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**SENATE BILL 6002**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senators Hunt and Nobles

Prefiled 01/05/24. Read first time 01/08/24. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to transferring the professional educator  
2 standards board and the paraeducator board to the office of the  
3 superintendent of public instruction; amending RCW 28A.300.040,  
4 28A.410.200, 28A.410.210, 28A.413.020, and 28A.413.030; creating new  
5 sections; and providing an effective date.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 **Sec. 1.** RCW 28A.300.040 and 2023 c 303 s 3 are each amended to  
8 read as follows:

9 In addition to any other powers and duties as provided by law,  
10 the powers and duties of the superintendent of public instruction  
11 shall be:

12 (1) To have supervision over all matters pertaining to the public  
13 schools of the state;

14 (2) To report to the governor and the legislature such  
15 information and data as may be required for the management and  
16 improvement of the schools;

17 (3) To prepare and have printed such forms, registers, courses of  
18 study, rules for the government of the common schools, and such other  
19 material and books as may be necessary for the discharge of the  
20 duties of teachers and officials charged with the administration of

1 the laws relating to the common schools, and to distribute the same  
2 to educational service district superintendents;

3 (4) To travel, without neglecting his or her other official  
4 duties as superintendent of public instruction, for the purpose of  
5 attending educational meetings or conventions, of visiting schools,  
6 and of consulting educational service district superintendents or  
7 other school officials;

8 (5) To prepare and from time to time to revise a manual of the  
9 Washington state common school code, copies of which shall be made  
10 available online and which shall be sold at approximate actual cost  
11 of publication and distribution per volume to public and nonpublic  
12 agencies or individuals, said manual to contain Titles 28A and 28C  
13 RCW, rules related to the common schools, and such other matter as  
14 the state superintendent or the state board of education shall  
15 determine;

16 (6) To file all papers, reports and public documents transmitted  
17 to the superintendent by the school officials of the several counties  
18 or districts of the state, each year separately. Copies of all papers  
19 filed in the superintendent's office, and the superintendent's  
20 official acts, may, or upon request, shall be certified by the  
21 superintendent and attested by the superintendent's official seal,  
22 and when so certified shall be evidence of the papers or acts so  
23 certified to;

24 (7) To require annually, on or before the 15th day of August, of  
25 the president, manager, or principal of every educational institution  
26 in this state, a report as required by the superintendent of public  
27 instruction; and it is the duty of every president, manager, or  
28 principal, to complete and return such forms within such time as the  
29 superintendent of public instruction shall direct;

30 (8) To keep in the superintendent's office a record of all  
31 teachers receiving certificates to teach in the common schools of  
32 this state;

33 (9) To issue certificates as provided by law;

34 (10) To keep in the superintendent's office at the capital of the  
35 state, all books and papers pertaining to the business of the  
36 superintendent's office, and to keep and preserve in the  
37 superintendent's office a complete record of statistics, as well as a  
38 record of the meetings of the state board of education;

39 (11) With the assistance of the office of the attorney general,  
40 to decide all points of law which may be submitted to the

1 superintendent in writing by any educational service district  
2 superintendent, or that may be submitted to the superintendent by any  
3 other person, upon appeal from the decision of any educational  
4 service district superintendent; and the superintendent shall publish  
5 his or her rulings and decisions from time to time for the  
6 information of school officials and teachers; and the  
7 superintendent's decision shall be final unless set aside by a court  
8 of competent jurisdiction;

9 (12) To administer oaths and affirmations in the discharge of the  
10 superintendent's official duties;

11 (13) To deliver to his or her successor, at the expiration of the  
12 superintendent's term of office, all records, books, maps, documents  
13 and papers of whatever kind belonging to the superintendent's office  
14 or which may have been received by the superintendent's for the use  
15 of the superintendent's office;

16 (14) To administer family services and programs to promote the  
17 state's policy as provided in RCW 74.14A.025;

