

**ESSB 5044** - H COMM AMD  
By Committee on Education

**NOT 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  
23 through 7 of this act and RCW 28A.415.445 unless the context clearly  
24 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 section 4 of this act. The  
24 review 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        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 28A.410  
2    RCW to read as follows:

3        (1) The Washington professional educator standards board shall:

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

7        (b) Collaborate with the Washington state school directors'  
8    association to compare and align the standards of practice developed  
9    under (a) of this subsection with the standards of governance  
10   developed under section 3 of this act. The review must include the  
11   educational opportunity gap oversight and accountability committee  
12   and may include the office of equity established under RCW  
13   43.06D.020; and

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

17       (2) By November 1, 2030, and every 10 years thereafter, the  
18   Washington professional educator standards board shall review the  
19   definitions in section 2 of this act and the cultural competency,  
20   diversity, equity, and inclusion standards of practice for school  
21   district staff developed under subsection (1) of this section and  
22   report, in compliance with RCW 43.01.036, to the appropriate  
23   committees of the legislature any recommendations for revising the  
24   definitions in section 2 of this act.

25       NEW SECTION.    **Sec. 5.**    A new section is added to chapter 28A.345  
26    RCW to read as follows:

27       (1) The Washington state school directors' association shall  
28   identify or develop and periodically update governance training  
29   programs that align with the cultural competency, diversity, equity,  
30   and inclusion standards for school director governance developed  
31   under section 3 of this act. The governance training programs must  
32   also include the foundational elements of cultural competence,  
33   focusing on multicultural education and principles of English  
34   language acquisition, including information regarding best practices  
35   to implement the tribal history and culture curriculum. Governance  
36   training programs may be developed in collaboration with other  
37   entities.

38       (2) Beginning with the 2022 calendar year, the Washington state  
39   school directors' association shall provide a governance training

1 program identified or developed under subsection (1) of this section  
2 at the frequency necessary for school directors to meet the  
3 requirement in section 7 of this act.

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

6 (1) The Washington professional educator standards board shall  
7 identify, or develop and periodically update, training programs for  
8 school district staff and superintendents that align with the  
9 cultural competency, diversity, equity, and inclusion standards of  
10 practice developed under section 4 of this act. These training  
11 programs must also include the foundational elements of cultural  
12 competence, focusing on multicultural education and principles of  
13 English language acquisition, including information regarding best  
14 practices to implement the tribal history and culture curriculum.  
15 Training programs may be developed in collaboration with other  
16 entities.

17 (2) In establishing policies and requirements for the preparation  
18 and certification of educators under RCW 28A.410.210, the Washington  
19 professional educator standards board shall require that the programs  
20 of courses, requirements, and other activities leading to educator  
21 certification align with the cultural competency, diversity, equity,  
22 and inclusion standards of practice developed under section 4 of this  
23 act.

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

26 Beginning with the 2022 calendar year, each member of a board of  
27 directors shall complete a governance training program provided by  
28 the Washington state school directors' association as required by  
29 section 5 of this act once per term of elected office, except that  
30 newly elected directors must complete a governance training program  
31 within two years of election.

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

34 (1) Beginning in the 2020-21 school year, and every other school  
35 year thereafter, school districts must use one of the professional  
36 learning days funded under RCW 28A.150.415 to train school district  
37 staff in one or more of the following topics: Social-emotional

1 learning, trauma-informed practices, using the model plan developed  
2 under RCW 28A.320.1271 related to recognition and response to  
3 emotional or behavioral distress, consideration of adverse childhood  
4 experiences, mental health literacy, antibullying strategies, or  
5 culturally sustaining practices.

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

10 (b) Beginning in the 2023-24 school year, and every other school  
11 year thereafter, school districts must use one of the professional  
12 learning days funded under RCW 28A.150.415 to provide to school  
13 district staff a training program identified or developed under  
14 section 6 of this act.

15 (3) For the purposes of this section, "school district staff"  
16 includes classified staff, certificated instructional staff,  
17 certificated administrative staff, and superintendents.

18 **Sec. 9.** RCW 28A.405.106 and 2016 c 72 s 202 are each amended to  
19 read as follows:

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

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

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

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

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

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

37 (e) Strategies for achieving maximum rater agreement;

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

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

1 (h) Methods to link the evaluation process to ongoing educator  
2 professional development.

3 (3) The training program must also include the foundational  
4 elements of cultural competence, focusing on multicultural education  
5 and principles of English language acquisition, including information  
6 regarding best practices to implement the tribal history and culture  
7 curriculum. The content of the training must be aligned with the  
8 standards (~~(for cultural competence)~~) of practice developed by the  
9 Washington professional educator standards board under (~~(RCW~~  
10 ~~28A.410.270)~~) section 4 of this act. The office of the superintendent  
11 of public instruction, in consultation with the Washington  
12 professional educator standards board, the steering committee  
13 established in RCW 28A.405.100, and the educational opportunity gap  
14 oversight and accountability committee, must integrate the content  
15 for cultural competence into the overall training for principals,  
16 administrators, and teachers to support the revised evaluation  
17 systems.

