

ESSB 5044 - H COMM AMD
By Committee on Appropriations

ADOPTED 04/11/2021

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that state
4 resources have been invested to: (a) Identify model standards for
5 cultural competency; (b) incorporate these cultural competency
6 standards into both the standards for effective teaching and the
7 standards of practice for paraeducators; (c) develop cultural
8 competency training programs for school district staff from
9 paraeducators to administrators; and (d) develop a plan for the
10 creation and delivery of cultural competency training for school
11 board directors and superintendents.

12 (2) The legislature plans to continue the important work of
13 dismantling institutional racism in public schools and recognizes the
14 importance of increasing equity, diversity, inclusion, antiracism,
15 and cultural competency training throughout the entire public school
16 system by providing training programs for classified staff,
17 certificated instructional staff, certificated administrative staff,
18 superintendents, and school directors that will be provided in an
19 ongoing manner.

20 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.415
21 RCW to read as follows:

22 The definitions in this section apply throughout sections 3 and 5
23 through 7 of this act and RCW 28A.410.260 and 28A.415.445 unless the
24 context clearly requires otherwise.

25 (1) "Cultural competency" includes knowledge of student cultural
26 histories and contexts, as well as family norms and values in
27 different cultures; knowledge and skills in accessing community
28 resources and community and parent outreach; and skills in adapting
29 instruction to students' experiences and identifying cultural
30 contexts for individual students.

31 (2) "Diversity" describes the presence of similarities and
32 differences within a given setting, collective, or group based on

1 multiple factors including race and ethnicity, gender identity,
2 sexual orientation, disability status, age, educational status,
3 religion, geography, primary language, culture, and other
4 characteristics and experiences.

5 (3) "Equity" includes developing, strengthening, and supporting
6 procedural and outcome fairness in systems, procedures, and resource
7 distribution mechanisms to create equitable opportunities for all
8 individuals. The term also includes eliminating barriers that prevent
9 the full participation of individuals and groups.

10 (4) "Inclusion" describes intentional efforts and consistent sets
11 of actions to create and sustain a sense of respect, belonging,
12 safety, and attention to individual needs and backgrounds that ensure
13 the full access to engagement and participation in available
14 activities and opportunities.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.345
16 RCW to read as follows:

17 (1) The Washington state school directors' association shall:

18 (a) Develop cultural competency, diversity, equity, and inclusion
19 standards for school director governance;

20 (b) Collaborate with the Washington professional educator
21 standards board to compare and align the standards for school
22 director governance developed under (a) of this subsection with the
23 standards of practice developed under RCW 28A.410.260. The review
24 must include the educational opportunity gap oversight and
25 accountability committee and may include the office of equity
26 established under RCW 43.06D.020; and

27 (c) Maintain the final cultural competency, diversity, equity,
28 and inclusion standards for school director governance on its website
29 at no cost to school districts.

30 (2) By November 1, 2030, and every 10 years thereafter, the
31 Washington state school directors' association shall review the
32 definitions in section 2 of this act and the cultural competency,
33 diversity, equity, and inclusion standards for school director
34 governance developed under subsection (1) of this section and report,
35 in compliance with RCW 43.01.036, to the appropriate committees of
36 the legislature with any recommendations for revising the definitions
37 in section 2 of this act.

1 (3) For purposes of this section, "cultural competency,"
2 "diversity," "equity," and "inclusion" have the same meaning as in
3 section 2 of this act.

4 **Sec. 4.** RCW 28A.410.260 and 2009 c 468 s 5 are each amended to
5 read as follows:

6 ~~(1) ((The professional educator standards board, in consultation
7 and collaboration with the achievement gap oversight and
8 accountability committee established under RCW 28A.300.136, shall
9 identify a list of model standards for cultural competency and make
10 recommendations to the education committees of the legislature on the
11 strengths and weaknesses of those standards.~~

12 ~~(2))~~ The Washington professional educator standards board shall:

13 (a) Develop or update cultural competency, diversity, equity, and
14 inclusion standards of practice for preparation, continuing
15 education, and other training of school district staff;

16 (b) Collaborate with the Washington state school directors'
17 association to compare and align the standards of practice developed
18 under (a) of this subsection with the standards of governance
19 developed under section 3 of this act. The review must include the
20 educational opportunity gap oversight and accountability committee
21 and may include the office of equity established under RCW
22 43.06D.020; and

23 (c) Post on its public website the cultural competency,
24 diversity, equity, and inclusion standards of practice for school
25 district staff.

