

1 (2) "Educator" means all certificated employees of a school
2 district in this state, including (a) administrators which includes but
3 is not limited to superintendents, principals, and vice-principals; (b)
4 teachers; and (c) educational staff associates.

5 (3) "Certificate" means the license issued by the superintendent of
6 public instruction to teachers, administrators, and educational staff
7 associates who have met the certification requirements established by
8 the state board of education.

9 (4) "Member" means a member of the Washington state educator
10 disciplinary board.

11 NEW SECTION. **Sec. 102.** The following conduct, acts, or
12 conditions constitute unprofessional conduct for any educator under the
13 jurisdiction of sections 101 through 121 of this act:

14 (1) The commission of any act involving moral turpitude,
15 dishonesty, or corruption whether or not the act constitutes a crime.
16 If the act constitutes a crime, conviction in a criminal proceeding is
17 not a condition precedent to disciplinary action. Upon such a
18 conviction, however, the judgment and sentence is conclusive evidence
19 at the ensuing disciplinary hearing of the guilt of the educator of the
20 crime. For the purposes of this subsection, conviction includes all
21 instances in which a plea of guilty or nolo contendere is the basis for
22 the conviction and all proceedings in which the sentence has been
23 deferred or suspended. Nothing in this subsection abrogates rights
24 guaranteed under chapter 9.96A RCW;

25 (2) Conviction of any felony crime involving the physical neglect
26 of a child under chapter 9A.42 RCW, the physical injury or death of a
27 child under chapter 9A.32 or 9A.36 RCW (excepting motor vehicle
28 violations under chapter 46.61 RCW), sexual exploitation of a child
29 under chapter 9.68A RCW, sexual offenses under chapter 9A.44 RCW where

1 a minor is the victim, promoting prostitution of a minor under chapter
2 9A.88 RCW, the sale or purchase of a minor child under RCW 9A.64.030,
3 or the violation of similar laws of another jurisdiction. For the
4 purposes of this subsection, conviction includes all instances in which
5 a plea of guilty or nolo contendere is the basis for conviction and all
6 proceedings in which the sentence has been deferred or suspended.
7 Nothing in this subsection abrogates rights guaranteed under chapter
8 9.96A RCW;

9 (3) For the conviction of any other gross misdemeanor or felony
10 crime relating to the practice of the educational profession. For the
11 purposes of this subsection, conviction includes all instances in which
12 a plea of guilty or nolo contendere is the basis for conviction and all
13 proceedings in which the sentence has been deferred or suspended.
14 Nothing in this subsection abrogates the rights guaranteed under
15 chapter 9.96A RCW;

16 (4) Violation of any state or federal statute or administrative
17 rule regulating the education profession;

18 (5) Incompetence, negligence, or malpractice;

19 (6) Violation of written contract;

20 (7) Current misuse of:

21 (a) Alcohol;

22 (b) Controlled substances; or

23 (c) Legend drugs;

24 (8) Misrepresentation or concealment of a material fact in
25 obtaining a certificate or in reinstatement of the certificate;

26 (9) Suspension, revocation, or restriction of the educator's
27 certificate by a competent authority in any state, federal, or foreign
28 jurisdiction, a certified copy of the order, stipulation, or agreement
29 being conclusive evidence of the revocation, suspension, or
30 restriction;

1 (10) Failure to cooperate with the board by:

2 (a) Not furnishing any papers or document;

3 (b) Not furnishing in writing a full and complete explanation
4 covering the matter contained in the complaint filed with the board;

5 (c) Not responding to subpoenas issued by the board, whether or not
6 the recipient of the subpoena is the accused in the proceeding;

7 (11) Failure to comply with an order issued by the board or an
8 assurance of discontinuance entered into with the board; or

9 (12) Interference with an investigation or disciplinary proceeding
10 by willful misrepresentation of facts before the board or by the use of
11 threats or harassment against any witness to prevent the witness from
12 providing evidence in a disciplinary proceeding or any other legal
13 action.