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

25 (5) The professional development program must be developed in  
26 modules that allow:

27 (a) Access to material over a reasonable number of training  
28 sessions;

29 (b) Delivery in person or online; and

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

31 (6) The office of the superintendent of public instruction must  
32 maintain a website that includes the online professional development  
33 materials along with sample evaluation forms and templates, links to  
34 relevant research on evaluation and on high quality teaching and  
35 leadership, samples of contract and collective bargaining language on  
36 key topics, examples of multiple measures of teacher and principal  
37 performance, suggestions for data to measure student growth, and  
38 other tools that will assist school districts in implementing the  
39 revised evaluation systems.

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

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

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

16 **Sec. 10.** RCW 28A.410.270 and 2019 c 386 s 3 are each amended to  
17 read as follows:

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

24 ~~(b) ((In developing the standards, the board shall, to the extent~~  
25 ~~possible, incorporate standards for cultural competency along the~~  
26 ~~entire continuum. For the purposes of this subsection, "cultural~~  
27 ~~competency" includes knowledge of student cultural histories and~~  
28 ~~contexts, as well as family norms and values in different cultures;~~  
29 ~~knowledge and skills in accessing community resources and community~~  
30 ~~and parent outreach; and skills in adapting instruction to students'~~  
31 ~~experiences and identifying cultural contexts for individual~~  
32 ~~students.~~

33 ~~(e))~~ By January 1, 2020, in order to ensure that teachers can  
34 recognize signs of emotional or behavioral distress in students and  
35 appropriately refer students for assistance and support, the  
36 Washington professional educator standards board shall incorporate  
37 along the entire continuum the social-emotional learning standards  
38 and benchmarks recommended by the social-emotional learning  
39 benchmarks work group in its October 1, 2016, final report titled,

1 "addressing social emotional learning in Washington's K-12 public  
2 schools." In incorporating the social-emotional learning standards  
3 and benchmarks, the Washington professional educator standards board  
4 must include related competencies, such as trauma-informed practices,  
5 consideration of adverse childhood experiences, mental health  
6 literacy, antibullying strategies, and culturally sustaining  
7 practices.

8 (2) The Washington professional educator standards board shall  
9 adopt a definition of master teacher, with a comparable level of  
10 increased competency between professional certification level and  
11 master level as between professional certification level and national  
12 board certification. Within the definition established by the  
13 Washington professional educator standards board, teachers certified  
14 through the national board for professional teaching standards shall  
15 be considered master teachers.

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

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

29 (5) Educator preparation programs approved to offer the residency  
30 teaching certificate shall be required to demonstrate how the program  
31 produces effective teachers as evidenced by the measures established  
32 under this section and other criteria established by the Washington  
33 professional educator standards board.

34 **Sec. 11.** RCW 28A.413.050 and 2019 c 386 s 5 are each amended to  
35 read as follows:

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

- 1 (a) Supporting instructional opportunities;
- 2 (b) Demonstrating professionalism and ethical practices;
- 3 (c) Supporting a positive and safe learning environment;
- 4 (d) Communicating effectively and participating in the team
- 5 process; and

6 (e) (~~Demonstrating cultural competency aligned with~~) The  
7 standards of practice developed by the Washington professional  
8 educator standards board under (~~RCW 28A.410.270~~) section 4 of this  
9 act.

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

17 **Sec. 12.** RCW 28B.50.891 and 2017 c 237 s 20 are each amended to  
18 read as follows:

19 Beginning with the 2015-16 academic year, any community or  
20 technical college that offers an apprenticeship program or  
21 certificate program for paraeducators must provide candidates the  
22 opportunity to earn transferable course credits within the program.  
23 The programs must also incorporate the standards (~~for cultural~~  
24 ~~competence, including~~) of practice developed by the Washington  
25 professional educator standards board under section 4 of this act and  
26 include multicultural education and principles of language  
27 acquisition(~~, developed by the professional educator standards board~~  
28 ~~under RCW 28A.410.270~~). Subject to the availability of amounts  
29 appropriated for this specific purpose, by September 1, 2018, the  
30 paraeducator apprenticeship and certificate programs must also  
31 incorporate the state paraeducator standards of practice adopted by  
32 the paraeducator board under RCW 28A.413.050.

33 NEW SECTION. **Sec. 13.** The following acts or parts of acts are  
34 each repealed:

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

1 (2) RCW 28A.410.260 (Washington professional educator standards  
2 board—Model standards for cultural competency—Recommendations) and  
3 2009 c 468 s 5;

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

6 (4) RCW 28A.415.440 (Professional learning days—Social-emotional  
7 learning) and 2019 c 386 s 7."

8 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;

(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 WSSSA and the PESB to separately identify or develop and periodically update training programs that align to the CCDEI standards and include specified content;

(6) Require, beginning with the 2022 calendar year, each school director to complete every four years a training program provided by the WSSDA, except that newly elected directors must complete the training program within two years of election;

(7) Direct school districts to use one of three state-funded professional learning days every other year to provide to school district staff a training program;

(8) Require alignment of the following programs to the CCDEI standards: 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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