

FINAL BILL REPORT

E2SHB 1139

PARTIAL VETO C 295 L 19 Synopsis as Enacted

Brief Description: Expanding the current and future educator workforce supply.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Santos, Dolan, Callan, Pollet, Reeves and Bergquist).

House Committee on Education
House Committee on Appropriations
Senate Committee on Early Learning & K-12 Education
Senate Committee on Ways & Means

Background:

Teacher Recruitment Activities.

In 2016 the Office of the Superintendent of Public Instruction (OSPI), in partnership with educational service districts (ESDs) and school districts, was directed to develop and implement a comprehensive, statewide initiative to increase the number of qualified individuals who apply for teaching positions in Washington. Specifically, the OSPI was directed to implement a recruitment campaign and website, and to develop a web-based depository of teacher jobs and applications. As part of its initiative, the OSPI also provided funding to Central Washington ESDs to create and implement short- and long-term regional teacher recruitment initiatives.

Educator Preparation Programs.

The Professional Educator Standards Board (PESB) is a 12-member board that adopts rules and creates policies for the preparation and certification of educators. The PESB approves entities, including community colleges, universities, ESDs, and community-based organizations, to offer educator preparation programs. There are educator preparation programs for teachers, principals and other administrators, and educational staff associates.

Approved educator preparation programs may add an alternative route teacher certification program (Alternative Route Program), which is a nontraditional program that operates as a partnership between a teacher preparation program and one or more school districts.

Educator Shortage Areas.

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.

The PESB designates official shortage areas based on periodic analysis of educator supply and demand in Washington. An endorsement is the subject area in which a certified educator is authorized to teach, along with designated grade levels for that area. Endorsement shortage areas include special education, mathematics, and science. There are also subject area shortages specific to regions; these are identified as geographic shortage areas.

Recruiting Washington Teachers Program.

The Recruiting Washington Teachers (RWT) Program was established in 2007 to recruit and provide training and support for high school students to enter the teaching profession, especially in shortage areas. The program, administered by the PESB, consists of specified components, for example: targeted recruitment of diverse high school students; a curriculum that provides classroom observations and preteaching internships; certain academic and community support services; and future teacher camps held on college campuses.

Subject to state funding, the PESB must allocate grants to partnerships of high schools, teacher preparation programs, and community-based organizations for the design and delivery of RWT Programs.

Bilingual Educators Initiative.

The Bilingual Educator Initiative was established in 2017 as a long-term program to recruit, prepare, and mentor bilingual high school students to become future bilingual teachers and counselors. The program, administered by the PESB, consists of specified components, for example: outreach to middle school students; activities for grades 9 and 10 that build student agency, develop academic mind-sets and show the value and benefits of teaching and counseling; credit-bearing curricula in grades 11 and 12 that include mentoring, the practice of dual language instruction, and leadership; and postsecondary services such as advising, tutoring, and financial assistance. After obtaining a high school diploma, students qualify to receive conditional loans to cover the full cost of college tuition, fees, and books. In order to avoid loan repayment, students must: earn their baccalaureate degree and certification needed to serve as a teacher or professional guidance counselor; and teach or serve as a counselor in their educational service district region for at least five years.

Streamlining Licensure for Military Personnel.

In 2017 the PESB was directed to report to the Legislature with an assessment on how its certification programs apply training and experience acquired by military personnel and their spouses outside of Washington. In its report, the PESB described how the OSPI expedites educator certification applications for these individuals. In addition, the PESB described the provisions of a 2016 pledge signed by Governor Inslee, and Washington's current policy implementing the provisions, such as licensure reciprocity, temporary permits, and content and other assessment grade periods. One provision that Washington has not given consideration to is waiving or reducing certification fees below the \$74 fee required for entry-level certification.

Field Placement of Student Teachers.

Biennially, beginning July 1, 2018, each institution of higher education with an Alternative Route Program must collaborate with local school districts to develop a plan describing how the institution will partner with the local districts regarding field placement of resident student teachers.

In 2016 the Washington Student Achievement Council (WSAC) was authorized to administer a Student Teaching Residency Grant Program to provide additional funds to low-income persons completing residencies at Title I public schools in Washington. The Legislature funded this program for one year.

Teacher Endorsement and Certification Help Pilot Project.

