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**SENATE BILL 5858**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senator Fain

AN ACT Relating to professional certification for teachers and school administrators; amending RCW 28A.410.210, 28A.410.220, 28A.410.250, and 28A.410.270; adding new sections to chapter 28A.410 RCW; and providing an expiration date.

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

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

By September 1, 2017, the professional educator standards board shall adopt rules for professional administrator certification that are substantially similar to the professional development credit option for professional teacher certification, described in section 2(3) of this act.

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

(1) For the purposes of this section, "board" means the professional educator standards board.

(2) The board shall adopt rules that provide three options for professional certification for teachers that meet the requirements of this section.

(3) By September 1, 2017, the board shall:

(a) Allow an applicant to qualify for the professional teacher certificate by earning one hundred fifty approved professional development credits within five years following the year that the teacher first completes provisional status, and require that teachers at the elementary and secondary levels in STEM-related subjects who use this professional certification option earn credits focusing on the integration of science, mathematics, technology, and engineering instruction;

(b) Provide for a one-time, one-year extension to an applicant who does not meet the requirements of (a) of this subsection that requires the applicant to earn one hundred eighty approved professional development credits within six years following the year that the teacher first completes provisional status;

(c) Define a professional development credit to mean a credit earned by attending sixty minutes of approved professional development activity;

(d) Define a professional development activity to mean a method by which a teacher may earn a professional development credit, where:

(i) The activity is related to pedagogy, the teacher's endorsement area or an endorsement area the teacher wishes to add, professional responsibilities, mentoring, or working with families and the community, among other things;

(ii) The activity is not required by federal or state laws, or local school district policies, though the subject matter of the activity may be related to federal, state, or local requirements;

(iii) The activity is not related to first aid or athletics;

(iv) The teacher earns credit for attending, participating in, teaching, presenting, or preparing for the activity; and

(v) The teacher may be compensated for earning, but was not required to earn, the credit by the school district;

(e) Develop and implement a means to approve and track professional development credits earned for approved professional development activities;

(f) Develop a process for approving professional development activities and for approving providers of professional development activities. The board may choose to approve activities that are not offered by an approved provider; and

(g) Determine and adjust professional certification fees to defray the reasonable, necessary cost of administering this section.

(4)(a) The board shall allow an applicant to qualify for the professional teacher certificate by meeting performance standards on a uniform and externally administered professional-level certification assessment based on demonstrated teaching skill. In the development of this assessment, consideration must be given to changes in professional certification program components such as the culminating seminar.

(b) The board may permit exceptions from the assessment requirements in this subsection (4) on a case-by-case basis.

(c) The board shall provide for reasonable accommodations for individuals who are required to take the assessment required in this subsection (4) if the individuals have learning or other disabilities.

(d) With the exception of applicants exempt from this assessment requirement, an applicant must achieve a minimum assessment score or scores established by the board on the assessment.

(e) The board shall collaboratively select or develop and implement the assessment and minimum assessment score required with the superintendent of public instruction and shall provide opportunities for representatives of other interested educational organizations to participate in the selection or development and implementation of such assessments in a manner deemed appropriate by the board.

(f) The board and the superintendent of public instruction, as determined by the board, may contract for the development, purchase, administration, scoring, and reporting of scores of the assessments, related clerical and administrative activities, or any combination of these purposes.

(g) Applicants for professional certificates who are required to successfully complete the assessment required in this subsection (4) and who are charged a fee for the assessment by a third party contracted with under (f) of this subsection shall pay the fee charged by the contractor directly to the contractor. Such fees must be reasonably related to the actual costs of the contractor in providing the assessment.

(h) The award of a professional certificate under this subsection (4) must be based on a minimum of two years of successful teaching experience as defined by the board and on the results of the evaluation authorized under this subsection and may not require candidates to enroll in a professional certification program.

(5) The board shall allow an applicant to qualify for the professional teacher certificate by completing an assessment for national board for professional teaching standards and earning a national board certification.

