

SENATE BILL REPORT

ESHB 1277

As Reported by Senate Committee On:
Early Learning & K-12 Education, March 13, 2023

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: 2/27/23, 95-0.

Committee Activity: Early Learning & K-12 Education: 3/09/23, 3/13/23 [DP].

Brief Summary of 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.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

Staff: Benjamin Omdal (786-7442)

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.

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;
 2. the second two days of the course must be provided within six months of the date of hire;
- 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;
 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 Bill: By July 1, 2024, 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, 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, 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.
- 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: PRO: The bill will ensure that paraeducators will have the training they need within legal parameters. There have been gaps in the ability to provide the course. Some districts are not able to provide the in-person training. There have been inconsistencies in the implementation of the fundamental course of study across districts, particularly related to portability. The legislation helps to ensure that PESB is providing a quality professional development system. The bill will help paraeducator professional development get back on course after the COVID-19 pandemic. The course of study helps paraeducators learn crucial, transformative information.

OTHER: The in-person requirement will cause fiscal, contractual, and operational impacts on school districts. Full-day training is less effective and not as effective in relating to paraeducators' experience. Changes made in paraeducator training over the last three years

have produced stability in creating a paraeducator training program.

Persons Testifying: PRO: Representative Brandy Donaghy, Prime Sponsor; Nasue Nishida, Washington Education Association; Dr. Erica Hernandez-Scott, Professional Educator Standards Board; Rick Chisa, Public School Employees of WA/SEIU 1948; Dawna Hansen-Murray.

OTHER: Noelle Chun, Lake Washington School District.

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