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**SUBSTITUTE SENATE BILL 5802**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Oemig, McAuliffe, Hobbs, Kauffman, Jarrett, Tom, and Shin; by request of Governor Gregoire)

READ FIRST TIME 02/20/09.

1       AN ACT Relating to the professional educator standards board  
2 membership and duties; amending RCW 28A.410.200, 28A.410.100, and  
3 28A.410.210; adding a new section to chapter 28A.410 RCW; and providing  
4 an effective date.

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

6       NEW SECTION.   **Sec. 1.** A new section is added to chapter 28A.410  
7 RCW to read as follows:

8       The professional educator standards board shall:

9       (1) Develop and maintain a research base of educator preparation  
10 best practices;

11       (2) Develop and coordinate initiatives for educator preparation in  
12 high-demand fields as well as outreach and recruitment initiatives for  
13 underrepresented populations;

14       (3) Provide program improvement technical assistance to providers  
15 of educator preparation programs;

16       (4) Assure educator preparation program compliance; and

17       (5) Prepare and maintain a cohesive educator development policy  
18 framework.

1       **Sec. 2.** RCW 28A.410.200 and 2005 c 497 s 202 are each amended to  
2 read as follows:

3       (1)(a) The Washington professional educator standards board is  
4 created, consisting of (~~twenty~~) twelve members to be appointed by the  
5 governor to four-year terms and the superintendent of public  
6 instruction. On August 1, 2009, the board shall be reduced to twelve  
7 members by ending the terms of the appointed members with the least  
8 amount of time remaining in their terms.

9       (b) (~~As the four-year terms of the first appointees expire or~~)  
10 Vacancies (~~to~~) on the board (~~occur for the first time,~~) shall be  
11 filled by appointment or reappointment by the governor (~~shall appoint~~  
12 ~~or reappoint the members of the board to one year to four year~~  
13 ~~staggered terms. Once the one year to three year terms expire, all~~  
14 ~~subsequent terms shall be for~~) to terms of four years (~~, with the~~  
15 ~~terms expiring on June 30th of the applicable year. The terms shall be~~  
16 ~~staggered in such a way that, where possible, the terms of members~~  
17 ~~representing a specific group do not expire simultaneously~~).

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

20       (d) The governor shall (~~annually~~) biennially appoint the chair of  
21 the board (~~from among the teachers and principals on the board~~). No  
22 board member may serve as chair for more than (~~two~~) four consecutive  
23 years.

24       (2) (~~Seven of the members shall be public school teachers, one~~  
25 ~~shall be a private school teacher, three shall represent higher~~  
26 ~~education educator preparation programs, four shall be school~~  
27 ~~administrators, two shall be educational staff associates, one shall be~~  
28 ~~a classified employee who assists in public school student instruction,~~  
29 ~~one shall be a parent, and one shall be a member of the public.~~

30       ~~(3) Public school teachers appointed to the board must:~~

31       ~~(a) Have at least three years of teaching experience in a~~  
32 ~~Washington public school;~~

33       ~~(b) Be currently certificated and actively employed in a teaching~~  
34 ~~position; and~~

35       ~~(c) Include one teacher currently teaching at the elementary school~~  
36 ~~level, one at the middle school level, one at the high school level,~~  
37 ~~and one vocationally certificated.~~