**Sec.**  RCW 28A.410.210 and 2009 c 531 s 4 are each amended to read as follows:

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

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

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

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

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

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

(6) Specify the types and kinds of educator certificates to be issued and conditions for certification in accordance with subsection (1) of this section, sections 1 and 2 of this act, and RCW 28A.410.010;

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

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

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

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

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

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

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

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

**Sec.**  RCW 28A.410.220 and 2013 c 193 s 2 are each amended to read as follows:

(1)(a) Beginning not later than September 1, 2001, the Washington professional educator standards board shall make available and pilot a means of assessing an applicant's knowledge in the basic skills. For the purposes of this section, "basic skills" means the subjects of at least reading, writing, and mathematics. Beginning September 1, 2002, except as provided in (c) and (d) of this subsection and subsection ((~~(4)~~)) (3) of this section, passing this assessment shall be required for admission to approved teacher preparation programs and for persons from out-of-state applying for a Washington state residency teaching certificate.

(b) On an individual student basis, approved teacher preparation programs may admit into their programs a candidate who has not achieved the minimum basic skills assessment score established by the Washington professional educator standards board. Individuals so admitted may not receive residency certification without passing the basic skills assessment under this section.

(c) The Washington professional educator standards board may establish criteria to ensure that persons from out-of-state who are applying for residency certification and persons applying to master's degree level teacher preparation programs can demonstrate to the board's satisfaction that they have the requisite basic skills based upon having completed another basic skills assessment acceptable to the Washington professional educator standards board or by some other alternative approved by the Washington professional educator standards board.

(d) The Washington professional educator standards board may identify and accept other tests and test scores as long as the tests are comparable in rigor to the basic skills assessment and candidates meet or exceed the basic skills requirements established by the board. The board must set the acceptable score for admission to teacher certification programs at no lower than the average national scores for the SAT or ACT.

(2) ((~~The Washington professional educator standards board shall set performance standards and develop, pilot, and implement a uniform and externally administered professional-level certification assessment based on demonstrated teaching skill. In the development of this assessment, consideration shall be given to changes in professional certification program components such as the culminating seminar.~~

~~(3) Beginning not later than September 1, 2002,~~)) The Washington professional educator standards board shall provide for ((~~the initial piloting and implementation of~~)) a means of assessing an applicant's knowledge in the subjects for which the applicant has applied for an endorsement to his or her residency ((~~or professional~~)) teaching certificate. The assessment of subject knowledge shall not include instructional methodology. ((~~Beginning September 1, 2005,~~)) Passing this assessment ((~~shall be~~)) is required to receive an endorsement for certification purposes.

((~~(4)~~)) (3) The Washington professional educator standards board may permit exceptions from the assessment requirements under subsections (1)((~~,~~)) and (2)((~~, and (3)~~)) of this section on a case-by-case basis.

((~~(5)~~)) (4) The Washington professional educator standards board shall provide for reasonable accommodations for individuals who are required to take the assessments in subsection (1)((~~,~~)) or (2)((~~, or (3)~~)) of this section if the individuals have learning or other disabilities.

((~~(6)~~)) (5) With the exception of applicants exempt from the requirements of subsections (1)((~~,~~)) and (2)((~~, and (3)~~)) of this section, an applicant must achieve a minimum assessment score or scores established by the Washington professional educator standards board on each of the assessments under subsections (1)((~~,~~)) and (2)((~~, and (3)~~)) of this section.

((~~(7)~~)) (6) The Washington professional educator standards board and superintendent of public instruction, as determined by the Washington professional educator standards board, may contract with one or more third parties for:

(a) The development, purchase, administration, scoring, and reporting of scores of the assessments established by the Washington professional educator standards board under subsections (1)((~~,~~)) and (2)((~~, and (3)~~)) of this section;

(b) Related clerical and administrative activities; or

(c) Any combination of the purposes in this subsection.

((~~(8)~~)) (7) Applicants for admission to a Washington teacher preparation program and applicants for residency ((~~and professional~~)) certificates who are required to successfully complete one or more of the assessments under subsections (1)((~~,~~)) and (2)((~~, and (3)~~)) of this section, and who are charged a fee for the assessment by a third party contracted with under subsection ((~~(7)~~)) (6) of this section, shall pay the fee charged by the contractor directly to the contractor. Such fees shall be reasonably related to the actual costs of the contractor in providing the assessment.

((~~(9)~~)) (8) The superintendent of public instruction is responsible for supervision and providing support services to administer this section.