18 (15) To promote the adoption of school-based curricula and  
19 policies that provide quality, daily physical education for all  
20 students, and to encourage policies that provide all students with  
21 opportunities for physical activity outside of formal physical  
22 education classes;

23 (16) To perform all duties required by chapter 303, Laws of 2023  
24 for the delivery and oversight of basic education services to  
25 justice-involved students under the age of 21 who are served through  
26 institutional education programs in facilities that are not under the  
27 jurisdiction of the department of social and health services or the  
28 department of corrections; ~~((and))~~

29 (17) To administer the professional educator standards board  
30 created in RCW 28A.410.200 and the paraeducator board created in RCW  
31 28A.413.020; and

32 (18) To perform such other duties as may be required by law.

33 **Sec. 2.** RCW 28A.410.200 and 2017 c 189 s 1 are each amended to  
34 read as follows:

35 (1)(a) The Washington professional educator standards board is  
36 created, consisting of ~~((twelve))~~ 12 members to be appointed by the  
37 ~~((governor to four-year terms and the))~~ superintendent of public  
38 instruction ~~((or the superintendent's designee. On August 1, 2009,~~  
39 ~~the board shall be reduced to twelve members))~~.

1 (b) Vacancies on the board shall be filled by appointment or  
2 reappointment by the ~~((governor))~~ superintendent of public  
3 instruction to terms of four years.

4 (c) No person may serve as a member of the board for more than  
5 two consecutive full four-year terms.

6 (d) The ~~((governor))~~ superintendent of public instruction shall  
7 biennially appoint the chair of the board. No board member may serve  
8 as chair for more than four consecutive years.

9 (2) A majority of the members of the board shall be active  
10 practitioners with the majority being classroom based. Membership on  
11 the board shall include individuals having one or more of the  
12 following:

13 (a) Experience in one or more of the education roles for which  
14 state preparation program approval is required and certificates  
15 issued;

16 (b) Experience providing or leading a state-approved teacher or  
17 educator preparation program;

18 (c) Experience providing mentoring and coaching to education  
19 professionals or others; and

20 (d) Education-related community experience.

21 (3) In appointing board members, the ~~((governor))~~ superintendent  
22 of public instruction shall consider the individual's commitment to  
23 quality education and the ongoing improvement of instruction,  
24 experiences in the public schools or private schools, involvement in  
25 developing quality teaching preparation and support programs, and  
26 vision for the most effective yet practical system of assuring  
27 teaching quality. The ~~((governor))~~ superintendent of public  
28 instruction shall also consider the diversity of the population of  
29 the state.

30 ~~((All appointments to the board made by the governor are~~  
31 ~~subject to confirmation by the senate.~~

32 ~~(5))~~ Each member of the board shall be compensated in accordance  
33 with RCW 43.03.240 and shall be reimbursed for travel expenses  
34 incurred in carrying out the duties of the board in accordance with  
35 RCW 43.03.050 and 43.03.060.

36 ~~((6))~~ (5) The ~~((governor))~~ superintendent of public instruction  
37 may remove a member of the board for neglect of duty, misconduct,  
38 malfeasance or misfeasance in office, or for incompetency or  
39 unprofessional conduct as defined in chapter 18.130 RCW. In such a  
40 case, the ~~((governor shall file with the secretary of state a~~

1 ~~statement of the causes for and the order of removal from office, and~~  
2 ~~the secretary of state)) superintendent of public instruction shall~~  
3 send a certified copy of the statement of causes and order of removal  
4 to the last known post office address of the member.

5 ~~((7) Members of the board)) (6) The superintendent of public~~  
6 ~~instruction shall hire an executive director and an administrative~~  
7 ~~assistant ((to reside in the office of the superintendent of public~~  
8 ~~instruction for administrative purposes only)). The office of the~~  
9 ~~superintendent of public instruction shall administer the board.~~

10 ~~((8)) (7) Members of the board may create informal advisory~~  
11 groups as needed to inform the board's work.