In 2016 the Teacher Endorsement and Certification Help Pilot Project was created to provide grants to low-income persons taking basic skills and content tests for teacher certification in shortage areas. Beginning September 1, 2016, the WSAC was directed to begin awarding grants, but no funding was provided. Authorization for the project expires June 30, 2021.

Conditional Scholarship and Loan Repayment Programs for Educators.

A conditional scholarship (CS) is a loan that is forgiven, in whole or in part, in exchange for qualified service. There are five statutory CS Programs for educators: Future Teachers CS, Alternative Route CS, Educator Retooling CS, Pipeline for Paraeducators CS, and Teacher Shortage Conditional Grant. There is also a loan repayment program to repay, in whole or in part, the federal student loans of teachers who perform qualified service.

The PESB selects the participants for some programs, while the WSAC selects the participants for other programs. In general, for the CS Programs, one year of loan obligation is forgiven for every year a loan recipient teaches in a designated shortage area in a Washington kindergarten through grade 12 public school.

Tuition Waivers.

Tuition waivers provided by public institutions of higher education fall into one of three categories: state-supported, discretionary, and space available. When space is available in a course, public institutions may waive all or a portion of the tuition and services and activities fees for certain state and public school employees. To be eligible, teachers and other certificated instructional staff employed at public common and vocational schools must hold or seek a valid endorsement and assignment in a state-identified shortage area. Classified staff employed at public schools may only enroll in coursework relevant to their work assignment.

Beginning Educator Support Team Program.

The Beginning Educator Support Team (BEST) Program provides professional development and mentor support for beginning teachers, candidates in an Alternative Route Program, and teachers on probation. The BEST Program must include specified components, for example: mentorship, professional development, and a program evaluation that measures increased knowledge, skills, and positive impact on student learning for program participants.

Grant funding for the BEST Program is administered by the OSPI and is subject to state funding. The grant funds are provided on a competitive basis to individual school districts or consortia of districts. In allocating funds, the OSPI must give priority to districts with challenged schools in need of improvement and districts with a large influx of beginning classroom teachers.

Principal Internship Support Program.

The Principal Internship Support Program supports partial release time of up to 45 days for school district employees who are in a principal preparation program to complete an internship with a mentor principal. Interested employees must apply to their school district for participation in the program. School districts must identify a mentor principal for each applicant and agree to provide release time for selected applicants. Each ESD, with an advisory board, selects participants for the program from the list of applicant names submitted by its local school districts. If an ESD does not have enough qualified applicants to use all of its share of the program funds, the funds revert to the OSPI for redistribution to other ESDs that have unfunded qualified applicants.

Evaluation of Teachers and Principals.

Beginning in the 2015-16 school year, most classroom teachers and principals are evaluated using a "revised" four-level rating evaluation system with eight specified minimum criteria. The four levels are unsatisfactory, basic, proficient, and distinguished. Teachers and principals receive a performance rating for each criteria and an overall rating for the entire evaluation, called the comprehensive summative evaluation performance rating.

All classroom teachers and principals must be evaluated each year. Except in certain cases, every four years the evaluation must be comprehensive and use all eight criteria. In the intervening years, evaluations are focused, zeroing in on a specific evaluation criterion for professional development. Classroom teachers and principals may apply focused performance evaluation professional growth activities toward the professional growth plan for professional certificate renewal. Training on the evaluation systems is a requirement for renewal of continuing or professional level teacher and principal certificates.

A steering committee composed of teachers, principals, administrators, school board members, and parents examined implementation issues and refined tools used for the evaluation system through the 2015-16 implementation phase.

In 2017 the OSPI was required to report on school district use of evaluation results for classroom teachers and principals as one of multiple factors in making human resource and personnel decisions.

Postretirement Employment Options.

State law does not prohibit persons who retire from the Teachers' Retirement System (TRS) and the School Employees' Retirement System (SERS) in Plans 2 or 3 from returning to work, but it does limit when a retiree may work and continue receiving pension payments. In general, payments are suspended when a TRS or SERS retiree works more than 867 hours per year in a position included in the TRS, the SERS, or another state retirement plan. However, payments are suspended immediately if a TRS Plan 2 or 3 retiree who retired using the 2008 Early Retirement Factors (ERF) returns to work in any kind of position with a state retirement plan prior to age 65. Under the 2008 ERF, the TRS and the SERS Plan 2 and 3 members with 30 years of service may retire at age 62 with no reduction of benefits and at age 60 with a 5 percent reduction.