38       ~~(4) Private school teachers appointed to the board must:~~

1       ~~(a) Have at least three years of teaching experience in a~~  
2 ~~Washington approved private school; and~~  
3       ~~(b) Be currently certificated and actively employed in a teaching~~  
4 ~~position in an approved private school.~~  
5       ~~(5) Appointees from higher education educator preparation programs~~  
6 ~~must include two representatives from institutions of higher education~~  
7 ~~as defined in RCW 28B.10.016 and one representative from an institution~~  
8 ~~of higher education as defined in RCW 28B.07.020(4).~~  
9       ~~(6) School administrators appointed to the board must:~~  
10       ~~(a) Have at least three years of administrative experience in a~~  
11 ~~Washington public school district;~~  
12       ~~(b) Be currently certificated and actively employed in a school~~  
13 ~~administrator position; and~~  
14       ~~(c) Include two public school principals, one Washington approved~~  
15 ~~private school principal, and one superintendent.~~  
16       ~~(7) Educational staff associates appointed to the board must:~~  
17       ~~(a) Have at least three years of educational staff associate~~  
18 ~~experience in a Washington public school district; and~~  
19       ~~(b) Be currently certificated and actively employed in an~~  
20 ~~educational staff associate position.~~  
21       ~~(8) Public school classified employees appointed to the board must:~~  
22       ~~(a) Have at least three years of experience in assisting in the~~  
23 ~~instruction of students in a Washington public school; and~~  
24       ~~(b) Be currently employed in a position that requires the employee~~  
25 ~~to assist in the instruction of students.~~  
26       ~~(9) Each major caucus of the house of representatives and the~~  
27 ~~senate shall submit a list of at least one public school teacher. In~~  
28 ~~making the public school teacher appointments, the governor shall~~  
29 ~~select one nominee from each list provided by each caucus. The~~  
30 ~~governor shall appoint the remaining members of the board from a list~~  
31 ~~of qualified nominees submitted to the governor by organizations~~  
32 ~~representative of the constituencies of the board, from applications~~  
33 ~~from other qualified individuals, or from both nominees and applicants.~~  
34       ~~(10) All appointments to the board made by the governor shall be~~  
35 ~~subject to confirmation by the senate.~~  
36       ~~(11) The governor shall appoint the members of the initial board no~~  
37 ~~later than June 1, 2000.~~

1 ~~(12) In appointing board members, the governor shall consider the~~  
2 ~~diversity of the population of the state.~~

3 (13)) A majority of the members of the board shall be active  
4 practitioners with the majority being classroom based. Membership on  
5 the board shall include individuals having one or more of the  
6 following:

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

9 (b) Experience providing or leading a state-approved preparation  
10 program;

11 (c) Experience providing mentoring and coaching to education  
12 professionals or others; and

13 (d) Education-related community experience.

14 (3) In appointing board members, the governor shall consider the  
15 individual's commitment to quality education and the ongoing  
16 improvement of instruction, experiences in the public schools,  
17 involvement in developing quality teaching preparation and support  
18 programs, and vision for the most effective yet practical system of  
19 assuring teaching quality. The governor shall also consider the  
20 diversity of the population of the state.

21 (4) Each member of the board shall be compensated in accordance  
22 with RCW 43.03.240 and shall be reimbursed for travel expenses incurred  
23 in carrying out the duties of the board in accordance with RCW  
24 43.03.050 and 43.03.060.

25 ~~((14))~~ (5) The governor may remove a member of the board for  
26 neglect of duty, misconduct, malfeasance or misfeasance in office, or  
27 for incompetency or unprofessional conduct as defined in chapter 18.130  
28 RCW. In such a case, the governor shall file with the secretary of  
29 state a statement of the causes for and the order of removal from  
30 office, and the secretary of state shall send a certified copy of the  
31 statement of causes and order of removal to the last known post office  
32 address of the member.

33 ~~((15) If a vacancy occurs on the board, the governor shall appoint~~  
34 ~~a replacement member from the nominees as specified in subsection (9)~~  
35 ~~of this section to fill the remainder of the unexpired term. When~~  
36 ~~filling a vacancy of a member nominated by a major caucus of the~~  
37 ~~legislature, the governor shall select the new member from a list of at~~

1 ~~least one name submitted by the same caucus that provided the list from~~  
2 ~~which the retiring member was appointed.~~

3 ~~(16))~~ (6) Members of the board shall hire an executive director  
4 and an administrative assistant to reside in the office of the  
5 superintendent of public instruction for administrative purposes only.