14 NEW SECTION. **Sec. 103.** A pilot project creating the Washington
15 state educator disciplinary board is established. The members of the
16 board shall select two first class school districts and one second
17 class school district to participate in the pilot project. The
18 jurisdiction of the board is limited to the selected school districts.
19 The board may meet, function, and exercise its powers at any
20 geographical location within each of those three school districts.

21 NEW SECTION. **Sec. 104.** The Washington state educator
22 disciplinary board is created. The board shall be composed of seven
23 members. Each member shall be a resident of this state and at least
24 three of the members shall reside east of the summit of the Cascade
25 range. Six of the members shall be actively engaged in the education
26 profession and shall have held a teaching certificate for a period of
27 five years or more before appointment to the board. Four of the six
28 members representing the education profession shall be teachers and the

1 other two members shall be administrators. The final board member
2 shall be a citizen at-large who is not engaged in the education
3 profession.

4 The attorney general shall be counsel to the board and shall
5 represent it in all legal proceedings.

6 NEW SECTION. **Sec. 105.** The board may:

7 (1) Adopt, amend, and rescind such rules as are deemed necessary to
8 carry out sections 101 through 121 of this act;

9 (2) Investigate all complaints or reports of unprofessional conduct
10 as provided for in sections 101 through 121 of this act and to hold
11 hearings as provided for in sections 101 through 121 of this act;

12 (3) Issue subpoenas and administer oaths in connection with any
13 investigation, hearing, or proceeding held under sections 101 through
14 121 of this act;

15 (4) Take or cause depositions to be taken and use other discovery
16 procedures as needed in any investigation, hearing, or proceeding held
17 under sections 101 through 121 of this act;

18 (5) Compel attendance of witnesses at hearings;

19 (6) Take emergency action ordering summary suspension of a
20 certificate, or restriction or limitation of the educator's certificate
21 pending proceedings by the board;

22 (7) Enter into contracts for professional services determined to be
23 necessary for adequate enforcement of sections 101 through 121 of this
24 act;

25 (8) Contract with educators or other persons or organizations to
26 provide services necessary for the monitoring and supervision of
27 educators who are placed on probation, whose professional activities
28 are restricted, or who are for any authorized purpose subject to
29 monitoring by the board;

1 (9) Adopt standards of professional conduct or practice;

2 (10) In the event of a finding of unprofessional conduct by an
3 educator, impose any sanction against an educator as provided for in
4 sections 101 through 121 of this act;

5 (11) Enter into an assurance of discontinuance in lieu of issuing
6 a statement of charges or conducting a hearing. The assurance shall
7 consist of a statement of the conduct in question and an agreement to
8 discontinue that conduct. The educator shall not be required to admit
9 to any violation of the law, nor shall the assurance be construed as
10 such an admission. Violation of an assurance under this subsection is
11 grounds for disciplinary action; and

12 (12) Designate individuals authorized to sign subpoenas and
13 statements of charges.

14 NEW SECTION. **Sec. 106.** Any superintendent or principal, or a
15 school site council formally established and authorized by statute, may
16 submit a written complaint to the board charging an educator with
17 unprofessional conduct and specifying the grounds of the unprofessional
18 conduct. If the board determines that the complaint merits
19 investigation, or if the board has reason to believe, without a formal
20 complaint, that an educator may have engaged in unprofessional conduct,
21 the board shall investigate to determine whether there has been
22 unprofessional conduct. A person who files a complaint under this
23 section in good faith is immune from suit in any civil action relating
24 to the filing or contents of the complaint.

25 NEW SECTION. **Sec. 107.** (1) If the board determines, upon
26 investigation, that there is reason to believe that an educator has
27 engaged in unprofessional conduct, a statement of charge or charges
28 shall be prepared and served upon the educator at the earliest

1 practical time. The statement of charge or charges shall be
2 accompanied by a notice that the educator may request a hearing to
3 contest the charge or charges. The educator shall file a request for
4 hearing with the board within twenty days after being served the
5 statement of charges. The failure to request a hearing constitutes a
6 default, whereupon the board may enter a decision on the basis of the
7 facts available to it.