Reprimand of a Certificated Employee.

If a certificated employee violates the code of professional conduct, the school or district administration must report the violation to the state for investigation. The code of

professional conduct outlines the policies and procedures related to reprimand, suspension, and revocation actions for lack of good moral character or personal fitness, violation of written contract, unprofessional conduct, intemperance, or crime against the law of the state.

Summary:

Part I–Recruitment.

Regional Recruiters Pilot Program.

An educational service district (ESD) may employ a regional recruiter to, for example: serve as a liaison between local school districts, educator preparation programs, and agencies that may be helpful in educator recruitment efforts; provide outreach and support to community members who may be interested in becoming educators; and provide resources and technical assistance to local districts on best hiring processes and practices.

Subject to state funding, the Office of the Superintendent of Public Instruction (OSPI) must provide grants of up to \$100,000 to the three ESDs whose school districts have the least access to alternative route teacher certification programs (Alternative Route Programs). Beginning September 1, 2019, the ESDs receiving grants must employ a regional recruiter for two years. By December 1, 2021, the OSPI, in collaboration with the Washington Association of ESDs, must report to the Legislature with a summary of the recruitment activities of the ESD grant recipients in comparison to other ESDs, including relevant outcome data, and recommend whether the grant program should be modified, expanded to all ESDs, or discontinued.

Recruiting Washington Teachers Program and Bilingual Educators Initiative.

The Recruiting Washington Teachers (RWT) Program is broadened to encourage high school students to enter the field of education, rather than teaching in specific subjects. In addition to current components, the program must include instruction and support services related to post high-school success, for example: college success and workforce skills, financial education opportunities, and acclimating to a college campus. When determining grant recipients, the Professional Educator Standards Board (PESB) must prioritize partnerships that have a Running Start Program.

The PESB must conduct a periodic evaluation of the effectiveness of programs for recruiting educators and use the findings to revise the RWT Program and Bilingual Educators Initiative.

Subject Matter Experts in Alternative Route Programs.

The PESB's rules for an Alternative Route Program must prioritize program designs tailored to the needs of candidates with occupational industry experience relevant to the subject area they intend to teach.

Recruiting Military Personnel Work Group.

By December 1, 2019, the PESB must report to the Legislature with recommendations from a work group convened to examine issues around recruitment of military personnel and their spouses into educator positions, such as barriers to obtaining academic credit for prior learning and financial need. The work group must include representatives from the OSPI, the Washington State Department of Veterans Affairs and Military Department, United States

Department of Defense, educator preparation programs, educator associations, and a superintendent from a district near a military installation.

Educational Service District Alternative Route Teacher Certification Pilot Program.

Subject to state funding, the PESB must distribute grants to an ESD that volunteers to pilot an Alternative Route Program for the purpose of providing financial assistance to teacher candidates enrolled in the program with the intent to pursue an initial teacher certificate. The PESB must provide a grant sufficient to provide \$5,000 of financial assistance to 20 teacher candidates in the 2019-20 school year and to 30 teacher candidates in the 2020-21 school year.

In piloting the program, the ESD must perform specified activities, for example: use experts to develop the program, provide support through the first three years of a teacher's career using the Beginning Educator Support Team (BEST) Program, and help school staff and community members become teachers.

By November 1, 2024, the volunteer ESD must report to the PESB with the outcomes of the pilot and any recommendations for implementing Alternative Route Programs in other ESDs. The report must include specific information, for example: the number of teacher candidates applying for and completing the program, and feedback from local teachers. By December 1, 2024, the PESB must submit the ESD's report to the Legislature with recommendations for whether the pilot program should be expanded, modified, or terminated.

Part II—Financial Incentives, Assistance, and Supports.

Field Placement of Student Teachers.

