

SENATE BILL REPORT

2ESHB 1377

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 21, 2024
Ways & Means, February 26, 2024

Title: An act relating to posting of approved courses and providers of continuing education on equity-based school practices, the national professional standards for education leaders, and government-to-government relationships, which is currently required for administrators and teachers.

Brief Description: Posting of approved courses and providers of continuing education.

Sponsors: House Committee on Education (originally sponsored by Representatives Santos, Reed and Ortiz-Self).

Brief History: Passed House: 2/6/24, 97-0.

Committee Activity: Early Learning & K-12 Education: 3/09/23, 3/15/23 [DPA-WM]; 2/15/24, 2/21/24 [DPA-WM, DNP, w/oRec].

Ways & Means: 3/21/23, 4/04/23 [DPA (EDU)]; 2/24/24, 2/26/24 [DPA (EDU), DNP, w/oRec].

Brief Summary of Amended Bill

- Adds organizations approved by the Professional Educator Standards Board (PESB) to the list of entities that may provide continuing education if an approved clock hour provider.
- Requires the PESB to approve clock hour providers through a revised application process that includes specified elements.
- Requires education agencies to post on their websites a list of approved subject matter experts on government-to-government relationships with federally recognized tribes.
- Requires PESB, in consultation with OSPI and by December 1, 2024, to submit a report to the Legislature on how to implement an auditing

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system of continuing education providers and other recommendations for improving the clock hour system.

- Directs PESB to develop a process for the temporary or permanent revocation of providers of continuing education on equity-based school practices or the NPSEL by September 1, 2024 and specifies the criteria by which provider status may be revoked.
- Authorizes specific entities that may submit a complaint against a provider of continuing education on equity-based school practices or the NPSEL.

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; Hunt, Mullet and Pedersen.

Minority Report: Do not pass.

Signed by Senator McCune.

Minority Report: That it be referred without recommendation.

Signed by Senators Hawkins, Ranking Member; Dozier.

Staff: Benjamin Omdal (786-7442)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Early Learning & K-12 Education.

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; Billig, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Pedersen, Randall, Saldaña, Torres, Van De Wege and Wellman.

Minority Report: Do not pass.

Signed by Senator Wagoner.

Minority Report: That it be referred without recommendation.

Signed by Senators Boehnke and Muzzall.

Staff: Trevor Press (786-7446)

Background: Continuing Education for Educators. The Professional Educator Standards Board (PESB) adopts rules and creates policies for the preparation and certification of educators. PESB's statutory duties include specifying the types and kinds of educator certificates to be issued and the conditions for certification.

Every five years, teachers and administrators must renew their certificate by meeting one of the following continuing education requirements:

- complete 100 clock hours or the equivalent in college credit;
- complete four professional growth plans (PGPs); or
- complete a combination of PGPs and clock hours.

PESB approves clock hour providers, who are required to convene a committee to review and approve courses to be offered. PESB also approves certain courses that some certificated staff are required to complete.

Specific Continuing Education Requirements. For administrators renewing a certificate on or after July 1, 2023, the continuing education must meet the following requirements:

- 10 percent must focus on equity-based school practices;
- 10 percent must focus on the National Professional Standards for Education Leaders (NPSEL); and
- 5 percent must focus on government-to-government relationships with federally recognized tribes.

For teachers renewing a certificate on or after July 1, 2023, 15 percent of continuing education must focus on equity-based school practices.

Required continuing education for administrators and teachers must be provided by one or more of the following entities, if they are an approved clock hour provider:

- the Office of the Superintendent of Public Instruction (OSPI);
- school districts;
- educational service districts;
- PESB-approved administrator or teacher preparation programs;
- the Association of Washington School Principals; or
- the Washington Education Association.

Required continuing education for administrators and teachers related to government-to-government relationships with federally recognized tribes must be provided by one or more subject matter experts approved by the Governor's Office on Indian Affairs in collaboration with the Tribal Leaders Congress on Education and the Office of Native Education in OSPI.

Summary of Amended Bill: Clock Hour Providers. In addition to existing providers listed in statute, continuing education may be provided by other organizations approved by the PESB.

Beginning with the 2025-26 school year, the PESB must approve clock hour providers under a revised application process. As part of the revised application process, entities must submit an application to the PESB that, at a minimum, includes:

- the entity's mission and vision;
- the entity's experience and expertise in providing professional development to educators generally, as well as specific experience and expertise in equity-based practices;
- possible subject matter topics of continuing education to be provided by the entity;
- information on clock hour pricing;
- transcript processes; and
- other application elements deemed appropriate by the PESB.

OSPI and PESB must maintain on their websites a list of approved subject matter experts on government-to-government relationships with federally recognized tribes.