8 (2) If a hearing is requested, the time of the hearing shall be
9 fixed by the board as soon as convenient, but the hearing shall not be
10 held earlier than thirty days after service of the charges upon the
11 educator. A notice of hearing shall be issued at least twenty days
12 before the hearing, specifying the time, date, and place of the
13 hearing. The notice shall also notify the educator that a record of
14 the proceeding will be kept, that he or she will have the opportunity
15 to appear personally and to have counsel present, with the right to
16 produce witnesses, who will be subject to cross-examination, and
17 evidence in his or her own behalf, to cross-examine witnesses
18 testifying against him or her, to examine such documentary evidence as
19 may be produced against him or her, to conduct depositions, and to have
20 subpoenas issued by the board.

21 NEW SECTION. **Sec. 108.** The procedures governing adjudicative
22 proceedings before agencies under chapter 34.05 RCW, the administrative
23 procedure act, govern all hearings before the board. The board has the
24 powers and duties under chapter 34.05 RCW, which include, without
25 limitation, all powers relating to the administration of oaths, the
26 receipt of evidence, the issuance and enforcing of subpoenas, and the
27 taking of depositions.

1 NEW SECTION. **Sec. 109.** In the event of a finding of
2 unprofessional conduct, the board shall prepare and serve findings of
3 fact and an order as provided in chapter 34.05 RCW, the administrative
4 procedure act. If the educator is found to have not committed
5 unprofessional conduct, the board shall prepare and serve findings of
6 fact and order of dismissal of the charges, including public
7 exoneration of the educator. The findings of fact and order shall be
8 retained by the board as a permanent record.

9 NEW SECTION. **Sec. 110.** An order pursuant to proceedings
10 authorized by sections 101 through 121 of this act, after due notice
11 and findings in accordance with sections 101 through 121 of this act
12 and chapter 34.05 RCW, or an order of summary suspension entered under
13 sections 101 through 121 of this act, shall take effect immediately
14 upon its being served. The order, if appealed to the court, shall not
15 be stayed pending the appeal unless the board or court to which the
16 appeal is taken enters an order staying the order of the board, which
17 stay shall provide for terms necessary to protect the public.

18 NEW SECTION. **Sec. 111.** An individual who has been disciplined
19 under section 113 of this act may appeal the decision as provided in
20 chapter 34.05 RCW.

21 NEW SECTION. **Sec. 112.** A person whose certificate has been
22 suspended or revoked under section 113 of this act may petition the
23 board for reinstatement after an interval as determined by the board in
24 the order. The board shall hold hearings on the petition and may deny
25 the petition or may order reinstatement and impose terms and conditions
26 as provided for in section 113 of this act and issue an order of
27 reinstatement.

1 NEW SECTION. **Sec. 113.** (1) Upon a finding that an educator has
2 committed unprofessional conduct, the board may issue an order
3 providing for one or any combination of the following:

4 (a) Revocation of the certificate;

5 (b) Suspension of the certificate for a fixed or indefinite term;

6 (c) Restriction or limitation of educational practice;

7 (d) Requiring the satisfactory completion of a specific program of
8 remedial education or treatment;

9 (e) The monitoring of the educator's work performance by a
10 supervisor approved by the board;

11 (f) Censure or reprimand; or

12 (g) Compliance with conditions of probation for a designated period
13 of time;

14 (2) An educator's certificate shall be revoked by the board by the
15 conviction of any felony crime described in section 102(2) of this act.
16 A certificate revoked under this subsection may not be reinstated.

17 NEW SECTION. **Sec. 114.** (1) In lieu of disciplinary action under
18 section 113 of this act and if the board determines that the
19 unprofessional conduct may be the result of substance abuse, the board
20 may refer the educator to a voluntary substance abuse monitoring
21 program approved by the board. The cost of the treatment shall be the
22 responsibility of the educator, but the responsibility does not
23 preclude payment by an employer, existing insurance coverage, or other
24 sources. Primary alcoholism or drug treatment shall be provided by
25 approved treatment program under RCW 70.96A.020(3). The board is not
26 prohibited from approving additional services and programs as an
27 adjunct to primary alcoholism or drug treatment. Referral to a
28 voluntary substance abuse monitoring program may also include
29 probationary conditions for a designated period of time. If the

1 educator does not consent to be referred to the program or does not
2 successfully complete the program, the board may take appropriate
3 action under section 113 of this act.