12 **Sec. 3.** RCW 28A.410.210 and 2017 3rd sp.s. c 26 s 2 are each  
13 amended to read as follows:

14 The purpose of the Washington professional educator standards  
15 board is to establish policies and requirements for the preparation  
16 and certification of educators that provide standards for competency  
17 in professional knowledge and practice in the areas of certification;  
18 a foundation of skills, knowledge, and attitudes necessary to help  
19 students with diverse needs, abilities, cultural experiences, and  
20 learning styles meet or exceed the learning goals outlined in RCW  
21 28A.150.210; knowledge of research-based practice; and professional  
22 development throughout a career. The Washington professional educator  
23 standards board shall:

24 (1) Establish policies and practices for the approval of programs  
25 of courses, requirements, and other activities leading to educator  
26 certification including teacher, school administrator, and  
27 educational staff associate certification;

28 (2) Establish policies and practices for the approval of the  
29 character of work required to be performed as a condition of entrance  
30 to and graduation from any educator preparation program including  
31 teacher, school administrator, and educational staff associate  
32 preparation program as provided in subsection (1) of this section;

33 (3) Establish a list of accredited institutions of higher  
34 education of this and other states whose graduates may be awarded  
35 educator certificates as teacher, school administrator, and  
36 educational staff associate and establish criteria and enter into  
37 agreements with other states to acquire reciprocal approval of  
38 educator preparation programs and certification, including teacher

1 certification from the national board for professional teaching  
2 standards;

3 (4) Establish policies for approval of nontraditional educator  
4 preparation programs;

5 (5) Conduct a review of educator program approval standards at  
6 least every five years, beginning in 2006, to reflect research  
7 findings and assure continued improvement of preparation programs for  
8 teachers, administrators, and school specialized personnel;

9 (6) Specify the types and kinds of educator certificates to be  
10 issued and conditions for certification in accordance with subsection  
11 (1) of this section, RCW 28A.410.251, and 28A.410.010;

12 (7) Apply for and receive federal or other funds on behalf of the  
13 state for purposes related to the duties of the board;

14 (8) Adopt rules under chapter 34.05 RCW that are necessary for  
15 the effective and efficient implementation of this chapter, provided  
16 the rules have the prior approval of the superintendent of public  
17 instruction and indicate that the superintendent of public  
18 instruction provided the approval;

19 (9) Maintain data concerning educator preparation programs and  
20 their quality, educator certification, educator employment trends and  
21 needs, and other data deemed relevant by the board;

22 (10) Serve as an advisory body to the superintendent of public  
23 instruction on issues related to educator recruitment, hiring,  
24 mentoring and support, professional growth, retention, educator  
25 evaluation including but not limited to peer evaluation, and  
26 revocation and suspension of licensure;

27 (11) Submit, by October 15th of each even-numbered year and in  
28 accordance with RCW 43.01.036, a joint report with the state board of  
29 education to the legislative education committees, the governor, and  
30 the superintendent of public instruction. The report shall address  
31 the progress the boards have made and the obstacles they have  
32 encountered, individually and collectively, in the work of achieving  
33 the goals set out in RCW 28A.150.210;

34 (12) Establish the prospective teacher assessment system for  
35 basic skills and subject knowledge that shall be required to obtain  
36 residency certification pursuant to RCW 28A.410.220 through  
37 28A.410.240; and

38 (13) Conduct meetings under the provisions of chapter 42.30 RCW.

1       **Sec. 4.** RCW 28A.413.020 and 2017 c 237 s 3 are each amended to  
2 read as follows:

3       (1) (a) The paraeducator board is created, consisting of nine  
4 members to be appointed to four-year terms.

5       (b) Vacancies on the board must be filled by appointment or  
6 reappointment as described in subsection (2) of this section to terms  
7 of four years.

8       (c) No person may serve as a member of the board for more than  
9 two consecutive full four-year terms.

10       (d) The (~~governor~~) superintendent of public instruction must  
11 biennially appoint the chair of the board. No board member may serve  
12 as chair for more than four consecutive years.

