

HOUSE BILL REPORT

ESHB 1277

As Amended by the Senate

Title: An act relating to improving the consistency and quality of the implementation of the fundamental course of study for paraeducators.

Brief Description: Improving the consistency and quality of the implementation of the fundamental course of study for paraeducators.

Sponsors: House Committee on Education (originally sponsored by Representatives Donaghy, Harris, Slatter, Kloba, Reeves, Reed, Ormsby and Pollet; by request of Professional Educator Standards Board).

Brief History:

Committee Activity:

Education: 1/19/23, 1/26/23 [DPS].

Floor Activity:

Passed House: 2/27/23, 95-0.

Floor Activity:

Passed House: 1/10/24, 98-0.

Senate Amended.

Passed Senate: 2/29/24, 49-0.

Brief Summary of Engrossed Substitute Bill

- Directs the Paraeducator Board to update rules and publish guidance related to the fundamental course of study.
- Requires school districts to provide to each paraeducator two days of the four-day fundamental course of study in person by specified deadlines, unless the school district is granted an exemption by the Paraeducator Board.

HOUSE COMMITTEE ON EDUCATION

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.

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

Staff: Megan Wargacki (786-7194).

Background:

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.

Paraeducator Fundamental Course of Study.

The paraeducator fundamental course of study (FCS) is a four-day course on the state paraeducator standards of practice. School districts must provide the FCS to paraeducators who have not completed the course, either in the district or in another district within the state.

At least one day of the FCS must be provided in person. School districts must use best efforts to provide the FCS before the paraeducator begins to work with students and their families.

Subject to funding limitations described below, school districts must provide the four-day FCS by the following deadlines:

1. For paraeducators hired on or before September 1: the first two days of the FCS must be provided by September 30 of that year, and the second two days of the FCS must be provided within six months of the date of hire.
2. For paraeducators hired after September 1:
 - a. in districts with 10,000 or more students: the first two days of the FCS must be provided within four months of the date of hire, and the second two days of the FCS must be provided within six months of the date of hire or by September 1 of the following year, whichever is sooner; and
 - b. in districts with fewer than 10,000 students: the entire FCS must be provided by September 1 of the following year.

School districts are only required to provide to paraeducators the number of days of the FCS for which state funding is specifically provided. Since fiscal year 2020, the state has appropriated funding for school districts to provide two days of training to paraeducators each year. In fiscal year 2023, the state appropriated funding sufficient for new paraeducators to receive four days of training during their first year.

Summary of Engrossed Substitute Bill:

By July 1, 2024, the Paraeducator Board must update rules on the implementation of the fundamental course of study (FCS) to require that a significant majority of paraeducators are provided with the FCS in person. Under the rules, the Paraeducator Board may grant an exemption from the in-person requirement of the FCS for second-class school districts hiring paraeducators after the beginning of the school year.

By July 1, 2024, the Paraeducator Board must publish guidance for school districts on how to provide the FCS to improve consistency and quality of staff development.

The deadlines, and in-person requirements, for provision of the FCS are modified by, among other things: changing the district size threshold for certain deadlines; referring to the beginning of the school year, rather than September 1; and requiring two, rather than one, day be provided in-person. The resulting requirements are as follows:

1. Paraeducators hired before the beginning of the school year must be provided the first two days of the FCS in person before the beginning of the school year and the second two days of the FCS within six months of the date of hire.
2. Paraeducators hired after the beginning of the school year, by school districts with 2,000 or more enrolled students, must be provided the first two days of the FCS in person within four months of the date of hire and the second two days of the FCS within six months of the date of hire or by September 1 of the following year, whichever is sooner.
3. Paraeducators hired after the beginning of the school year, by school districts with fewer than 2,000 enrolled students, must be provided the FCS no later than September 1 of the following year, with two of the days provided in person unless the district has applied for and received an exemption from the Paraeducator Board.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment to the engrossed substitute House bill changes the deadline, from July 1, 2024, to July 1, 2025, for the Professional Educator Standards Board to: (1) update rules to require that a significant majority of paraeducators are provided with the fundamental course of study in person; and (2) publish guidance on how to provide the fundamental course of study to improve the consistency and quality of staff development.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 26, 2024.

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 provide a safe and welcoming place for everyone in the school building. Years ago, the majority of new paraeducators had no information on how to do their jobs. The Legislature then authorized and funded the paraeducator certificate program, which is the first of its kind in the nation.

The paraeducator fundamental course of study helps paraeducators to learn and grow in areas such as behavior management, child development, communication, social emotional learning, and equity. For some paraeducators, it took years to learn what the course teaches in four days. Knowing how to help students be the best they can be comes directly from standards of practice that are included in the course.

The fundamental course of study for paraeducators is implemented inconsistently across school districts. One issue relates to portability; some paraeducators who completed the course in one district and are subsequently hired by another district are told they must complete it again.

The Paraeducator Board and the Professional Educator Standards Board (PESB) have been responsive to concerns shared by paraeducators. Now that initial implementation has happened, it is time to reflect on the places where implementation can be improved and systematized. The PESB has found that school districts and paraeducators need flexibility in offering professional learning for paraeducators synchronously online when appropriate. The PESB also found that school district and guidance for implementing the course in local communities while respecting local control. The pandemic disrupted how paraeducators received professional development, so now is a good time for the Paraeducator Board to give school districts updated guidance.

The bill will give the Paraeducator Board the authority to determine how the fundamental course of study is offered. It will charge agency staff and stakeholders to convene a work group to develop the rules and guidance, which will be done at no additional cost. The bill will allow the Paraeducator Board to provide some flexibility to school districts because not all schools and situations are the same. The bill ensures that everyone is able to receive the same standardized education without creating unnecessary requirements. The exemptions to in-person learning should be as limited as possible.

The state spends millions of dollars on the fundamental course of study. This bill will ensure that the funding is cost effective and impactful for Washington educators, students, and families.

(Opposed) None.

Persons Testifying: Representative Brandy Donaghy, prime sponsor; Dawna Hansen-Murray; Erica Hernandez-Scott, Professional Educator Standards Board; and Nasue Nishida, Washington Education Association.

Persons Signed In To Testify But Not Testifying: None.