
SECOND SUBSTITUTE SENATE BILL 6455

State of Washington

64th Legislature

2016 Regular Session

By Senate Ways & Means (originally sponsored by Senators Dammeier, Rolfes, Litzow, Billig, Rivers, Conway, and McAuliffe)

READ FIRST TIME 02/09/16.

1 AN ACT Relating to expanding the professional educator workforce
2 by increasing career opportunities in education, creating a more
3 robust enrollment forecasting, and enhancing recruitment efforts;
4 amending RCW 43.88C.010, 28A.660.050, and 28A.410.250; adding a new
5 section to chapter 41.32 RCW; adding a new section to chapter 28A.660
6 RCW; creating new sections; providing expiration dates; and declaring
7 an emergency.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 NEW SECTION. **Sec. 1.** The legislature acknowledges that the
10 state is facing an unprecedented shortage of teachers and substitute
11 teachers. According to a study by the professional educator standards
12 board, nearly half of all new teachers leave the workforce within the
13 first five years of teaching. The legislature recognizes that
14 strengthening the educator workforce is essential to successfully
15 implement ongoing educational reforms and increase student
16 achievement. In order to accomplish this, the legislature finds an
17 immediate need for allowing retired teachers to reenter the workforce
18 without penalty of pension benefits, adequate student enrollment
19 forecasting, additional funding for the alternative routes and
20 educator retooling programs, and enhancements to recruitment.

PART I
RETURNING TEACHERS

1
2
3 NEW SECTION. **Sec. 101.** The legislature recognizes that there is
4 a temporary shortage of substitute teachers available to some school
5 districts, in part because of the change in early retirement
6 provisions that restricted the ability of some retired teachers
7 choosing the alternate early retirement provisions that first became
8 available to members of the teachers' retirement system during 2008.
9 For a limited period during which school districts will have the
10 opportunity to adjust to the more limited availability of retired
11 teachers as substitutes, the legislature shall provide a temporary
12 increase in postretirement employment opportunities while also
13 receiving pension benefits for retired teachers who choose to serve
14 in an instructional capacity for approximately the number of hours
15 that would permit a substitute teacher to work full-time for ninety
16 days.

17 NEW SECTION. **Sec. 102.** A new section is added to chapter 41.32
18 RCW under the subchapter heading "provisions applicable to plan 2 and
19 plan 3" to be codified between RCW 41.32.141 and 41.32.215 to read as
20 follows:

21 In addition to the postretirement employment options available in
22 RCW 41.32.802 or 41.32.862, and only until August 1, 2020, a teacher
23 in plan 2 or plan 3 who has retired under the alternate early
24 retirement provisions of RCW 41.32.765(3)(b) or 41.32.875(3)(b) may
25 be employed with an employer that has documented a shortage of
26 certificated substitute teachers for up to six hundred thirty hours
27 per school year without suspension of his or her benefit, provided
28 that: (1) The retired teacher reenters employment more than one
29 calendar month after his or her accrual date and after the effective
30 date of this section, (2) the retired teacher is employed exclusively
31 as a substitute teacher as defined in RCW 41.32.010(48)(a) in an
32 instructional capacity, as opposed to other capacities identified in
33 RCW 41.32.010(49), and (3) the employing school district compensates
34 the district's substitute teachers at a level that is at least equal
35 to the full daily amount allocated by the state to the district for
36 substitute teacher compensation.

1 **PART II**

2 **STUDENT ENROLLMENT FORECASTING**

3 **Sec. 201.** RCW 43.88C.010 and 2015 c 128 s 2 are each amended to
4 read as follows:

5 (1) The caseload forecast council is hereby created. The council
6 shall consist of two individuals appointed by the governor and four
7 individuals, one of whom is appointed by the chairperson of each of
8 the two largest political caucuses in the senate and house of
9 representatives. The chair of the council shall be selected from
10 among the four caucus appointees. The council may select such other
11 officers as the members deem necessary.

12 (2) The council shall employ a caseload forecast supervisor to
13 supervise the preparation of all caseload forecasts. As used in this
14 chapter, "supervisor" means the caseload forecast supervisor.