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

8 **Sec. 3.** RCW 28A.410.100 and 2005 c 497 s 207 are each amended to  
9 read as follows:

10 Any teacher whose certificate to teach has been questioned under  
11 RCW 28A.410.090 shall have a right to be heard by the issuing authority  
12 before his or her certificate is revoked. ~~((Any teacher whose~~  
13 ~~certificate to teach has been revoked shall have a right of appeal to~~  
14 ~~the Washington professional educator standards board if notice of~~  
15 ~~appeal is given by written affidavit to the board within thirty days~~  
16 ~~after the certificate is revoked.~~

17 ~~An appeal to the Washington professional educator standards board~~  
18 ~~within the time specified shall operate as a stay of revocation~~  
19 ~~proceedings until the next regular or special meeting of said board and~~  
20 ~~until the board's decision has been rendered.))~~

21 **Sec. 4.** RCW 28A.410.210 and 2008 c 176 s 1 are each amended to  
22 read as follows:

23 The purpose of the professional educator standards board is to  
24 establish policies and requirements for the preparation and  
25 certification of educators that provide standards for competency in  
26 professional knowledge and practice in the areas of certification; a  
27 foundation of skills, knowledge, and attitudes necessary to help  
28 students with diverse needs, abilities, cultural experiences, and  
29 learning styles meet or exceed the learning goals outlined in RCW  
30 28A.150.210; knowledge of research-based practice; and professional  
31 development throughout a career. The Washington professional educator  
32 standards board shall:

33 (1) Establish policies and practices for the approval of programs  
34 of courses, requirements, and other activities leading to educator  
35 certification including teacher, school administrator, and educational  
36 staff associate certification;

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

6 (3) Establish a list of accredited institutions of higher education  
7 of this and other states whose graduates may be awarded educator  
8 certificates as teacher, school administrator, and educational staff  
9 associate and establish criteria and enter into agreements with other  
10 states to acquire reciprocal approval of educator preparation programs  
11 and certification, including teacher certification from the national  
12 board for professional teaching standards;

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

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

19 (6) Specify the types and kinds of educator certificates to be  
20 issued and conditions for certification in accordance with subsection  
21 (1) of this section and RCW 28A.410.010;

22 ~~(7) ((Hear and determine educator certification appeals as provided  
23 by RCW 28A.410.100;~~

24 ~~(8))~~ Apply for and receive federal or other funds on behalf of the  
25 state for purposes related to the duties of the board;

26 ~~((9))~~ (8) Adopt rules under chapter 34.05 RCW that are necessary  
27 for the effective and efficient implementation of this chapter;

28 ~~((10))~~ (9) Maintain data concerning educator preparation programs  
29 and their quality, educator certification, educator employment trends  
30 and needs, and other data deemed relevant by the board;

31 ~~((11))~~ (10) Serve as an advisory body to the superintendent of  
32 public instruction on issues related to educator recruitment, hiring,  
33 mentoring and support, professional growth, retention, educator  
34 evaluation including but not limited to peer evaluation, and revocation  
35 and suspension of licensure;

36 ~~((12))~~ (11) Submit, by October 15th of each even-numbered year,  
37 a joint report with the state board of education to the legislative  
38 education committees, the governor, and the superintendent of public

1 instruction. The report shall address the progress the boards have  
2 made and the obstacles they have encountered, individually and  
3 collectively, in the work of achieving the goals set out in RCW  
4 28A.150.210;

5 ~~((+13))~~ (12) Establish the prospective teacher assessment system  
6 for basic skills and subject knowledge that shall be required to obtain  
7 residency certification pursuant to RCW 28A.410.220 through  
8 28A.410.240;

9 ~~((+14))~~ (13) By January 2010, set performance standards and  
10 develop, pilot, and implement a uniform and externally administered  
11 professional-level certification assessment based on demonstrated  
12 teaching skill. In the development of this assessment, consideration  
13 shall be given to changes in professional certification program  
14 components such as the culminating seminar; and

15 ~~((+15))~~ (14) Conduct meetings under the provisions of chapter  
16 42.30 RCW.

17 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect August 1,  
18 2009.

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