of Washington School Principals; Jessica Vavrus, Washington State School Directors' Association; and Dan Steele, Washington Association of School Administrators.

Persons Signed In To Testify But Not Testifying (Appropriations): None.