

HOUSE BILL REPORT

SSB 5802

As Reported by House Committee On:
Education

Title: An act relating to the professional educator standards board membership and duties.

Brief Description: Changing professional educator standards board provisions.

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

Brief History:

Committee Activity:

Education: 3/20/09, 3/25/09 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House)**

- Tasks the Professional Educator Standards Board (PESB) with developing, maintaining, and coordinating certain measures related to educator preparation programs.
- Reduces the number of governor-appointed members to the PESB from 20 to 12, alters the membership criteria, and removes the requirement of Senate confirmation.
- Increases the term of the PESB chair from one year to two years, subject to a term limit that is expanded from two consecutive years to four consecutive years.
- Allows the PESB to create informal advisory groups.
- Deletes statutory provisions which allow a right of appeal to the PESB following certificate revocation.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 13 members: Representatives Quall, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Member; Cox, Dammeier, Hunt, Johnson, Liias, Maxwell, Orwall, Santos and Sullivan.

Staff: Cece Clynch (786-7195)

Background:

Professional Educator Standards Board.

Created in 2000, the Professional Educator Standards Board (PESB) was initially created as an advisory board to the Governor, Legislature, the State Board of Education (SBE) and the Office of the Superintendent of Public Instruction (OSPI) on policy issues related to certificated education professionals. The PESB was also directed to create alternative routes to teacher certification and administer new basic skills and subject knowledge assessments for teacher certification. Subsequently, the PESB was given responsibility and authority for policy and oversight of Washington's system of educator preparation, certification, continuing education, and assignment. The PESB also serves as an advisory body to the OSPI on issues related to educator recruitment, hiring, mentoring and support, professional growth, retention, evaluation, and revocation and suspension of licensure.

The PESB consists of 20 governor-appointed members and the Superintendent of Public Instruction (Superintendent). Members are subject to confirmation by the Senate, serve four-year terms, and are prohibited from serving more than two consecutive full terms. The chair is appointed by the Governor to a one year term. No board member may serve as chair for more than two consecutive years.

Membership is prescribed as follows:

- seven public school teachers;
- one private school teacher;
- three representatives of higher education educator preparation programs;
- four school administrators;
- two educational staff associates;
- one classified staff who assists in public school student instruction;
- one parent; and
- one member of the public.

Certificate Revocation.

The Superintendent is the entity authorized to issue, suspend, and revoke certificates. A certificated person has a right to appeal such a decision to the Superintendent. The appeal procedure consists of two levels, one informal by a review officer appointed by the Superintendent, and the second a formal administrative hearing in conformance with the Administrative Procedure Act (APA). Either the Superintendent or an administrative law judge from the Office of Administrative Hearings presides over the formal hearing and issues the decision. From this decision, there is an additional appeal available to the PESB and the APA also provides for judicial review of such decisions.

Summary of Amended Bill:

Professional Educator Standards Board Responsibilities.

The PESB is specifically charged with:

- developing and maintaining a research base of educator preparation best practices;
- developing and coordinating initiatives for educator preparation in high-demand fields as well as outreach and recruitment initiatives for under-represented populations;
- providing program improvement technical assistance to educator preparation programs;
- assuring educator preparation program compliance; and
- preparing and maintaining a cohesive educator development policy framework.

Board Membership.

The number of governor-appointed members is reduced from 20 to 12. The Superintendent continues to serve on the PESB board, members continue to serve four-year terms, and the current term limits remain in place. The term of the chair is increased from one year to two years; no board member may serve as chair for more than four consecutive years.

A majority of the members must have classroom experience. The PESB board shall include individuals possessing experience of one or more of the following types:

- providing or leading a state-approved teacher or educator preparation program;
- mentoring and coaching education professionals or others; and
- education-related community experience.

In making appointments, the Governor must consider the individual's commitment to quality education and the ongoing improvement of instruction, experiences in the public schools, involvement in developing quality teaching preparation and support programs, and vision for assuring teaching quality. The Governor shall also consider the diversity of the population of the state. The requirement that the Senate confirm appointments to the PESB is removed.

The PESB is authorized to create informal advisory groups as needed to inform the board's work.

Certificate Revocation.

The additional appeal to the PESB from the OSPI's suspension or a revocation decision is deleted. Judicial review of the decision pursuant to the APA is still available.

Amended Bill Compared to Original Bill:

Specific direction with respect to how the reduction from 20 to 12 members is to be accomplished is removed. The reduction will still occur on August 1, 2009, but which members' terms will end on that date is not specified.

A majority of the PESB members must have classroom experience but it is not necessary that they be active, classroom-based practitioners.

Clarification is made to the membership criterion regarding a state-approved preparation program by specifying that this be a teacher or educator preparation program.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 2 regarding PESB membership, which takes effect August 1, 2009.

Staff Summary of Public Testimony:

(In support) The changes made in this bill will save some money. There are minor differences in language between the House and the Senate versions and the Senate is content with having the House make whatever changes are necessary to harmonize the two bills. This legislation has been requested by the Governor. The purpose is to clarify the responsibilities of the PESB and also to reduce the number of board members in order to be more efficient. It is important that there continues to be good representation on the board. The changes make sense. In the course of completing the budget process, provision should be made for transferring certification staff from the OSPI to the PESB. The language in the Senate version which indicates that a majority of the members shall be active, classroom based practitioners is preferred to the language in the House bill. The language in the House version which indicates that membership shall include individuals having experience providing or leading a state-approved teacher or educator preparation program is preferred over the Senate language in this regard.

(Opposed) None.

Persons Testifying: Senator Oemig, prime sponsor; Judy Hartmann, Governor's Policy Office; Jennifer Wallace, Professional Educator Standards Board; Lucinda Young, Washington Education Association; and Bob Cooper, Washington Association of Colleges for Teacher Education.

Persons Signed In To Testify But Not Testifying: None.