

# HOUSE BILL REPORT

## SHB 1015

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### As Passed Legislature

**Title:** An act relating to minimum employment requirements for paraeducators.

**Brief Description:** Concerning minimum employment requirements for paraeducators.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Santos, Ybarra, Bergquist, Stonier, Leavitt, Rude, Jacobsen, Simmons, Reed, Lekanoff, Goodman, Pollet, Ortiz-Self, Callan, Doglio, Reeves, Tharinger, Wylie, Paul, Thai, Springer and Ormsby; by request of Professional Educator Standards Board).

**Brief History:**

**Committee Activity:**

Education: 1/17/23, 1/26/23 [DPS].

**Floor Activity:**

Passed House: 2/2/23, 97-0.

Passed Senate: 3/22/23, 49-0.

Passed Legislature.

**Brief Summary of Substitute Bill**

- Directs the Paraeducator Board to adopt one or more paraeducator assessments and set a passing score for each assessment.
- Provides that paraeducators may meet certain minimum employment requirements by receiving a passing score on an assessment approved by the Paraeducator Board.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist,

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

Callan, Eslick, Harris, McClintock, Ortiz-Self, Pollet, Sandlin, Steele, Stonier and Timmons.

**Staff:** Megan Wargacki (786-7194).

**Background:**

Paraeducator Minimum Employment Requirements.

A paraeducator is a classified public school or school district employee who works under the supervision of a certificated or licensed staff member to support and assist in providing instructional and other services to students and their families. Paraeducators are also known as paraprofessionals, education assistants, and instructional assistants.

Federal law generally requires that paraeducators who work in programs supported by certain federal funds meet the following employment requirements:

1. have a high school diploma or its equivalent; and
2. either:
  - a. have completed at least two years of study at an institution of higher education;
  - b. hold an associate's or higher degree; or
  - c. meet a rigorous standard of quality, and can demonstrate, through a formal state or local academic assessment, knowledge of, and the ability to assist in instructing in reading, writing, and mathematics.

State law requires that all paraeducators meet the following employment requirements:

1. be at least 18 years of age;
2. have a high school diploma or its equivalent; and
3. either:
  - a. have earned 72 quarter credits or 48 semester credits at an institution of higher education;
  - b. hold an Associate of Arts degree;
  - c. have received a passing grade on the Education Testing Service (ETS) paraeducator assessment; or
  - d. have completed a registered apprenticeship program.

Education Testing Service Paraeducator Assessment.

The private organization ETS offers a paraeducator assessment, called the ETS ParaPro Assessment. According to the ETS, the assessment was developed in response to federal law that allows paraeducators to meet minimum employment requirements by demonstrating knowledge of, and the ability to assist in, the instruction of reading, writing, and mathematics.

The assessment is available online at an individual's home or on a computer at certain test centers. Both options are monitored by a human proctor and so are only available during specified business hours. Test-takers have 2.5 hours to finish 90 multiple-choice questions.

### Paraeducator Board.

The Paraeducator Board is a statutorily created nine-member board whose duties include establishment of requirements related to the paraeducator standards of practice, mandatory paraeducator certificates, and optional paraeducator certificates.

### **Summary of Substitute Bill:**

The Paraeducator Board must adopt one or more assessments that meet a rigorous standard of quality and can be used to demonstrate knowledge of, and the ability to assist in, instruction in reading, writing, and mathematics, as well as set a passing score for each assessment adopted. The Paraeducator Board may develop assessments to meet this requirement.

Minimum employment requirements for paraeducators are revised so that a paraeducator must have received a passing score on one of the assessments approved by the Paraeducator Board, rather than have received a passing grade on the Education Testing Service paraeducator assessment.

**Appropriation:** None.

**Fiscal Note:** Available.

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

### **Staff Summary of Public Testimony:**

(In support) Paraeducators are instrumental in providing instructional support to students. Prior to the pandemic, paraeducators were one of the fastest growing job classifications in the state; now school districts are struggling to fill these positions. The bill will not have the immediate impact needed to ensure that schools can be fully staffed.

The state has created an articulated pathway for people interested in the education profession. The state established trainings for paraeducators that result in a certificate, which is different from the certification requirements for teachers. Educational leaders want to hire high quality paraeducators who meet minimum employment requirements.

The paraeducator assessment is the most common way that future paraeducators meet minimum employment requirements. Current law limits the options for a paraeducator assessment to the ParaPro assessment provided by Educational Testing Services (ETS). The ETS is phasing out provision of the assessment at testing centers to only 4 testing locations in Washington; for some people, the closest location will be over 90 miles away. The ETS has an option to test at home, but this option is more expensive, requires high-

speed internet, and strict conditions for the testing environment. These limitations are another barrier to filling already hard-to-fill positions.

It is important to hire bilingual people to teach students that come from many backgrounds. Some people who reflect a diverse community, are bilingual, and meet other paraeducator requirements are unable to pass the ETS ParaPro Assessment because it is only given in English.

This bill removes a potentially significant barrier for paraeducators and for the school districts hiring them. Moving the paraeducator assessment away from the ETS and giving the authority to the Paraeducator Board to adopt assessments averts a potential issue. The board can develop appropriate assessments that will better meet the needs of school districts and the students they serve. Those options potentially include more convenient testing times and locations, additional languages, and removing financial obstacles. Taxpayer money should not go to the ETS.

The bill needs some technical amendments, for example, removing the emergency clause and allowing for multiple assessments to be adopted, rather than one, and restoring some or's.

(Opposed) None.

(Other) Paraeducators help to ensure that students receive the support and supervision they need to be safe and successful in schools. There are significant shortages in paraeducator positions. When these positions go unfilled, school districts must implement emergency staffing changes. The paraeducator education and testing minimum employment requirements should be waived for 18 months to allow school districts to fully staff these positions. Supporting the additional training needs of new hires is better than not having anyone in the positions at all.

**Persons Testifying:** (In support) Representative Sharon Tomiko Santos, prime sponsor; Jim Kowalkowski, Rural Education Center; Zackary Turner, Professional Educators Standards Board; Mandy Jessee; Lyon Terry; Rick Chisa, Public School Employees of Washington; and Nasue Nishida, Washington Education Association.

(Other) Caitlin Cox, Lake Washington School District.

**Persons Signed In To Testify But Not Testifying:** None.