15 (3) Approval by an affirmative vote of at least five members of
16 the council is required for any decisions regarding employment of the
17 supervisor. Employment of the supervisor shall terminate after each
18 term of three years. At the end of the first year of each three-year
19 term the council shall consider extension of the supervisor's term by
20 one year. The council may fix the compensation of the supervisor. The
21 supervisor shall employ staff sufficient to accomplish the purposes
22 of this section.

23 (4) The caseload forecast council shall oversee the preparation
24 of and approve, by an affirmative vote of at least four members, the
25 official state caseload forecasts prepared under RCW 43.88C.020. If
26 the council is unable to approve a forecast before a date required in
27 RCW 43.88C.020, the supervisor shall submit the forecast without
28 approval and the forecast shall have the same effect as if approved
29 by the council.

30 (5) A councilmember who does not cast an affirmative vote for
31 approval of the official caseload forecast may request, and the
32 supervisor shall provide, an alternative forecast based on
33 assumptions specified by the member.

34 (6) Members of the caseload forecast council shall serve without
35 additional compensation but shall be reimbursed for travel expenses
36 in accordance with RCW 44.04.120 while attending sessions of the
37 council or on official business authorized by the council.
38 Nonlegislative members of the council shall be reimbursed for travel
39 expenses in accordance with RCW 43.03.050 and 43.03.060.

1 (7) "Caseload," as used in this chapter, means:

2 (a) The number of persons expected to meet entitlement
3 requirements and require the services of public assistance programs,
4 state correctional institutions, state correctional noninstitutional
5 supervision, state institutions for juvenile offenders, (~~the common~~
6 ~~school system,~~) long-term care, medical assistance, foster care, and
7 adoption support;

8 (b) The number of students who are eligible for the Washington
9 college bound scholarship program and are expected to attend an
10 institution of higher education as defined in RCW 28B.92.030;

11 (c) The number of children who are eligible, as defined in RCW
12 43.215.405, to participate in, and the number of children actually
13 served by, the early childhood education and assistance program; and

14 (d) The number of persons expected to meet entitlement
15 requirements in the common school system, by school district and in
16 total statewide. In determining district level forecasts, the council
17 must consider a geographic information system solution and providing
18 districts the ability to adjust the final forecast. Forecasting
19 entitlement requirements in the common school system at the district
20 level is subject to appropriations specifically provided for this
21 purpose.

22 (8) The caseload forecast council shall forecast the temporary
23 assistance for needy families and the working connections child care
24 programs as a courtesy.

25 (9) The caseload forecast council shall forecast youth
26 participating in the extended foster care program pursuant to RCW
27 74.13.031 separately from other children who are residing in foster
28 care and who are under eighteen years of age.

29 (10) Unless the context clearly requires otherwise, the
30 definitions provided in RCW 43.88.020 apply to this chapter.

31 **PART III**

32 **"GROW YOUR OWN" TEACHERS**

33 **Sec. 301.** RCW 28A.660.050 and 2015 3rd sp.s. c 9 s 2 are each
34 amended to read as follows:

35 Subject to the availability of amounts appropriated for these
36 purposes, the conditional scholarship programs in this chapter are
37 created under the following guidelines:

1 (1) The programs shall be administered by the student achievement
2 council. In administering the programs, the council has the following
3 powers and duties:

4 (a) To adopt necessary rules and develop guidelines to administer
5 the programs;

6 (b) To collect and manage repayments from participants who do not
7 meet their service obligations; and

8 (c) To accept grants and donations from public and private
9 sources for the programs.

10 (2) Requirements for participation in the conditional scholarship
11 programs are as provided in this subsection (2).

12 (a) The alternative route conditional scholarship program is
13 limited to interns of professional educator standards board-approved
14 alternative routes to teaching programs under RCW 28A.660.040. For
15 fiscal year 2011, priority must be given to fiscal year 2010
16 participants in the alternative route partnership program. In order
17 to receive conditional scholarship awards, recipients shall:

18 (i) Be accepted and maintain enrollment in alternative
19 certification routes through a professional educator standards board-
20 approved program;

21 (ii) Continue to make satisfactory progress toward completion of
22 the alternative route certification program and receipt of a
23 residency teaching certificate; and

24 (iii) Receive no more than the annual amount of the scholarship,
25 not to exceed eight thousand dollars, for the cost of tuition, fees,
26 and educational expenses, including books, supplies, and
27 transportation for the alternative route certification program in
28 which the recipient is enrolled. The council may adjust the annual
29 award by the average rate of resident undergraduate tuition and fee
30 increases at the state universities as defined in RCW 28B.10.016.