All teacher preparation programs, not just Alternative Route Programs, must develop field placement plans for student teachers. Certain goals related to targeting high-need subject and geographic areas, and using highly effective mentors must be considered during plan development. The plans must be submitted to the PESB and posted on its website. By December 1, 2019, the Washington Student Achievement Council (WSAC), in cooperation with stakeholders, must report to the Legislature with policy recommendations to encourage or require teacher preparation programs to develop relationships with, and provide supervisory support for, field placements of student teachers in nonlocal school districts.

Eligibility for the Student Teaching Residency Grants is narrowed to student teachers at Title I public common schools, rather than all Title I public schools. Beginning December 1, 2020, the WSAC must report biennially to the Legislature with the specified application and outcome data, and recommendations for modifying the grant program. The Education Research and Data Center must collaborate with the WSAC to provide any data needed for the report.

Remote Supervision Technology.

Subject to state funding, Central Washington University (CWU) must acquire the necessary audiovisual technology and equipment for university faculty to remotely supervise student teachers in 10 schools. Selected schools must be rural, public schools that are unable to have student teachers from CWU's teacher preparation program due to geographic location.

Principal Internship Support Program.

The ESD role in Principal Internship Program applicant selection and funds distribution is eliminated. The requirement that school districts identify a mentor principal for each applicant and agree to provide release time for the applicant is removed.

Teacher Endorsement and Certification Help Program.

The Teacher Endorsement and Certification Help Program Pilot Project is converted to a permanent program, with implementation and reporting dates extended. Rather than requiring a preliminary and final report, program data must be reported to the Legislature biennially, beginning December 1, 2020.

Educator Conditional Scholarship and Loan Repayment Programs.

The chapter of the Higher Education Code entitled the Future Teachers Conditional Scholarship (CS) and Loan Repayment Program is modified and restructured to apply to all educators, and renamed the Educators CS and Loan Repayment Program. The WSAC is the administrator of the programs.

Alternative Route and Educator Retooling Conditional Scholarship Programs. These programs are moved from the Alternative Routes chapter of the school code to this chapter. Qualifications for the Alternative Route CS Program remain the same. The Educator Retooling CS Program is made available to persons who hold a current Washington teacher certificate or an expired Washington teacher certificate issued after 2005, rather than persons with current teacher certificates in specific areas. Participants are eligible for this CS for up to two academic years, rather than being required to obtain an endorsement in two years or less.

Pipeline for Paraeducators. The Pipeline for Paraeducators CS Program is made available to paraeducators without a college degree: who have one, rather than three, years of successful student interaction and leadership or those who have completed two years of an RWT Program; and who have an intention to enroll in any PESB-approved teacher preparation program (not just an Alternative Route Program). Paraeducators have up to four academic years, rather than two years or less, to complete an associate of arts degree at a community or technical college. The WSAC must prioritize applicants in the following order: first to applicants recruited and supported by their school districts to become teachers; second, to applicants who completed two years of a RWT Program; and third to applicants intending to complete an associate of arts degree in two academic years or less.

Teacher Shortage Conditional Grant Program. This program is renamed the Teacher Shortage CS Program. To qualify for the program an applicant must be accepted into, and maintain enrollment in, a teacher preparation program leading to an initial teacher certificate and intend to pursue an initial teacher certificate with an endorsement in a shortage area.

The term "shortage area" means an endorsement or geographic area as defined by the PESB, in consultation with the OSPI, with a shortage of certificated employees. The shortage areas must be defined biennially using quantitative and qualitative measures.

Participants are eligible to receive this CS for up to four academic years. Statutory direction to the WSAC to consider specific elements when developing the framework for the program is removed.

Career and Technical Education Conditional Scholarship Program. A program is created to encourage persons to become Career and Technical Education (CTE) teachers by providing financial aid for obtaining the necessary certificates and endorsements. To qualify for the program, an applicant must be accepted into, and maintain enrollment in, a teacher preparation program and be pursuing the necessary certificates and endorsements to teach CTE courses. The WSAC must give priority to applicants who: possess a professional license and occupational industry experience applicable to the CTE endorsement being pursued; or are accepted into an Alternative Route Program. Participants are eligible to receive a CTE CS for up to two academic years.

Federal Student Loan Repayment. This program is limited to certificated teachers who: (1) hold an endorsement in the content area in which they are assigned to teach; and (2) serve in a shortage area in a common school. In addition, it is specified that the WSAC may not reimburse participants for loan repayments made before the participant became part of the program.