4 (2) The educator shall sign a waiver allowing the program to
5 release information to the board if the educator does not comply with
6 the requirements of this section or is unable to work as an educator
7 with reasonable skill or safety. The substance abuse program shall
8 report to the board any educator who fails to comply with the
9 requirements of this section or the program or who, in the opinion of
10 the program, is unable to work as an educator with reasonable skill or
11 safety. Educators shall report to the board if they fail to comply
12 with this section or do not complete the program's requirements.
13 Educators may, upon the agreement of the program and the board, reenter
14 the program if they have previously failed to comply with this section.

15 (3) The treatment and pretreatment records of educators referred to
16 in approved programs shall be confidential, shall be exempt from RCW
17 42.17.250 through 42.17.450, and shall not be subject to discovery by
18 subpoena or admissible as evidence except for monitoring records
19 reported to the board for cause as defined in subsection (2) of this
20 section. Monitoring records relating to educators referred to the
21 program by the board or relating to educators reported to the board for
22 cause shall be released to the board at the request of the board.
23 Records held by the board under this section shall be exempt from RCW
24 42.17.250 through 42.17.450 and shall not be subject to discovery by
25 subpoena except by the educator.

26 (4) "Substance abuse," as used in this section, means the
27 impairment, as determined by the board, of an educator's professional
28 services by an addiction to, a dependency on, or the use of alcohol,
29 legend drugs, or controlled substances.

1 (5) This section does not affect an employer's right or ability to
2 make employment-related decisions regarding an educator. This section
3 does not restrict the authority of the board to take disciplinary
4 action for any other unprofessional conduct.

5 (6) A person, who, in good faith, reports information or takes
6 action in connection with this section is immune from civil liability
7 for reporting information or taking the action.

8 (a) The immunity from civil liability provided by this section
9 shall be liberally construed to accomplish the purposes of this section
10 and the persons entitled to immunity shall include:

11 (i) The treatment facility;

12 (ii) The professional association operating the program;

13 (iii) Members, employees, or agents of the program or association;

14 (iv) Persons reporting an educator as being impaired or providing
15 information about the educator's impairment; and

16 (v) Professionals supervising or monitoring the course of the
17 educator's treatment or rehabilitation.

18 (b) The immunity provided in this section is in addition to any
19 other immunity provided by law.

20 NEW SECTION. **Sec. 115.** Members of the board shall be appointed
21 by the governor and shall hold office until their successors are
22 appointed and qualified. The members of the first board shall serve
23 for the following terms: Two members for two years, two members for
24 four years, and one member for six years. The citizen at-large member
25 shall serve the initial six-year term. Thereafter members of the board
26 shall be appointed to terms of six years. The terms of office of
27 members shall commence October 1st.

1 NEW SECTION. **Sec. 116.** Vacancies on the board shall be filled
2 by the governor. A member appointed to fill a vacancy on the board
3 shall serve for the balance of the unexpired term of the position to
4 which the member was appointed and until the successor is appointed and
5 takes office.

6 NEW SECTION. **Sec. 117.** Any member of the board may be removed
7 by the governor for neglect of duty, misconduct, or malfeasance or
8 misfeasance in office. If the governor is satisfied that any member of
9 the board has been guilty of neglect of duty, misconduct, or
10 malfeasance or misfeasance in office, the governor shall file with the
11 secretary of state a statement showing the governor's reasons, with the
12 order or removal, and the secretary of state shall forthwith send a
13 certified copy of such order of removal and statement of causes by
14 registered mail to the last known post office address of the member in
15 question.

16 NEW SECTION. **Sec. 118.** Members of the board shall be
17 compensated in accordance with RCW 43.03.240 and shall be reimbursed
18 for travel expenses as provided in RCW 43.03.050 and 43.03.060 while
19 engaged in business of the board.