13       (2) Appointments to the board must be made as follows (~~(, subject~~  
14 ~~to confirmation by the senate)~~):

15       (a) The superintendent of public instruction shall appoint a  
16 basic education paraeducator, a special education paraeducator, an  
17 English language learner paraeducator, a teacher, a principal, and a  
18 representative of the office of the superintendent of public  
19 instruction;

20       (b) The Washington state parent teacher association shall appoint  
21 a parent whose child receives instructional support from a  
22 paraeducator;

23       (c) The state board for community and technical colleges shall  
24 appoint a representative of the community and technical college  
25 system; and

26       (d) The student achievement council shall appoint a  
27 representative of a four-year institution of higher education as  
28 defined in RCW 28B.10.016.

29       (3) The (~~professional educator standards board~~) office of the  
30 superintendent of public instruction shall administer the board.

31       (4) Each member of the board must be compensated in accordance  
32 with RCW 43.03.240 and must be reimbursed for travel expenses  
33 incurred in carrying out the duties of the board in accordance with  
34 RCW 43.03.050 and 43.03.060.

35       (5) Members of the board may create informal advisory groups as  
36 needed to inform the board's work.

37       (6) The (~~governor~~) superintendent of public instruction may  
38 remove a member of the board for neglect of duty, misconduct,  
39 malfeasance or misfeasance in office, or for incompetency or  
40 unprofessional conduct as defined in chapter 18.130 RCW. In such a

1 case, the (~~governor shall file with the secretary of state a~~  
2 ~~statement of the causes for and the order of removal from the board,~~  
3 ~~and the secretary of state~~)) superintendent of public instruction  
4 shall send a certified copy of the statement of causes and order of  
5 removal to the last known post office address of the member.

6 **Sec. 5.** RCW 28A.413.030 and 2023 c 19 s 2 are each amended to  
7 read as follows:

8 (1) The paraeducator board has the following powers and duties:

9 (a) Based on the recommendations of the paraeducator work group  
10 established in chapter 136, Laws of 2014, adopt: (i) Minimum  
11 employment requirements for paraeducators, as described in RCW  
12 28A.413.040; and (ii) paraeducator standards of practice, as  
13 described in RCW 28A.413.050;

14 (b) Adopt one or more assessments that meet a rigorous standard  
15 of quality and can be used to demonstrate knowledge of, and the  
16 ability to assist in, instruction in reading, writing, and  
17 mathematics, as well as set a passing score for each assessment  
18 adopted. The board may develop assessments to meet the requirement of  
19 this subsection (1) (b);

20 (c) Establish requirements and policies for a general  
21 paraeducator certificate, as described in RCW 28A.413.070;

22 (d) Based on the recommendations of the paraeducator work group  
23 established in chapter 136, Laws of 2014, establish requirements and  
24 policies for subject matter certificates in English language learner  
25 and special education, as described in RCW 28A.413.080;

26 (e) Based on the recommendations of the paraeducator work group  
27 established in chapter 136, Laws of 2014, establish requirements and  
28 policies for an advanced paraeducator certificate, as described in  
29 RCW 28A.413.090;

30 (f) By September 1, 2018, approve, and develop if necessary,  
31 courses required to meet the provisions of this chapter, where the  
32 courses are offered in a variety of means that will limit cost and  
33 improve access;

34 (g) Make policy recommendations, as necessary, for a paraeducator  
35 career ladder that will increase opportunities for paraeducator  
36 advancement through advanced education, professional learning, and  
37 increased instructional responsibility;

1 (h) Collaborate with the office of the superintendent of public  
2 instruction to adapt the electronic educator certification process to  
3 include paraeducator certificates; and

4 (i) Adopt rules under chapter 34.05 RCW that are necessary for  
5 the effective and efficient implementation of this chapter, provided  
6 the rules have the prior approval of the superintendent of public  
7 instruction and indicate that the superintendent of public  
8 instruction provided the approval.