Candidate Eligibility. The WSAC, in consultation with the PESB, must determine candidate eligibility requirements for educator CS and loan repayment programs. Candidate eligibility must be based in part upon whether the candidate plans to teach in a shortage area.

The PESB must also consider the relative degree of shortages when determining candidate eligibility and any specific requirements for the programs. The PESB may add or remove endorsements from eligibility requirements based upon the determination of geographic, demographic, or subject matter shortages. If an endorsement in a geographic, demographic, or subject matter shortage no longer qualifies for a CS or loan repayment program, participants and candidates who have received scholarships and meet all other eligibility requirements are eligible to continue to receive CSs or loan repayments until they no longer meet eligibility requirements or until their service obligation has been completed.

For eligibility for Alternative Route CSs, the WSAC in consultation with the PESB, must consider candidates who have been accepted into an awarded Alternative Route Partnership Grant Program and who have declared an intention to teach upon completion of an Alternative Route Teacher Certification Program.

Awards. The WSAC is required to maximize the impact of the CS and loan repayments awarded in light of shortage areas, and in response to the trending financial needs of the applicant pool. The maximum award is \$8,000 per academic year for each program; however, beginning in the 2020-21 academic year, the WSAC may adjust the maximum award by the average rate of resident undergraduate tuition and fee increases at the state universities.

The WSAC may adjust the number, and amounts, of the CS and loan repayments made each year. In addition, the award of a CS may not result in reduction of a participant's federal or

other state financial aid. Uses of a CS award include the cost of attendance as determined by the WSAC, for example, tuition, room, board, and books.

A CS awarded under these provisions is forgiven when the participant fulfills the terms of his or her service obligation. The WSAC must develop the service obligation terms for each CS program, including that participants must either:

- serve as a certificated employee in a common school for two full-time school years for each year of CS received; or
- serve as a certificated employee in a shortage area in a common school for one full-time school year for each year of CS received.

Repayment. Participants who do not fulfill their service obligation incur an obligation to repay the CS award, with interest and other fees. The WSAC must develop repayment terms for each CS program, including interest rate, other fees, minimum payment, and maximum repayment period.

The WSAC must establish a process for forgiveness, deferment, or forbearance for participants who fail to complete their service obligation due to circumstances beyond their control.

Report. Beginning November 1, 2020, and by November 1 each even year thereafter, the WSAC must submit a report to the Legislature recommending whether the Educator CS and Loan Repayment Programs should be continued, modified, or terminated. The report must include information about the number of applicants for, and participants in, each program, and should be disaggregated. The report must include information about participant deferments and repayment, and moneys received by and disbursed from the associated account.

Other. It is specified that nothing in these provisions modifies or otherwise affects related CS or loan repayment agreements in existence before the new provisions go into effect. Technical changes are made, for example: removing or repealing redundant provisions, and changing terms for consistency.

Space Available Tuition Waivers.

The space available tuition waivers are made available to: (1) all teachers and other certificated instructional staff at public common and vocational schools, rather than only those holding or seeking a valid endorsement and assignment in a shortage area; and (2) classified staff employed at public common schools, rather than kindergarten through grade 12 public schools, when used for coursework that is part of a teacher preparation program, in addition to coursework relevant to the work assignment.

Institutions of higher education must report annually to the WSAC with data on these waivers compared to other tuition and fee waivers awarded by the institutions.

Teacher Preparation Program Enrollments in High-need Subjects and Locations.

Through the operating budget, the Legislature intends to prioritize the expansion of teacher preparation program enrollments in high-need subjects and high-need locations, taking into

consideration the community and technical colleges' capacity to contribute to teacher preparation.

Part III–Retention Strategies.

Beginning Educator Support Team Program.

The BEST Program is expanded to beginning principals and beginning educational staff associates. Changes are made to mentor eligibility requirements, for example, a mentor must be selected using mentor standards developed by the OSPI and must be participating in ongoing mentor skills professional development.

State-tribal compact schools are made eligible for BEST Program grants. When allocating funds for the BEST Program, the OSPI must also prioritize school districts that demonstrate an understanding of the research-based standards for beginning educator induction developed by the OSPI. The description of another set of priority schools and districts is modified to use terminology that is consistent with federal law.