((~~(10)~~)) (9) The Washington professional educator standards board shall collaboratively select or develop and implement the assessments and minimum assessment scores required under this section with the superintendent of public instruction and shall provide opportunities for representatives of other interested educational organizations to participate in the selection or development and implementation of such assessments in a manner deemed appropriate by the Washington professional educator standards board.

((~~(11)~~)) (10) The Washington professional educator standards board shall adopt rules under chapter 34.05 RCW that are reasonably necessary for the effective and efficient implementation of this section.

**Sec.**  RCW 28A.410.250 and 2016 c 233 s 4 are each amended to read as follows:

The agency responsible for educator certification shall adopt rules for professional certification that:

(1) Provide maximum program choice for applicants, promote portability among programs, and promote maximum efficiency for applicants in attaining professional certification;

(2) Require professional certification no earlier than the fifth year following the year that the teacher first completes provisional status, with an automatic two-year extension upon enrollment;

(3) Meet the requirements described in section 2 of this act for professional certification for teachers and as described in section 1 of this act for administrators;

(4) Grant professional certification to any teacher who attains certification from the national board for professional teaching standards;

((~~(4)~~)) (5) Permit any teacher currently enrolled in or participating in a program leading to professional certification to continue the program under administrative rules in place when the teacher began the program;

((~~(5)~~)) (6) Provide criteria for the approval of educational service districts((~~, beginning no later than August 31, 2007,~~)) to offer programs leading to professional certification. The rules shall be written to encourage institutions of higher education and educational service districts to partner with local school districts or consortia of school districts, as appropriate, to provide instruction for ((~~teachers~~)) individuals seeking professional certification;

((~~(6)~~)) (7) Encourage institutions of higher education to offer professional certificate coursework as continuing education credit hours. This shall not prevent an institution of higher education from providing the option of including the professional certification requirements as part of a master's degree program;

((~~(7)~~)) (8) Provide criteria for a liaison relationship between approved programs and school districts in which applicants are employed;

((~~(8)~~)) (9) Identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience, including a method to determine the comparability of rigor between the Washington professional certification process and the advanced level teacher certification process of other states. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds: (a) A valid teaching certificate issued by the national board for professional teaching standards; or (b) an advanced level teacher certificate from another state that has been determined to be comparable to the Washington professional certificate; and

((~~(9)~~)) (10) Identify an evaluation process of approved programs that includes a review of the program coursework and applicant coursework load requirements, linkages of programs to individual teacher professional growth plans, linkages to school district and school improvement plans, and, to the extent possible, linkages to school district professional enrichment and growth programs for teachers, where such programs are in place in school districts. The agency shall provide a preliminary report on the evaluation process to the senate and house of representatives committees on education policy by November 1, 2005. The board shall identify:

(a) A process for awarding conditional approval of a program that shall include annual evaluations of the program until the program is awarded full approval;

(b) A less intensive evaluation cycle every three years once a program receives full approval unless the responsible agency has reason to intensify the evaluation;

(c) A method for investigating programs that have received numerous complaints from students enrolled in the program and from those recently completing the program;

(d) A method for investigating programs at the reasonable discretion of the agency; and

(e) A method for using, in the evaluation, both program completer satisfaction responses and data on the impact of educators who have obtained professional certification on student work and achievement.

**Sec.**  RCW 28A.410.270 and 2009 c 548 s 402 are each amended to read as follows:

(1)(a) ((~~By January 1, 2010,~~)) The professional educator standards board shall adopt a set of articulated teacher knowledge, skill, and performance standards for effective teaching that are evidence-based, measurable, meaningful, and documented in high quality research as being associated with improved student learning. The standards shall be calibrated for each level ((~~of certification and~~)) along the entire career continuum. In developing the standards, the board shall, to the extent possible, incorporate standards for cultural competency along the entire continuum. For the purposes of this subsection, "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.

(b) ((~~By January 1, 2010,~~)) The professional educator standards board shall adopt a definition of master teacher, with a comparable level of increased competency between professional certification level and master level as between professional certification level and national board certification. Within the definition established by the professional educator standards board, teachers certified through the national board for professional teaching standards shall be considered master teachers.

