

# SENATE BILL REPORT

## HB 1804

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As of March 24, 2015

**Title:** An act relating to confidentiality of educator professional growth plans.

**Brief Description:** Concerning the confidentiality of educator professional growth plans.

**Sponsors:** Representatives Springer, Magendanz, Lytton, Muri and Reykdal; by request of Professional Educator Standards Board.

**Brief History:** Passed House: 3/10/15, 82-15.

**Committee Activity:** Early Learning & K-12 Education: 3/24/15.

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

**Staff:** Matthew Lemon (786-7405)

**Background:** Public Records Act (PRA). The PRA requires that all state and local government agencies make all public records available for public inspection and copying unless certain statutory exemptions apply. Under the PRA, a public record includes any writing, defined in part as every means of recording any form of communication or representation, containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.

Over 500 specific references in the PRA or other statutes remove certain information from application of the PRA, provide exceptions to the public disclosure and copying of certain information, or designate certain information as confidential. For example, certain information contained in public records related to employment and licensing is exempt from disclosure under the PRA, such as examination data used to administer a license and residential addresses contained in public agency personnel files. The provisions requiring public records disclosure must be interpreted liberally while the exemptions must be interpreted narrowly to effectuate the general policy favoring disclosure.

Professional Growth Plan (PGP). The Professional Educator Standards Board (PESB) has established two levels of certification: residency, which is achieved after completion of an approved preparation program, and professional, which is a second-tier certification achieved after three years of experience and a specified process of additional professional development. For renewal of professional certificates after September 2014, PESB requires

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teachers, administrators, school counselors, and school psychologists to complete four annual PGPs over a five-year period. The PGP is a plan developed by an educator that documents formal learning and professional development opportunities the educator intends to implement for growth over the coming year and identifies the specific competencies, knowledge, skills, and experiences needed to meet the standards for career-level benchmarks established by PESB. Educators are able to submit and track applications for certificate renewal through the Washington Educator Electronic Certification System, called eCert, run by the Office of Superintendent of Public Instruction (OSPI).

**Summary of Bill:** PGPs in educator license renewals submitted through the eCert system in OSPI are exempt from public inspection and copying.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Effective Date:** Ninety days after adjournment of session in which bill is passed.