9 (2) The superintendent of public instruction shall act as the  
10 administrator of any such rules and have the power to issue any  
11 paraeducator certificates and revoke the same in accordance with  
12 board rules.

13 NEW SECTION. **Sec. 6.** (1) All powers, duties, and functions of  
14 the professional educator standards board are transferred to the  
15 office of the superintendent of public instruction, and the  
16 professional educator standards board shall continue to fulfill its  
17 purpose as an advisory and rule-making board within the office of the  
18 superintendent of public instruction as provided in RCW 28A.410.210.  
19 All references to the professional educator standards board in the  
20 Revised Code of Washington shall be construed to mean the  
21 professional educator standards board under the administration and  
22 oversight of the office of the superintendent of public instruction  
23 when referring to the functions transferred in this section.

24 (2)(a) All reports, documents, surveys, books, records, files,  
25 papers, or written material in the possession of the professional  
26 educator standards board pertaining to the powers, duties, and  
27 functions transferred shall be delivered to the custody of the office  
28 of the superintendent of public instruction. All cabinets, furniture,  
29 office equipment, motor vehicles, and other tangible property  
30 employed by the professional educator standards board in carrying out  
31 the powers, duties, and functions transferred shall be made available  
32 to the office of the superintendent of public instruction. All funds,  
33 credits, or other assets held in connection with the powers, duties,  
34 and functions transferred shall be assigned to the office of the  
35 superintendent of public instruction.

36 (b) Any appropriations made to the professional educator  
37 standards board for carrying out the powers, duties, and functions  
38 transferred shall, on the effective date of this section, be

1 transferred and credited to the office of the superintendent of  
2 public instruction.

3 (c) Whenever any question arises as to the transfer of any  
4 personnel, funds, books, documents, records, papers, files,  
5 equipment, or other tangible property used or held in the exercise of  
6 the powers and the performance of the duties and functions  
7 transferred, the director of financial management shall make a  
8 determination as to the proper allocation and certify the same to the  
9 state agencies concerned.

10 (3) All employees of the professional educator standards board  
11 engaged in performing the powers, duties, and functions transferred  
12 are transferred to the jurisdiction of the office of the  
13 superintendent of public instruction. All employees classified under  
14 chapter 41.06 RCW, the state civil service law, are assigned to the  
15 office of the superintendent of public instruction to perform their  
16 usual duties upon the same terms as formerly, without any loss of  
17 rights, subject to any action that may be appropriate thereafter in  
18 accordance with the laws and rules governing state civil service.

19 (4) All rules and all pending business before the professional  
20 educator standards board pertaining to the powers, duties, and  
21 functions transferred shall be continued and acted upon by the office  
22 of the superintendent of public instruction. All existing contracts  
23 and obligations shall remain in full force and shall be performed by  
24 the office of the superintendent of public instruction.

25 (5) The transfer of the powers, duties, functions, and personnel  
26 of the professional educator standards board shall not affect the  
27 validity of any act performed before the effective date of this  
28 section.

29 (6) If apportionments of budgeted funds are required because of  
30 the transfers directed by this section, the director of financial  
31 management shall certify the apportionments to the agencies affected,  
32 the state auditor, and the state treasurer. Each of these shall make  
33 the appropriate transfer and adjustments in funds and appropriation  
34 accounts and equipment records in accordance with the certification.

35 (7) All classified employees of the professional educator  
36 standards board assigned to the office of the superintendent of  
37 public instruction under this section whose positions are within an  
38 existing bargaining unit description at the office of the  
39 superintendent of public instruction shall become a part of the  
40 existing bargaining unit at the office of the superintendent of

1 public instruction and shall be considered an appropriate inclusion  
2 or modification of the existing bargaining unit under the provisions  
3 of chapter 41.80 RCW.