26 (2) The Washington professional educator standards board shall
27 develop and periodically update rubrics to evaluate the alignment of
28 training and professional development programs and related materials
29 with the cultural competency, diversity, equity, and inclusion
30 standards of practice for school district staff developed under
31 subsection (1) of this section.

32 (3) By November 1, 2030, and every 10 years thereafter, the
33 Washington professional educator standards board shall review the
34 definitions in section 2 of this act and the cultural competency,
35 diversity, equity, and inclusion standards of practice for school
36 district staff developed under subsection (1) of this section and
37 report, in compliance with RCW 43.01.036, to the appropriate
38 committees of the legislature any recommendations for revising the
39 definitions in section 2 of this act.

1 (4) For ((the)) purposes of this section, "cultural ((competency"
2 includes knowledge of student cultural histories and contexts, as
3 well as family norms and values in different cultures; knowledge and
4 skills in accessing community resources and community and parent
5 outreach; and skills in adapting instruction to students' experiences
6 and identifying cultural contexts for individual students))
7 competency," "diversity," "equity," and "inclusion" have the same
8 meaning as in section 2 of this act.

9 NEW SECTION. Sec. 5. A new section is added to chapter 28A.345
10 RCW to read as follows:

11 (1) The Washington state school directors' association shall
12 identify or develop and periodically update governance training
13 programs that align with the cultural competency, diversity, equity,
14 and inclusion standards for school director governance developed
15 under section 3 of this act. The governance training programs must
16 also include building government-to-government relationships with
17 federally recognized tribes, multicultural education, and principles
18 of English language acquisition. Governance training programs may be
19 developed in collaboration with other entities.

20 (2) Beginning with the 2022 calendar year, the Washington state
21 school directors' association shall provide a governance training
22 program identified or developed under subsection (1) of this section
23 at the frequency necessary for school directors to meet the
24 requirement in section 7 of this act.

25 (3) For purposes of this section, "cultural competency,"
26 "diversity," "equity," and "inclusion" have the same meaning as in
27 section 2 of this act.

28 NEW SECTION. Sec. 6. A new section is added to chapter 28A.410
29 RCW to read as follows:

30 (1) In establishing policies and requirements for the preparation
31 and certification of educators under RCW 28A.410.210, the Washington
32 professional educator standards board shall require that the programs
33 of courses, requirements, and other activities leading to educator
34 certification incorporate the cultural competency, diversity, equity,
35 and inclusion standards of practice developed under RCW 28A.410.260
36 and include the foundational elements of cultural competence,
37 focusing on multicultural education and principles of English

1 language acquisition, including information regarding best practices
2 to implement the tribal history and culture curriculum.

3 (2) For purposes of this section, "cultural competency,"
4 "diversity," "equity," and "inclusion" have the same meaning as in
5 section 2 of this act.

6 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.343
7 RCW to read as follows:

8 (1) Except as provided otherwise by this subsection (1),
9 beginning with the 2022 calendar year, each member of a board of
10 directors shall complete a governance training program once per term
11 of elected office. If the director is appointed or elected to a first
12 term of office, the director must complete a governance training
13 required by this subsection (1) within two years of appointment or
14 certification of the election in which they were elected.

15 (2) Governance training programs completed by directors in
16 accordance with subsection (1) of this section must be aligned with
17 the cultural competency, diversity, equity, and inclusion standards
18 for school director governance developed under section 3 of this act
19 and provided by the Washington state school directors' association.

20 (3) For purposes of this section, "cultural competency,"
21 "diversity," "equity," and "inclusion" have the same meaning as in
22 section 2 of this act.

23 **Sec. 8.** RCW 28A.415.445 and 2019 c 360 s 3 are each amended to
24 read as follows:

25 (1) Beginning in the 2020-21 school year, and every other school
26 year thereafter, school districts must use one of the professional
27 learning days funded under RCW 28A.150.415 to train school district
28 staff in one or more of the following topics: Social-emotional
29 learning, trauma-informed practices, using the model plan developed
30 under RCW 28A.320.1271 related to recognition and response to
31 emotional or behavioral distress, consideration of adverse childhood
32 experiences, mental health literacy, antibullying strategies, or
33 culturally sustaining practices.