20 NEW SECTION. **Sec. 119.** The board shall elect from its members
21 a chair, vice-chair, and secretary, who shall serve for one year and
22 until their successors are elected and qualified. The board shall meet
23 at least once a year or upon the call of the chair at such times and
24 places as the chair shall designate. Four members shall constitute a
25 quorum to transact business.

1 NEW SECTION. **Sec. 120.** No member, employee, staff person, or
2 investigator of the educator disciplinary board may be liable in a
3 civil action as a result of acts or omissions made in good faith on
4 behalf of the board. No member, employee, staff person, or
5 investigator of the board or employer may be liable for good faith acts
6 or omissions made in full or partial reliance on recommendations or
7 decisions of the board.

8 NEW SECTION. **Sec. 121.** Any person, who, in good faith, files
9 charges or presents evidence against an educator based on the claimed
10 incompetency or gross misconduct of the educator before the board shall
11 be immune from civil action for damages arising from such activities.
12 The proceedings, reports, and written records of the board, or of a
13 member, employee, staff person, or investigator of the board, are
14 confidential and shall not be subject to subpoena or discovery
15 proceedings in any civil action, except actions arising from the
16 recommendations of the board involving the restriction or revocation of
17 a teaching certificate.

18 NEW SECTION. **Sec. 122.** A new section is added to chapter 42.17
19 RCW to read as follows:

20 The treatment and pretreatment records of educators referred to
21 approved treatment programs under sections 101 through 121 of this act
22 are exempt from the provisions of RCW 42.17.250 through 42.17.450.

23 NEW SECTION. **Sec. 123.** Sections 101 through 121 of this act are
24 each added to chapter 28A.410 RCW.

25 **Sec. 124.** RCW 28A.410.090 and 1990 c 33 s 408 are each amended to
26 read as follows:

1 (1) Except as provided in sections 101 through 121 of this 1991
2 act, any certificate or permit authorized under the provisions of this
3 chapter, chapter 28A.405 RCW, or rules and regulations promulgated
4 thereunder may be revoked or suspended by the authority authorized to
5 grant the same upon complaint of any school district superintendent or
6 educational service district superintendent for immorality, violation
7 of written contract, unprofessional conduct, intemperance, or crime
8 against the law of the state.

9 (2) Except as provided in sections 101 through 121 of this 1991
10 act, any such certificate or permit authorized under this chapter or
11 chapter 28A.405 RCW shall be revoked by the authority authorized to
12 grant the certificate upon a guilty plea or the conviction of any
13 felony crime involving the physical neglect of a child under chapter
14 9A.42 RCW, the physical injury or death of a child under chapter 9A.32
15 or 9A.36 RCW (excepting motor vehicle violations under chapter 46.61
16 RCW), sexual exploitation of a child under chapter 9.68A RCW, sexual
17 offenses under chapter 9A.44 RCW where a minor is the victim, promoting
18 prostitution of a minor under chapter 9A.88 RCW, the sale or purchase
19 of a minor child under RCW 9A.64.030, or violation of similar laws of
20 another jurisdiction. The person whose certificate is in question
21 shall be given an opportunity to be heard. Mandatory permanent
22 revocation upon a guilty plea or the conviction of felony crimes
23 specified under this subsection shall apply to such convictions or
24 guilty pleas which occur after July 23, 1989. Revocation of any
25 certificate or permit authorized under this chapter or chapter 28A.405
26 RCW for a guilty plea or criminal conviction occurring prior to July
27 23, 1989, shall be subject to the provisions of subsection (1) of this
28 section.

1 **Sec. 125.** RCW 28A.410.100 and 1990 c 33 s 409 are each amended to
2 read as follows:

3 Except as provided in sections 101 through 121 of this 1991 act,
4 any teacher whose certificate to teach has been questioned by the
5 filing of a complaint by a school district superintendent or
6 educational service district superintendent under RCW 28A.410.090 shall
7 have a right to be heard by the issuing authority before his or her
8 certificate is revoked. Except as provided in sections 101 through 121
9 of this 1991 act, any teacher whose certificate to teach has been
10 revoked shall have a right of appeal to the state board of education if
11 notice of appeal is given by written affidavit to the board within
12 thirty days after the certificate is revoked.