4 NEW SECTION. **Sec. 7.** (1) All powers, duties, and functions of  
5 the paraeducator board are transferred to the office of the  
6 superintendent of public instruction, and the paraeducator board  
7 shall continue to fulfill its purpose as an advisory and rule-making  
8 board within the office of the superintendent of public instruction  
9 as provided in RCW 28A.413.030. All references to the paraeducator  
10 board in the Revised Code of Washington shall be construed to mean  
11 the paraeducator board under the administration and oversight of the  
12 office of the superintendent of public instruction when referring to  
13 the functions transferred in this section.

14 (2)(a) All reports, documents, surveys, books, records, files,  
15 papers, or written material in the possession of the paraeducator  
16 board pertaining to the powers, duties, and functions transferred  
17 shall be delivered to the custody of the office of the superintendent  
18 of public instruction. All cabinets, furniture, office equipment,  
19 motor vehicles, and other tangible property employed by the  
20 paraeducator board in carrying out the powers, duties, and functions  
21 transferred shall be made available to the office of the  
22 superintendent of public instruction. All funds, credits, or other  
23 assets held in connection with the powers, duties, and functions  
24 transferred shall be assigned to the office of the superintendent of  
25 public instruction.

26 (b) Any appropriations made to the paraeducator board for  
27 carrying out the powers, duties, and functions transferred shall, on  
28 the effective date of this section, be transferred and credited to  
29 the office of the superintendent of public instruction.

30 (c) Whenever any question arises as to the transfer of any  
31 personnel, funds, books, documents, records, papers, files,  
32 equipment, or other tangible property used or held in the exercise of  
33 the powers and the performance of the duties and functions  
34 transferred, the director of financial management shall make a  
35 determination as to the proper allocation and certify the same to the  
36 state agencies concerned.

37 (3) All employees of the paraeducator board engaged in performing  
38 the powers, duties, and functions transferred are transferred to the  
39 jurisdiction of the office of the superintendent of public

1 instruction. All employees classified under chapter 41.06 RCW, the  
2 state civil service law, are assigned to the office of the  
3 superintendent of public instruction to perform their usual duties  
4 upon the same terms as formerly, without any loss of rights, subject  
5 to any action that may be appropriate thereafter in accordance with  
6 the laws and rules governing state civil service.

7 (4) All rules and all pending business before the paraeducator  
8 board pertaining to the powers, duties, and functions transferred  
9 shall be continued and acted upon by the office of the superintendent  
10 of public instruction. All existing contracts and obligations shall  
11 remain in full force and shall be performed by the office of the  
12 superintendent of public instruction.

13 (5) The transfer of the powers, duties, functions, and personnel  
14 of the paraeducator board shall not affect the validity of any act  
15 performed before the effective date of this section.

16 (6) If apportionments of budgeted funds are required because of  
17 the transfers directed by this section, the director of financial  
18 management shall certify the apportionments to the agencies affected,  
19 the state auditor, and the state treasurer. Each of these shall make  
20 the appropriate transfer and adjustments in funds and appropriation  
21 accounts and equipment records in accordance with the certification.

22 (7) All classified employees of the paraeducator board assigned  
23 to the office of the superintendent of public instruction under this  
24 section whose positions are within an existing bargaining unit  
25 description at the office of the superintendent of public instruction  
26 shall become a part of the existing bargaining unit at the office of  
27 the superintendent of public instruction and shall be considered an  
28 appropriate inclusion or modification of the existing bargaining unit  
29 under the provisions of chapter 41.80 RCW.

30 NEW SECTION. **Sec. 8.** The office of the code reviser shall note,  
31 wherever any agency or agency's duties transferred, consolidated, or  
32 eliminated under this act are used or referred to in statute, that  
33 the agency has changed. The office of the code reviser shall prepare  
34 legislation for the 2025 regular session that: (1) Changes all  
35 statutory references of any agency transferred, consolidated, or  
36 eliminated under this act; and (2) changes statutory references to  
37 sections affected by this act but not amended in this act.

1        NEW SECTION.    **Sec. 9.**    Sections 1 through 7 of this act take  
2 effect July 1, 2025.

--- **END** ---