31 (b) The pipeline for paraeducators conditional scholarship
32 program is limited to qualified paraeducators as provided by RCW
33 28A.660.042. In order to receive conditional scholarship awards,
34 recipients shall:

35 (i) Be accepted and maintain enrollment at a community and
36 technical college for no more than two years and attain an associate
37 of arts degree;

38 (ii) Continue to make satisfactory progress toward completion of
39 an associate of arts degree. This progress requirement is a condition
40 for eligibility into a route one program of the alternative routes to

1 teacher certification program for a mathematics, special education,
2 or English as a second language endorsement; and

3 (iii) Receive no more than the annual amount of the scholarship,
4 not to exceed four thousand dollars, for the cost of tuition, fees,
5 and educational expenses, including books, supplies, and
6 transportation for the alternative route certification program in
7 which the recipient is enrolled. The student achievement council may
8 adjust the annual award by the average rate of tuition and fee
9 increases at the state community and technical colleges.

10 (c) The educator retooling conditional scholarship program is
11 limited to current K-12 teachers. In order to receive conditional
12 scholarship awards:

13 (i) Individuals currently employed as teachers shall pursue an
14 endorsement in a subject or geographic endorsement shortage area, as
15 defined by the professional educator standards board, including but
16 not limited to((τ)) mathematics, science, special education,
17 bilingual education, English language learner, computer science
18 education, or environmental and sustainability education; or

19 (ii) Individuals who are certificated with an elementary
20 education endorsement shall pursue an endorsement in a subject or
21 geographic endorsement shortage area, as defined by the professional
22 educator standards board, including but not limited to((τ))
23 mathematics, science, special education, bilingual education, English
24 language learner, computer science education, or environmental and
25 sustainability education; and

26 (iii) Individuals shall use one of the pathways to endorsement
27 processes to receive an endorsement in a subject or geographic
28 endorsement shortage area, as defined by the professional educator
29 standards board, including but not limited to((τ)) mathematics,
30 science, special education, bilingual education, English language
31 learner, computer science education, or environmental and
32 sustainability education, which shall include passing an endorsement
33 test plus observation and completing applicable coursework to attain
34 the proper endorsement; and

35 (iv) Individuals shall receive no more than the annual amount of
36 the scholarship, not to exceed three thousand dollars, for the cost
37 of tuition, test fees, and educational expenses, including books,
38 supplies, and transportation for the endorsement pathway being
39 pursued.

1 (3) The Washington professional educator standards board shall
2 select individuals to receive conditional scholarships. In selecting
3 recipients, preference shall be given to eligible veterans or
4 national guard members. In awarding conditional scholarships to
5 support additional bilingual education or English language learner
6 endorsements, the board shall also give preference to teachers
7 assigned to schools required under state or federal accountability
8 measures to implement a plan for improvement, and to teachers
9 assigned to schools whose enrollment of English language learner
10 students has increased an average of more than five percent per year
11 over the previous three years.

12 (4) For the purpose of this chapter, a conditional scholarship is
13 a loan that is forgiven in whole or in part in exchange for service
14 as a certificated teacher employed in a Washington state K-12 public
15 school. The state shall forgive one year of loan obligation for every
16 two years a recipient teaches in a public school. Recipients who fail
17 to continue a course of study leading to residency teacher
18 certification or cease to teach in a public school in the state of
19 Washington in their endorsement area are required to repay the
20 remaining loan principal with interest.

21 (5) Recipients who fail to fulfill the required teaching
22 obligation are required to repay the remaining loan principal with
23 interest and any other applicable fees. The student achievement
24 council shall adopt rules to define the terms for repayment,
25 including applicable interest rates, fees, and deferments.