34 (2) (a) In the 2021-22 school year, school districts must use one
35 of the professional learning days funded under RCW 28A.150.415 to
36 train school district staff in one or more of the following topics:
37 Cultural competency, diversity, equity, or inclusion.

1 (b) Beginning in the 2023-24 school year, and every other school
2 year thereafter, school districts must use one of the professional
3 learning days funded under RCW 28A.150.415 to provide to school
4 district staff a variety of opportunities for training, professional
5 development, and professional learning aligned with the cultural
6 competency, equity, diversity, and inclusion standards of practice
7 developed by the Washington professional educator standards board
8 under RCW 28A.410.260. Alignment with the standards of practice must
9 be evaluated using the rubrics developed under RCW 28A.410.260. The
10 opportunities must also include training on multicultural education
11 and principles of English language acquisition.

12 (3) For the purposes of this section:

13 (a) "Cultural competency," "diversity," "equity," and "inclusion"
14 have the same meaning as in section 2 of this act.

15 (b) "School district staff" includes classified staff,
16 certificated instructional staff, certificated administrative staff,
17 and superintendents.

18 NEW SECTION. Sec. 9. A new section is added to chapter 28A.710
19 RCW to read as follows:

20 Sections 7 and 8 of this act govern school operation and
21 management under RCW 28A.710.040 and apply to charter schools
22 established under chapter 28A.710 RCW.

23 **Sec. 10.** RCW 28A.405.106 and 2016 c 72 s 202 are each amended to
24 read as follows:

25 (1) Subject to funds appropriated for this purpose, the office of
26 the superintendent of public instruction must develop and make
27 available a professional development program to support the
28 implementation of the evaluation systems required by RCW 28A.405.100.
29 The program components may be organized into professional development
30 modules for principals, administrators, and teachers. The
31 professional development program shall include a comprehensive online
32 training package.

33 (2) The training program must include, but not be limited to, the
34 following topics:

35 (a) Introduction of the evaluation criteria for teachers and
36 principals and the four-level rating system;

37 (b) Orientation to and use of instructional frameworks;

38 (c) Orientation to and use of the leadership frameworks;

1 (d) Best practices in developing and using data in the evaluation
2 systems, including multiple measures, student growth data, classroom
3 observations, and other measures and evidence;

4 (e) Strategies for achieving maximum rater agreement;

5 (f) Evaluator feedback protocols in the evaluation systems;

6 (g) Examples of high quality teaching and leadership; and

7 (h) Methods to link the evaluation process to ongoing educator
8 professional development.

9 (3) The training program must also include the foundational
10 elements of cultural competence, focusing on multicultural education
11 and principles of English language acquisition, including information
12 regarding best practices to implement the tribal history and culture
13 curriculum. The content of the training must be aligned with the
14 standards (~~(for cultural competence)~~) of practice developed by the
15 Washington professional educator standards board under (~~RCW~~
16 ~~28A.410.270~~) RCW 28A.410.260. The office of the superintendent of
17 public instruction, in consultation with the Washington professional
18 educator standards board, the steering committee established in RCW
19 28A.405.100, and the educational opportunity gap oversight and
20 accountability committee, must integrate the content for cultural
21 competence into the overall training for principals, administrators,
22 and teachers to support the revised evaluation systems.

23 (4) To the maximum extent feasible, the professional development
24 program must incorporate or adapt existing online training or
25 curriculum, including securing materials or curriculum under contract
26 or purchase agreements within available funds. Multiple modes of
27 instruction should be incorporated including videos of classroom
28 teaching, participatory exercises, and other engaging combinations of
29 online audio, video, and print presentation.

30 (5) The professional development program must be developed in
31 modules that allow:

32 (a) Access to material over a reasonable number of training
33 sessions;

34 (b) Delivery in person or online; and

35 (c) Use in a self-directed manner.