Additional components are added to the BEST Program, for example: an appropriate assignment, written feedback, support in understanding and participating in the evaluation processes, and adherence to research-based standards. The required program evaluation is no longer required to be done using a standard tool, instead it must identify program strengths and gaps using the induction standards, retention of beginning educators, and positive impact on student growth.

Evaluation of Teachers and Principals.

Except for those who require it annually, the required comprehensive performance evaluation frequency for classroom teachers and principals is reduced, from every four years, to every six years. Classroom teachers and principals may apply focused performance evaluation professional growth activities toward a professional growth plan for any level of teacher or principal certificate renewal, not just for professional certificate renewal. Training on the evaluation system is no longer required as a condition for renewal of a continuing or professional certificate.

The steering committee must include professional learning that addresses issues of equity through the lens of the selected instrumental and leadership frameworks when examining implementation and refining tools. The steering committee's work is extended indefinitely.

The OSPI must report on school district use of evaluation results for classroom teachers and principals as one of multiple factors in making human resource and personnel decisions by December 1, 2019, and December 1, 2020.

Nonsubstantive and technical changes are made, for example: the term "revised evaluation system" is replaced with the term "four-level rating evaluation system;" and language related to the "revised" evaluation implementation schedule, pilots, and related reports is removed.

Microcredentials.

By October 31, 2019, the PESB must report to the Legislature on the results of the three microcredential pilot grant programs the PESB conducted during the 2018-19 academic

year. The report must also include recommendations for continuing, modifying, or expanding the use of microcredentials.

The PESB is prohibited from expanding the use of microcredentials beyond the microcredential pilot grant programs unless and until the Legislature directs the board to do so.

Postretirement Employment Options.

Educators that are members of the Teachers' Retirement System (TRS) Plans 2 or 3 that retired under the 2008 Early Retirement Factors are permitted to return to work before age 65 in any nonadministrative position, not just in substitute teaching and instructional positions, and work for up to 867 hours per year without suspension of pension benefits. The ending date on the current provisions of August 1, 2020, as well as the separate section expiring the section of law, are removed, making the section effective indefinitely. A provision similar to the TRS provision is created for School Employees' Retirement System, which is for classified school employees.

Educator Discipline.

The OSPI and the PESB must jointly report to the Legislature by December 1, 2020, regarding the effect that discipline issued against professional educator certificates has on recruitment and retention of educators. The report must include: a comparison of the laws governing educator certificate discipline to the uniform disciplinary act; recommendations regarding alternative forms of discipline that may be imposed on certificates of professional educators, including probation, the payment of a fine, and corrective action; recommendations regarding the improvement of the administration of professional educator certificate discipline in Washington; and a recommendation regarding whether the PESB should be authorized to establish a process for review and expungement of reprimands issued against educator certifications.

School district employment applications may not include a question asking whether the applicant has ever been placed on administrative leave.

Part IV—Strengthening and Supporting Professional Pathways for Educators.

The Professional Educator Collaborative (Collaborative) is established to make recommendations on how to improve and strengthen state policies, programs, and pathways that lead to highly effective educators at each level of the public school system.

The Collaborative must examine issues related to educator recruitment, certification, retention, professional learning and development, leadership, and evaluation for effectiveness. The Collaborative must consider what incentives and supports could be provided at each stage of an educator's career to produce a more effective educational system. The Collaborative is directed to review eight specific issues.

The members of the Collaborative must include representatives of the Legislature, education agencies, educator preparation programs, and educator associations. Staff support must be provided by the PESB, and other state agencies if requested. The Collaborative is required to

contract with a nonprofit, nonpartisan institute that meets certain requirements, for example, conducting independent, high quality research to improve education policy and practice.

By November 1, 2020, the Collaborative must submit a preliminary report to the Legislature that makes recommendations on specific educator certificate types, tiers, and renewal issues. By November 1, 2021, the Collaborative must submit a final report to the Legislature that makes recommendations on each of the eight issues.

Votes on Final Passage:

House	93	2	
Senate	26	22	(Senate amended)
House	98	0	(House concurred)

Effective: May 8, 2019

Partial Veto Summary: The section related to the Educator Conditional Scholarship and Loan Repayment Programs candidate eligibility requirements is vetoed.