13 Except as provided in sections 101 through 121 of this 1991 act, an
14 appeal to the state board of education within the time specified shall
15 operate as a stay of revocation proceedings until the next regular or
16 special meeting of said board and until the board's decision has been
17 rendered.

18 **Sec. 126.** RCW 28A.410.110 and 1990 c 33 s 410 are each amended to
19 read as follows:

20 Except as provided in sections 101 through 121 of this 1991 act, in
21 case any certificate or permit authorized under this chapter or chapter
22 28A.405 RCW is revoked, the holder shall not be eligible to receive
23 another certificate or permit for a period of twelve months after the
24 date of revocation. However, except as provided in sections 101
25 through 121 of this 1991 act, if the certificate or permit authorized
26 under this chapter or chapter 28A.405 RCW was revoked because of a
27 guilty plea or the conviction of a felony crime involving the physical
28 neglect of a child under chapter 9A.42 RCW, the physical injury or
29 death of a child under chapter 9A.32 or 9A.36 RCW (except motor vehicle

1 violations under chapter 46.61 RCW), sexual exploitation of a child
2 under chapter 9.68A RCW, sexual offenses under chapter 9A.44 RCW where
3 a minor is the victim, promoting prostitution of a minor under chapter
4 9A.88 RCW, the sale or purchase of a minor child under RCW 9A.64.030,
5 or violation of similar laws of another jurisdiction, the certificate
6 or permit shall not be reinstated.

7 NEW SECTION. **Sec. 127.** A new section is added to chapter 43.131
8 RCW to read as follows:

9 The Washington state educator disciplinary board and its powers and
10 duties shall be terminated June 30, 1996, as provided in section 128 of
11 this act.

12 NEW SECTION. **Sec. 128.** A new section is added to chapter 43.131
13 RCW to read as follows:

14 The following acts or parts of acts, as now existing or hereafter
15 amended, are each repealed, effective June 30, 1997.

16 (1) RCW 28A.410.--- and 1991 ex.s. c --- s 101 (section 101 of this
17 act);

18 (2) RCW 28A.410.--- and 1991 ex.s. c --- s 102 (section 102 of this
19 act);

20 (3) RCW 28A.410.--- and 1991 ex.s. c --- s 103 (section 103 of this
21 act);

22 (4) RCW 28A.410.--- and 1991 ex.s. c --- s 104 (section 104 of this
23 act);

24 (5) RCW 28A.410.--- and 1991 ex.s. c --- s 105 (section 105 of this
25 act);

26 (6) RCW 28A.410.--- and 1991 ex.s. c --- s 106 (section 106 of this
27 act);

1 (7) RCW 28A.410.--- and 1991 ex.s. c --- s 107 (section 107 of this
2 act);

3 (8) RCW 28A.410.--- and 1991 ex.s. c --- s 108 (section 108 of this
4 act);

5 (9) RCW 28A.410.--- and 1991 ex.s. c --- s 109 (section 109 of this
6 act);

7 (10) RCW 28A.410.--- and 1991 ex.s. c --- s 110 (section 110 of
8 this act);

9 (11) RCW 28A.410.--- and 1991 ex.s. c --- s 111 (section 111 of
10 this act);

11 (12) RCW 28A.410.--- and 1991 ex.s. c --- s 112 (section 112 of
12 this act);

13 (13) RCW 28A.410.--- and 1991 ex.s. c --- s 113 (section 113 of
14 this act);

15 (14) RCW 28A.410.--- and 1991 ex.s. c --- s 114 (section 114 of
16 this act);

17 (15) RCW 28A.410.--- and 1991 ex.s. c --- s 115 (section 115 of
18 this act);

19 (16) RCW 28A.410.--- and 1991 ex.s. c --- s 116 (section 116 of
20 this act);

21 (17) RCW 28A.410.--- and 1991 ex.s. c --- s 117 (section 117 of
22 this act);

23 (18) RCW 28A.410.--- and 1991 ex.s. c --- s 118 (section 118 of
24 this act);

25 (19) RCW 28A.410.--- and 1991 ex.s. c --- s 119 (section 119 of
26 this act);

27 (20) RCW 28A.410.--- and 1991 ex.s. c --- s 120 (section 120 of
28 this act);

29 (21) RCW 28A.410.--- and 1991 ex.s. c --- s 121 (section 121 of
30 this act);

1 (22) RCW 28A.410.--- and 1991 ex.s. c --- s 401 (section 401 of
2 this act); and

3 (23) RCW 42.17.--- and 1991 ex.s. c --- s 122 (section 122 of this
4 act).