36 (6) The office of the superintendent of public instruction must
37 maintain a website that includes the online professional development
38 materials along with sample evaluation forms and templates, links to
39 relevant research on evaluation and on high quality teaching and
40 leadership, samples of contract and collective bargaining language on

1 key topics, examples of multiple measures of teacher and principal
2 performance, suggestions for data to measure student growth, and
3 other tools that will assist school districts in implementing the
4 revised evaluation systems.

5 (7) The office of the superintendent of public instruction must
6 identify the number of in-service training hours associated with each
7 professional development module and develop a way for users to
8 document their completion of the training. Documented completion of
9 the training under this section is considered approved in-service
10 training for the purposes of RCW 28A.415.020.

11 (8) The office of the superintendent of public instruction shall
12 periodically update the modules to reflect new topics and research on
13 performance evaluation so that the training serves as an ongoing
14 source of continuing education and professional development.

15 (9) The office of the superintendent of public instruction shall
16 work with the educational service districts to provide clearinghouse
17 services for the identification and publication of professional
18 development opportunities for teachers and principals that align with
19 performance evaluation criteria.

20 **Sec. 11.** RCW 28A.410.270 and 2019 c 386 s 3 are each amended to
21 read as follows:

22 (1)(a) The Washington professional educator standards board shall
23 adopt a set of articulated teacher knowledge, skill, and performance
24 standards for effective teaching that are evidence-based, measurable,
25 meaningful, and documented in high quality research as being
26 associated with improved student learning. The standards shall be
27 calibrated for each level along the entire career continuum.

28 ~~(b) ((In developing the standards, the board shall, to the extent~~
29 ~~possible, incorporate standards for cultural competency along the~~
30 ~~entire continuum. For the purposes of this subsection, "cultural~~
31 ~~competency" includes knowledge of student cultural histories and~~
32 ~~contexts, as well as family norms and values in different cultures;~~
33 ~~knowledge and skills in accessing community resources and community~~
34 ~~and parent outreach; and skills in adapting instruction to students'~~
35 ~~experiences and identifying cultural contexts for individual~~
36 ~~students.)) The Washington professional educator standards board~~
37 ~~shall incorporate along the entire continuum the standards of~~
38 ~~practice developed under RCW 28A.410.260.~~

1 (c) By January 1, 2020, in order to ensure that teachers can
2 recognize signs of emotional or behavioral distress in students and
3 appropriately refer students for assistance and support, the
4 Washington professional educator standards board shall incorporate
5 along the entire continuum the social-emotional learning standards
6 and benchmarks recommended by the social-emotional learning
7 benchmarks work group in its October 1, 2016, final report titled,
8 "addressing social emotional learning in Washington's K-12 public
9 schools." In incorporating the social-emotional learning standards
10 and benchmarks, the Washington professional educator standards board
11 must include related competencies, such as trauma-informed practices,
12 consideration of adverse childhood experiences, mental health
13 literacy, antibullying strategies, and culturally sustaining
14 practices.

15 (2) The Washington professional educator standards board shall
16 adopt a definition of master teacher, with a comparable level of
17 increased competency between professional certification level and
18 master level as between professional certification level and national
19 board certification. Within the definition established by the
20 Washington professional educator standards board, teachers certified
21 through the national board for professional teaching standards shall
22 be considered master teachers.

23 (3) The Washington professional educator standards board shall
24 maintain a uniform, statewide, valid, and reliable classroom-based
25 means of evaluating teacher effectiveness as a culminating measure at
26 the preservice level that is to be used during the student-teaching
27 field experience. This assessment shall include multiple measures of
28 teacher performance in classrooms, evidence of positive impact on
29 student learning, and shall include review of artifacts, such as use
30 of a variety of assessment and instructional strategies, and student
31 work.

32 (4) Award of a professional certificate shall be based on a
33 minimum of two years of successful teaching experience as defined by
34 the board, and may not require candidates to enroll in a professional
35 certification program.

36 (5) Educator preparation programs approved to offer the residency
37 teaching certificate shall be required to demonstrate how the program
38 produces effective teachers as evidenced by the measures established
39 under this section and other criteria established by the Washington
40 professional educator standards board.