26 (6) The student achievement council may deposit all
27 appropriations, collections, and any other funds received for the
28 program in this chapter in the future teachers conditional
29 scholarship account authorized in RCW 28B.102.080.

30 (7)(a) Additional eligible teacher certification areas may be
31 awarded by the professional educator standards board for the pipeline
32 for paraeducators conditional scholarship program provided in
33 subsection (2)(b) of this section. These additional teacher
34 certification areas are bilingual education, elementary education,
35 computer science education, and early childhood education.

36 (b) Additional eligible teacher certification areas may be
37 awarded by the professional educator standards board for the educator
38 retooling conditional scholarship program provided in subsection
39 (2)(c) of this section. These additional teacher certification areas
40 are elementary education and early childhood education.

1 NEW SECTION. **Sec. 302.** A new section is added to chapter
2 28A.660 RCW to read as follows:

3 (1) This section is the state spending performance statement for
4 the expansion of the alternative route conditional scholarships
5 provided in RCW 28A.660.050(7). This performance statement is
6 intended only to be used for subsequent evaluation of the expansion
7 of this program for expanded scholarships provided for bilingual
8 education, elementary education, computer science education, and
9 early childhood education endorsements. It is not intended to create
10 a private right of action by any party or be used to determine
11 eligibility for the services provided by the program.

12 (2) It is the legislature's specific public policy objective to
13 increase in-state production of certificated teachers in bilingual
14 education, elementary education, computer science education, and
15 early childhood education at the state's institutions of higher
16 education. By expanding the alternative route conditional
17 scholarships for the endorsement areas, the legislature intends to
18 achieve the following outcomes:

19 (a) Reduce statewide teacher shortages in grades kindergarten
20 through three, computer science, and bilingual instruction;

21 (b) Increase applications for the alternative route conditional
22 scholarships for the bilingual education, elementary education,
23 computer science education, and early childhood education
24 certifications;

25 (c) Attract candidates who are successfully employed in the
26 education field for more than five years; and

27 (d) Determine which state-funded teacher preparation scholarship
28 program, the alternative route conditional scholarship, or the future
29 teachers scholarship, provided the most successful teacher
30 applicants.

31 (3) If a review by the joint legislative audit and review
32 committee finds that the multiple outcomes identified in subsection
33 (2) of this section have been achieved, then the legislature intends
34 to extend the expiration of the expansion of the bilingual education,
35 elementary education, computer science education, and early childhood
36 education endorsements in the alternative route conditional
37 scholarship program.

38 (4) In order for the joint legislative audit and review committee
39 to obtain the data necessary to review the performance of the
40 scholarships provided in RCW 28A.660.050(7), the joint legislative

1 audit and review committee may require the professional educator
2 standards board to collect and quantify the information and data
3 required for the joint legislative audit and review committee. The
4 joint legislative audit and review committee may also survey
5 recipients of the scholarships, and school districts.

6 (5) No later than January 1, 2026, the joint legislative audit
7 and review committee must review the program expanded by
8 chapter . . . , Laws of 2016 (this act), determine its effectiveness,
9 and provide a recommendation to the fiscal committees of the
10 legislature as to whether the program should be continued without
11 modification, modified, scheduled for sunset review at a future date,
12 or terminated immediately. If the committee determines that the
13 program does not achieve any of the outcomes specified in subsection
14 (2) of this section, the committee shall recommend termination of the
15 expanded endorsements provided. The committee may recommend
16 accountability standards for the future review of the spending
17 program.

18 (6) This section expires July 1, 2026.

19 PART IV

20 TEACHER RECRUITMENT

21 **Sec. 401.** RCW 28A.410.250 and 2005 c 498 s 2 are each amended to
22 read as follows:

23 The agency responsible for educator certification shall adopt
24 rules for professional certification that:

25 (1) Provide maximum program choice for applicants, promote
26 portability among programs, and promote maximum efficiency for
27 applicants in attaining professional certification;

28 (2) Require professional certification no earlier than the fifth
29 year following the year that the teacher first completes provisional
30 status, with an automatic two-year extension upon enrollment;

31 (3) Grant professional certification to any teacher who attains
32 certification from the national board for professional teaching
33 standards;