5 NEW SECTION. **Sec. 129.** The chapter ..., Laws of 1991 ex. sess.
6 amendments to RCW 28A.410.090, 28A.410.100, and 28A.410.110 (sections
7 124, 125, and 126 of this act) shall expire June 30, 1997, if sections
8 101 through 121 of this act, as now existing or hereafter amended, are
9 repealed effective June 30, 1997, by section 128 of this act.

10 PART II

11 EDUCATOR ACADEMY

12 NEW SECTION. **Sec. 201.** (1) An educator academy is created at
13 the Tacoma branch campus of the University of Washington. The purpose
14 of the educator academy is to develop programs for educators that will
15 enhance the performance of educators and will provide the educators an
16 opportunity for professional renewal and growth.

17 (2) The educator academy shall develop and implement a program of
18 staff development and professional enrichment for educators that
19 includes but is not limited to the following:

20 (a) The program shall be designed to offer educators the
21 opportunity to refine and expand their instructional skills, increase
22 their sensitivity to their students, update their content area
23 knowledge, promote personal and professional enrichment, and encourage
24 the development of individualized follow-through plans for continued
25 professional growth. The educator academy shall take contemporary
26 social problems affecting students into consideration in developing the
27 programs.

1 (b) The program shall be offered at the educator academy and also
2 be developed for use by other entities, including institutions of
3 higher education and school districts.

4 (c) In developing the program, the educator academy shall review
5 staff development and professional enrichment programs offered in the
6 state of Washington and in other states.

7 (d) The educator academy shall work with the superintendent of
8 public instruction to develop a plan of providing scholarships to
9 school districts that participate in the educator academy.

10 (3) The educator academy shall collect information regarding ideas
11 and techniques for improving educator performance and deliver that
12 information to the superintendent of public instruction for
13 dissemination to the school districts.

14 (4) For the purposes of sections 201 through 204, "educator" means
15 all certificated employees of a school district in this state,
16 including (a) administrators which includes but is not limited to
17 superintendents, principals, and vice-principals; (b) teachers; and (c)
18 educational staff associates.

19 NEW SECTION. **Sec. 202.** (1) The educator academy shall be
20 administered by the board of regents with the advice of the educator
21 academy advisory board.

22 (2) The educator academy and the educator academy advisory board
23 may adopt rules to implement the programs.

24 NEW SECTION. **Sec. 203.** (1) The educator academy advisory board
25 is created.

26 (2) The board shall be composed of fifteen members as follows:

27 (a) Eight shall be citizen members who are neither educators nor
28 engaged in the education profession, appointed by the governor for

1 four-year terms. In making the appointments the governor shall ensure
2 that a balanced geographic representation of the state is achieved.
3 The citizens shall include parents who, at the time of appointment,
4 have or have had children in the public school system and citizens from
5 the business community;

6 (b) Seven of the members shall be as follows: One representative
7 from the higher education coordinating board, one representative from
8 the state board of education, one representative from the office of the
9 superintendent of public instruction, one representative from the
10 Washington state school directors' association, one representative from
11 the Washington association of school administrators, one representative
12 from the association of Washington school principals, and one
13 representative from the Washington education association.

14 (3) Members of the board shall not receive any salary for their
15 services, but shall be reimbursed for travel expenses under RCW
16 43.03.050 and 43.03.060 for each day actually spent in attending to
17 duties as a member of the board.

18 (4) A citizen member of the board shall not be, during the term of
19 office, a member of the governing board of any public or private
20 educational institution, or an employee of any state or local agency.