A provider of an administrator or teacher continuing education program focused on equity-based school practices or the NPSEL must publicly post the learning objectives of the program on its website. If the provider does not have a website it must post the learning objectives of the program in a conspicuous place in the entity's main office and submit a copy of the learning objectives to PESB

Revocation of Provider Status and Audit of Continuing Education Providers. By September 1, 2024, the PESB must develop a process for the temporary or permanent revocation of providers of continuing education on equity-based school practices or the NPSEL. Provider status may be revoked for providers that receive a substantial number of complaints filed against the provider, that are found not be in statutory compliance, or found to offer course material that is not in substantial alignment with the cultural competency, diversity, equity, and inclusion standards of practices developed by the PESB.

Entities authorized to submit a complaint for provider status revocation are limited to:

- educators;
- local education agencies;
- OSPI;
- organizations representing principals, school board members, or school administrators; and
- labor organizations representing classified instructional staff or teachers.

By December 1, 2024, PESB, in consultation with OSPI, must submit to the relevant committees of the Legislature a report on how to implement an auditing system of providers of continuing education on equity-based school practices or the NPSEL. The report must also contain other recommendations for improving the clock hour system.

EFFECT OF EARLY LEARNING & K-12 EDUCATION COMMITTEE AMENDMENT(S):

- Reinstates the list of specified entities that may provide continuing education if approved as a clock hour provider.
- Adds "other organizations approved by the Board" to the list of entities that may provide continuing education if approved as a clock hour provider.
- Requires PESB to approve providers under a revised application process beginning in the 2025-26 school year.
- Specifies information that must be included under the revised application process.
- Removes language requiring OSPI to audit approved providers of continuing education programs focused on equity-based school practices.
- Requires PESB, in consultation with OSPI and by December 1, 2024, to submit a report to the Legislature on how to implement an auditing system of continuing education providers and other recommendations for improving the clock hour system.
- Directs PESB to develop a process for the temporary or permanent revocation of approved status of providers of continuing education on equity-based school practices or the NPSEL by September 1, 2024.
- Specifies the criteria by which provider status may be revoked.
- Authorizes specific entities that may submit a complaint against a provider of continuing education on equity-based school practices or the NPSEL.

Appropriation: None.

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 2023): *The committee recommended a different version of the bill than what was heard.* PRO: This bill allows PESB to designate providers as opposed to listing specific entities that can offer clock hours, omitting certain clock hour providers. The bill grandfathers in the providers currently listed in statute. This bill is a great example of opportunities for cultural competency. Deadlines could be moved a year to provide more time to complete the government-to-government professional trainings. The bill corrects prior mistakes but could also bring in youth-focused groups as well. The standards align well with various private schools' educational philosophies.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative Sharon Tomiko Santos, Prime Sponsor; Oliver Miska; Roz Thompson, Association of Washington School Principals; Doug Rich, Catholic Diocese of Yakima; Zackary Turner, Professional Educator Standards Board.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony on Bill as Amended by Early Learning & K-12 Education (Ways & Means) (Regular Session 2023): None.

Persons Testifying (Ways & Means): No one.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.

Staff Summary of Public Testimony on Second 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 bill corrects discrepancies in state law that inadvertently left out certain providers of continuing education, including for courses on diversity, equity, and inclusion. The bill also ensures that standards are met by all clock hour providers through an audit process. Certain clock hour providers are currently shut out from providing continuing education courses that teachers want and need. The lack of required hours has already negatively impacted our teachers.

OTHER: More clarity and flexibility should be provided for providers that are offering equity-based clock hours. There are concerns over the lack of oversight of clock hour providers. High-quality providing of equity-based clock hours is imperative; there needs to be a better system of quality control. Improvements could be made to the application and approval process, provider complaints, and having PESB perform the audits in the bill.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative Sharon Tomiko Santos, Prime Sponsor; Suzie Hanson, WA Federation of Independent Schools.

OTHER: Anna Hernandez-French, Office of Superintendent of Public Instruction; Zackary Turner, PESB; Nasue Nishida, Washington Education Association.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony on Bill as Amended by Early Learning & K-12 Education (Ways & Means) (Regular Session 2024): PRO: Ongoing professional development is an essential component of our state's education system. It ensures that every educator in our state is continuously learning and improving upon their skills. This bill will create a more thorough application process so that PESB can review the content that these providers are giving before approving them as a provider. It gives PESB a process for revoking clock hour provider status which is something that they do not have today. It also requires PESB to work with OSPI to create a more thorough auditing system.

Persons Testifying (Ways & Means): PRO: Zackary Turner, PESB.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.