

SENATE BILL REPORT

ESHB 1277

As Passed Senate - Amended, February 29, 2024

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

Committee Activity: Early Learning & K-12 Education: 3/09/23, 3/13/23 [DP]; 2/14/24, 2/21/24 [DPA-WM].

Ways & Means: 2/23/24 [w/oRec].

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

Brief Summary of Bill (As Amended by Senate)

- 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.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means. Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair;

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.

Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

Staff: Benjamin Omdal (786-7442)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That it be referred without recommendation.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Randall, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

Background: Paraeducators. Paraeducators provide instructional services to students while working under the direct supervision of instructional certificated staff. These services can include direct instruction of children in small and large groups, individualized instruction, testing of children, and preparation of materials. Paraeducators are categorized under Washington law as classified instructional employees.

The Paraeducator Board was created in 2017 to adopt minimum employment standards for paraeducators and paraeducator standards of practice.

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 course before the paraeducator begins to work with students and their families.

School districts are only required to provide to paraeducators the number of days of the FCS for which state funding is specifically provided. Since the 2019-20 school year, the state has appropriated funding for school districts to provide two days of the FCS each year.

School districts, when funding is appropriated, must provide the four-day FCS by the following deadlines:

- for paraeducators hired on or before September 1st:
 1. the first two days of the course must be provided by September 30th of that year; and
 2. the second two days of the course must be provided within six months of the date of hire; and
- for paraeducators hired after September 1st in districts with 10,000 or more students:

1. the first two days of the course must be provided within four months of the date of hire; and
 2. the second two days of the course must be provided within six months of the date of hire or by September 1st of the following year, whichever is sooner; and
- for paraeducators hired after September 1st in districts with fewer than 10,000 students:
 1. the entire course must be provided by September 1st of the following year.

Summary of Amended Bill: By July 1, 2025, the Paraeducator Board must update rules on the implementation of the 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, 2025, 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, among other things, by the following: changing the district size threshold for certain deadlines; referring to the beginning of the school year, rather than September 1st; and requiring two, rather than one, day be provided in-person.

For paraeducators hired before the beginning of the school year the first two days of the FCS must be in person before the beginning of the school year and the second two days of the course must occur within six months of the date of hire.

For paraeducators hired after the beginning of the school year the requirements are as follows:

- in school districts with 2000 or more enrolled students the first two days of the FCS must be in person within four months of the date of hire; the second two days must be provided within six months of the date of hire or by September 1st of the following year, whichever is sooner; and
- in school districts with fewer than 2000 enrolled students the FCS must be provided no later than September 1st 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.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Substitute House Bill (Early Learning & K-12 Education) (Regular Session 2024): *The committee recommended a different version of the bill than what was heard.* PRO: This is a simple framework to help those that interact with our students the most and that will encourage paraeducators to remain in their jobs. The bill provides some flexibility for situations in which the framework might not work best. This bill moves in the right direction of treating paraeducators as professionals and receiving the respect they deserve. The bill streamlines professional development for paraeducators. Having the trainings in-person is vital. The bill standardizes timelines and improves upon prior work in developing the Fundamental Course of Study. The course should be provided in a timely and consistent manner with the ultimate goal of having paraeducators receive the training prior to working with students. Completing the FCS curriculum is crucial for newly hired paraeducators. Having paraeducators complete the course will enhance paraeducator credibility and provide them with the tools to better help their students. This bill is needed to make sure that paraeducators that work closely with students get relevant and beneficial training.

OTHER: The in-person requirements of this bill would present logistical and fiscal challenges for some school districts. If two days of in-person training are required, districts may have to delay the start of paraeducators or pull them out of classrooms in which they staff. Clear success criteria and benchmarks should come before wholesale changes.

Persons Testifying: PRO: Representative Brandy Donaghy, Prime Sponsor; Mario Meijia, Olympia Education Association / WEA; Simone Boe, Washington Education Association; Tammy oommen, PSE; Zackary Turner, PESB; Margaret Charpilloz, Public School Employees of WA/SEIU 1948; Rick Chisa, Public School Employees of WA/SEIU 1948.

OTHER: Noelle Chun, Lake Washington School District.

Persons Signed In To Testify But Not Testifying: No one.