21 NEW SECTION. **Sec. 204.** The staff development and professional
22 enrichment programs shall be implemented by pilot project in three
23 school districts by June 30, 1992. The educator academy shall select
24 the three school districts that will participate in the pilot project.
25 Two of the school districts shall be first class school districts and
26 one shall be a second class school district.

27 NEW SECTION. **Sec. 205.** If an educator subject to disciplinary
28 proceedings is referred to the educator academy, one-half of the

1 tuition cost of attending the academy shall be paid by the school
2 district employing the educator and one-half of the tuition cost shall
3 be paid by the educator subject to disciplinary action.

4 NEW SECTION. **Sec. 206.** (1) The staff development and
5 professional enrichment programs shall be developed by December 1,
6 1992.

7 (2) The implementation plan for the school districts participating
8 in the pilot project shall be developed by December 1, 1992.

9 (3) The educator academy shall submit a report to the legislature
10 regarding the staff development and professional enrichment programs
11 and implementation of those programs by December 31, 1992.

12 NEW SECTION. **Sec. 207.** Sections 201 through 203 and 205 of this
13 act are each added to chapter 28B.20 RCW.

14 PART III

15 MASTER'S DEGREE

16 NEW SECTION. **Sec. 301.** A new section is added to chapter 28A.410
17 RCW to read as follows:

18 The state of Washington shall pay one-half of the tuition cost and
19 each educator shall pay one-half of the tuition cost of obtaining a
20 master's degree required under RCW 28A.410.050. This section applies
21 to all courses taken for a master's degree after September 1, 1991.

22 NEW SECTION. **Sec. 302.** A new section is added to chapter 28A.410
23 RCW to read as follows:

24 (1) Educators who participate under section 301 of this act and
25 have part of the tuition cost for obtaining a master's degree paid by

1 the state of Washington incur an obligation to repay the tuition cost
2 paid for by the state, with interest, unless they teach or are employed
3 as an administrator for five years in the public schools of the state
4 of Washington, under rules adopted by the higher education coordinating
5 board.

6 (2) The terms of the repayment, including deferral of the
7 interest, shall be consistent with the terms of the federal guaranteed
8 loan program.

9 (3) The period for repayment shall be five years, with payments
10 accruing quarterly commencing nine months from the date the participant
11 completes or discontinues the course of study.

12 (4) The entire principal and interest of each payment shall be
13 forgiven for each payment period in which the participant teaches or is
14 employed as an administrator in a public school until the entire
15 repayment obligation is satisfied or the borrower ceases to teach or be
16 employed as an administrator at a public school in this state. Should
17 the participant cease to teach or be employed as an administrator at a
18 public school in this state before the participant's repayment
19 obligation is completed, payments on the unsatisfied portion of the
20 principal and interest shall begin the next payment period and continue
21 until the remainder of the participant's repayment obligation is
22 satisfied.

23 (5) The board is responsible for collection of repayments made
24 under this section and shall exercise due diligence in such collection,
25 maintaining all necessary records to ensure that maximum repayments are
26 made. Collection and servicing of repayments under this section shall
27 be pursued using the full extent of the law, including wage garnishment
28 if necessary, and shall be performed by entities approved for such
29 servicing by the Washington student loan guaranty association or its
30 successor agency. The board is responsible for forgiving all or parts

1 of such repayments under the criteria established in this section and
2 shall maintain all necessary records of forgiven payments.

3 (6) Receipts from the payment of principal or interest or any
4 other subsidies to which the board is entitled, that are paid by or on
5 behalf of participants under this section, shall be deposited with the
6 higher education coordinating board and shall be used to cover the
7 costs to the state of Washington of paying one-half of the tuition,
8 maintaining necessary records, and making collections under subsection
9 (5) of this section. The board shall maintain accurate records, of
10 these costs, and all receipts beyond those necessary to pay such costs
11 shall be used to pay tuition costs as provided in section 301 of this
12 act.

13 PART IV

14 MISCELLANEOUS

15 NEW SECTION. **Sec. 401.** This act shall be known and may be cited
16 as the educator accountability and inservice act.

17 NEW SECTION. **Sec. 402.** Part headings as used in this act
18 constitute no part of the law.