1 **Sec. 12.** RCW 28A.413.050 and 2019 c 386 s 5 are each amended to
2 read as follows:

3 (1) The board shall adopt state standards of practice for
4 paraeducators that are based on the recommendations of the
5 paraeducator work group established in chapter 136, Laws of 2014.
6 These standards must include:

7 (a) Supporting instructional opportunities;

8 (b) Demonstrating professionalism and ethical practices;

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

10 (d) Communicating effectively and participating in the team
11 process; and

12 (e) (~~Demonstrating cultural competency aligned with~~) The
13 standards of practice developed by the Washington professional
14 educator standards board under (~~RCW 28A.410.270~~) RCW 28A.410.260.

15 (2) By January 1, 2020, in order to ensure that paraeducators can
16 recognize signs of emotional or behavioral distress in students and
17 appropriately refer students for assistance and support, the board
18 shall incorporate into the standards of practice for paraeducators
19 adopted under subsection (1) of this section the social-emotional
20 learning standards, benchmarks, and related competencies described in
21 RCW 28A.410.270.

22 **Sec. 13.** RCW 28B.50.891 and 2017 c 237 s 20 are each amended to
23 read as follows:

24 Beginning with the 2015-16 academic year, any community or
25 technical college that offers an apprenticeship program or
26 certificate program for paraeducators must provide candidates the
27 opportunity to earn transferable course credits within the program.

28 The programs must also incorporate the standards (~~for cultural~~
29 ~~competence, including~~) of practice developed by the Washington
30 professional educator standards board under RCW 28A.410.260 and

31 include multicultural education and principles of language
32 acquisition(~~, developed by the professional educator standards board~~
33 ~~under RCW 28A.410.270)). Subject to the availability of amounts~~

34 appropriated for this specific purpose, by September 1, 2018, the
35 paraeducator apprenticeship and certificate programs must also
36 incorporate the state paraeducator standards of practice adopted by
37 the paraeducator board under RCW 28A.413.050.

1 NEW SECTION. **Sec. 14.** The following acts or parts of acts are
2 each repealed:

3 (1) RCW 28A.345.100 (Cultural competency training for school
4 board directors and superintendents) and 2016 c 72 s 201;

5 (2) RCW 28A.415.420 (Cultural competence professional development
6 and training) and 2016 c 72 s 204;

7 (3) RCW 28A.415.440 (Professional learning days—Social-emotional
8 learning) and 2019 c 386 s 7; and

9 (4) RCW 28A.657.140 (Cultural competence professional development
10 and training) and 2016 c 72 s 205."

11 Correct the title.

EFFECT: Replaces the provisions of the underlying bill with provisions that:

(1) Define the terms diversity, equity, and inclusion, and maintains the definition of cultural competency;

(2) Direct the Washington State School Directors' Association (WSSDA) to develop cultural competency, diversity, equity, and inclusion (CCDEI) standards for school director governance;

(3) Direct the Professional Educator Standards Board (PESB) to develop CCDEI standards of practice for preparation, continuing education, and other training of school district staff, as well as rubrics to evaluate the alignment of training and professional development programs and related materials with the CCDEI standards of practice;

(4) Require both the WSSDA and the PESB to collaborate to align their CCDEI standards; post final CCDEI standards on their public websites; review the CCDEI standards every ten years; and report to the Legislature every ten years with any recommendations to revise the CCDEI definitions;

(5) Direct the WSSDA to identify or develop and periodically update training programs that align to the CCDEI standards and to include specified topics;

(6) Require, beginning with the 2022 calendar year, each school director of a school district and charter school to complete every four years a training program provided by the WSSDA, except that directors appointed or elected to a first term of office must complete the training program within two years;

(7) Direct school districts and charter schools to use one of the state-funded professional learning days to provide to school district staff a variety of opportunities for training, professional development, and professional learning aligned with the CCDEI standards of practice developed by the PESB, which must include training on multicultural education and principals of language acquisition;

(8) Require alignment of the following programs to the CCDEI standards and specified topics: Educator preparation and certification programs; paraeducator preparation and certificate programs; and the professional development program to support the implementation of the Teacher Principal Evaluation System;

(9) Repeal redundant statutes, for example a statute that requires the development of a plan for cultural competency training

for school directors and superintendents and a statute that requires development of standards for cultural competency; and
(10) Modify the intent language.

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