(2) ((~~By January 1, 2010, the professional educator standards board shall submit to the governor and the education and fiscal committees of the legislature:~~

~~(a) An update on the status of implementation of the professional certificate external and uniform assessment authorized in RCW 28A.410.210;~~

~~(b) A proposal for a uniform, statewide, valid, and reliable classroom-based means of evaluating teacher effectiveness as a culminating measure at the preservice level that is to be used during the student-teaching field experience. This assessment shall include multiple measures of teacher performance in classrooms, evidence of positive impact on student learning, and shall include review of artifacts, such as use of a variety of assessment and instructional strategies, and student work. The proposal shall establish a timeline for when the assessment will be required for successful completion of a Washington state-approved teacher preparation program. The timeline shall take into account the capacity of the K-12 education and higher education systems to accommodate the new assessment. The proposal and timeline shall also address how the assessment will be included in state-reported data on preparation program quality; and~~

~~(c) A recommendation on the length of time that a residency certificate issued to a teacher is valid and within what time period a teacher must meet the minimum level of performance for and receive a professional certificate in order to continue being certified as a teacher. In developing this recommendation, the professional educator standards board shall consult with interested stakeholders including the Washington education association, the Washington association of school administrators, association of Washington school principals, and the Washington state school directors' association and shall include with its recommendation a description of each stakeholder's comments on the recommendation.~~

~~(3) The update and proposal in subsection (2)(a) and (b) of this section shall include, at a minimum, descriptions of:~~

~~(a) Estimated costs and statutory authority needed for further development and implementation of these assessments;~~

~~(b) A common and standardized rubric for determining whether a teacher meets the minimum level of performance of the assessments; and~~

~~(c) Administration and management of the assessments.~~

~~(4) To the extent that funds are appropriated for this purpose and in accordance with the timeline established in subsection (2) of this section, recognizing the capacity limitations of the education systems, the professional educator standards board shall develop the system and process as established in subsections (1), (2), and (3) of this section throughout the remainder of the 2010-11 and 2011-12 school years.~~

~~(5) Beginning no earlier than September 1, 2011, award of a professional certificate shall be based on a minimum of two years of successful teaching experience as defined by the board and on the results of the evaluation authorized under RCW 28A.410.210(14) and under this section, and may not require candidates to enroll in a professional certification program.~~

~~(6) Beginning July 1, 2011,~~)) Educator preparation programs approved to offer the residency teaching certificate shall be required to demonstrate how the program produces effective teachers as evidenced by the measures established under this section and other criteria established by the professional educator standards board.

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

(1) The professional educator collaborative is established to review the integration of, and smooth the transitions between, educator certificates, and to make recommendations on how to improve and strengthen the pathways that lead to highly effective educators at each level of the public school system. The collaborative must look broadly at the issues surrounding educator recruitment, retention, professional learning, and evaluation for effectiveness, and must consider the incentives and supports that should be provided at each stage of an educator's career. The collaborative must also review certification requirements that are not consistent with, or are duplicative of, evaluation requirements. In addition, the collaborative must make recommendations on how to improve the reciprocity between Washington's educator certificates and the educator certificates of other states.

(2) The members of the collaborative must include representatives of the following organizations:

(a) The two largest caucuses of the senate and the house of representatives, appointed by the majority and minority leaders of the senate and the speaker of the house of representatives, respectively;

(b) The professional educator standards board;

(c) The office of the superintendent of public instruction;

(d) Professional educator standards board-approved educator preparation programs;

(e) The Washington state school directors' association;

(f) The Washington education association;

(g) The Washington association of school administrators;

(h) The association of Washington school principals; and

(i) Other educator associations.

(3) Staff support for the collaborative must be provided by the professional educator standards board.

(4) The collaborative must contract with a nonprofit, nonpartisan institute that conducts independent, high quality research to improve education policy and practice and that works with policymakers, researchers, educators, and others to advance evidence-based policies that support equitable learning for each child.

(5) Legislative members of the collaborative are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(6)(a) By November 1, 2019, and in compliance with RCW 43.01.036, the collaborative shall submit a preliminary report to the education committees of the legislature that describes the activities of the collaborative to date, and includes any preliminary recommendations agreed to by the collaborative.

(b) By November 1, 2020, and in compliance with RCW 43.01.036, the collaborative shall submit a final report to the education committees of the legislature that makes recommendations on how to improve and strengthen the pathways that lead to highly effective educators at each level of the public school system.

(7) This section expires August 31, 2021.

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