34 (4) Permit any teacher currently enrolled in or participating in
35 a program leading to professional certification to continue the
36 program under administrative rules in place when the teacher began
37 the program;

1 (5) Provide criteria for the approval of educational service
2 districts, beginning no later than August 31, 2007, to offer programs
3 leading to professional certification. The rules shall be written to
4 encourage institutions of higher education and educational service
5 districts to partner with local school districts or consortia of
6 school districts, as appropriate, to provide instruction for teachers
7 seeking professional certification;

8 (6) Encourage institutions of higher education to offer
9 professional certificate coursework as continuing education credit
10 hours. This shall not prevent an institution of higher education from
11 providing the option of including the professional certification
12 requirements as part of a master's degree program;

13 (7) Provide criteria for a liaison relationship between approved
14 programs and school districts in which applicants are employed;

15 (8) Identify an expedited professional certification process for
16 out-of-state teachers who have five years or more of successful
17 teaching experience (~~to demonstrate skills and impact on student~~
18 ~~learning commensurate with Washington requirements for professional~~
19 ~~certification. The rules may require these teachers, within one year~~
20 ~~of the time they begin to teach in the state's public schools, take a~~
21 ~~course in or show evidence that they can teach to the state's~~
22 ~~essential academic learning requirements)). A professional
23 certificate must be issued to these experienced out-of-state teachers
24 if:~~

25 (a) The teacher holds a valid teaching certificate issued by the
26 national board for professional teaching standards; or

27 (b) The teacher has a continuing, advanced, second-level, or
28 professional-level teacher certificate, or the state's equivalent,
29 issued by the other state; and

30 (9) Identify an evaluation process of approved programs that
31 includes a review of the program coursework and applicant coursework
32 load requirements, linkages of programs to individual teacher
33 professional growth plans, linkages to school district and school
34 improvement plans, and, to the extent possible, linkages to school
35 district professional enrichment and growth programs for teachers,
36 where such programs are in place in school districts. The agency
37 shall provide a preliminary report on the evaluation process to the
38 senate and house of representatives committees on education policy by
39 November 1, 2005. The board shall identify:

1 (a) A process for awarding conditional approval of a program that
2 shall include annual evaluations of the program until the program is
3 awarded full approval;

4 (b) A less intensive evaluation cycle every three years once a
5 program receives full approval unless the responsible agency has
6 reason to intensify the evaluation;

7 (c) A method for investigating programs that have received
8 numerous complaints from students enrolled in the program and from
9 those recently completing the program;

10 (d) A method for investigating programs at the reasonable
11 discretion of the agency; and

12 (e) A method for using, in the evaluation, both program completer
13 satisfaction responses and data on the impact of educators who have
14 obtained professional certification on student work and achievement.

15 NEW SECTION. **Sec. 402.** (1) Subject to appropriations
16 specifically provided for this purpose, the office of the
17 superintendent of public instruction, in consultation with school
18 districts, educational service districts, and other state agencies,
19 shall develop and implement a comprehensive, statewide initiative to
20 increase the number of qualified individuals who apply for teaching
21 positions in Washington. In developing and implementing the
22 initiative, the office of the superintendent of public instruction,
23 in partnership with the employment security department, shall:

24 (a) Develop and implement a teacher recruitment campaign that
25 targets individuals with teaching certificates who are not employed
26 as teachers, undergraduate college students who have not chosen a
27 major, out-of-state teachers, military personnel and their spouses,
28 and other groups of individuals who may be interested in teaching in
29 Washington public schools;

30 (b) Incorporate certificated positions into the employment
31 security department's existing web-based depository for job
32 applications that allows for access by school districts in the state
33 for purposes of hiring teachers and other certificated positions; and

34 (c) Create or enhance an existing web site that provides useful
35 information to individuals who are interested in teaching in
36 Washington.

37 (2) This section expires July 1, 2018.

MISCELLANEOUS PROVISIONS

1

2 NEW SECTION. **Sec. 501.** Sections 101 and 102 of this act are
3 necessary for the immediate preservation of the public peace, health,
4 or safety, or support of the state government and its existing public
5 institutions, and take effect immediately.

6 NEW SECTION. **Sec. 502.** Section 301 of this act expires July 1,
7 2026.

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