**5179-S2.E AMH BERG H2718.1 - NOT FOR FLOOR USE**

**E2SSB 5179** - H AMD **480**

By Representative Bergquist

**ADOPTED 4/15/2015**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  INTENT. Paraeducators provide the majority of instruction in programs designed by the legislature to reduce the opportunity gap. By setting common statewide standards, training, and career development for paraeducators, as well as training for teachers and principals who have paraeducators in their classrooms, students in these programs have a better chance of succeeding in the classroom.

NEW SECTION. **Sec.**  DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the professional educator standards board created in RCW 28A.410.200.

(2) "Committee" means the paraeducator professional practices committee established in section 4 of this act.

(3) "English language learner endorsement" means a credential earned by a paraeducator working with students in English language learner programs.

(4) "English language learner programs" means the English language learners program, the transitional bilingual instruction program, and the federal limited English proficiency program.

(5) "Paraeducator" means a school district employee who works under the supervision of a certificated staff member to support and assist in providing instructional and other services to students and their families.

NEW SECTION. **Sec.**  EMPLOYMENT STANDARDS. Effective September 1, 2015, the minimum employment entry standards for a paraeducator who works in the learning assistance program, the federal disadvantaged programs, and the English language learner programs are as provided in this section. The paraeducator must:

(1) Be at least eighteen years of age, hold a high school diploma or its equivalent, and have received a passing grade on the education testing service paraeducator assessment;

(2) Hold an associate of arts degree; or

(3) Have earned seventy-two quarter credits or forty-eight semester credits at an institution of higher education.

NEW SECTION. **Sec.**  PARAEDUCATOR PROFESSIONAL PRACTICES COMMITTEE. (1) By September 1, 2015, the board shall establish a paraeducator professional practices committee to advise the board, the state board for community and technical colleges, and the office of the superintendent of public instruction on the training and development of paraeducators.

(2) Appointments to the committee must be made as follows:

(a) The superintendent of public instruction shall appoint a paraeducator, a teacher, a principal, and a human resource director;

(b) The Washington state parent teacher association shall appoint a parent whose child receives instructional support from a paraeducator;

(c) The state board for community and technical colleges shall appoint a representative of the community or technical college system; and

(d) The student achievement council shall appoint a representative of a four-year institution of higher education as defined in RCW 28B.10.016.

(3) The board shall oversee and administer the committee.

NEW SECTION. **Sec.**  STANDARDS AND COURSES OF STUDY. (1) The board shall adopt state standards of practice for paraeducators working in the learning assistance program, the federal disadvantaged programs, and the English language learner programs that are based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014. These standards must include:

(a) Supporting instructional opportunities;

(b) Demonstrating professionalism and ethical practices;

(c) Supporting a positive and safe learning environment;

(d) Communicating effectively and participating in the team process; and

(e) Demonstrating cultural competency aligned with standards developed by the board under RCW 28A.410.270.

(2) The board shall adopt standards and rules for the issuance of an English language learner endorsement, based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014.

(3) The committee shall propose that the board adopt standards and rules for the issuance of advanced paraeducator endorsement. These standards and the course of study necessary to meet the standards, as approved under subsection (4) of this section, must qualify an advanced paraeducator to fulfill the following responsibilities: Mentor or coach other paraeducators, assist in highly impacted classrooms, assist in specific specialized instruction support or technology applications, and substitute for teachers in short absence situations in districts with substitute teacher shortages.

(4)(a) The committee, in collaboration with the state board for community and technical colleges, the office of the superintendent of public instruction, and the educational service districts, must recommend to the board the course of study necessary to meet the state standards of practice and the endorsement standards adopted by the board under this section.

(b) The courses of study must be made available through various means to limit costs and improve access with providers including the community and technical colleges, the educational service districts, and the office of the superintendent of public instruction.

(c) The deadlines for the board to approve courses of study are as follows:

(i) July 1, 2016, for the course of study necessary to meet the state standards of practice and the English language learner endorsement; and

(ii) September 1, 2017, for the course of study necessary to meet the advanced paraeducator endorsement.

(5) To support the tasks in this section, the committee and the board may consult with experts.

(6) This section is subject to the availability of amounts appropriated for this specific purpose.

NEW SECTION. **Sec.**  PILOTS. (1) During the 2016-17 and 2017-18 school years, the board shall distribute grants, as funded by the legislature, to a diverse set of school districts that volunteer to participate in a collaborative process resulting in the development and piloting of the state paraeducator standards of practice and the English language learner endorsement standards adopted by the board under section 5 of this act.

(2) By September 1, 2017, and September 1, 2018, the volunteer districts must report to the committee and the board with the outcomes of year one of the pilot and any recommendations for implementing the paraeducator standards of practice statewide. The outcomes reported must include: An analysis of the costs to the district to implement the state standards of practice and the English language learner endorsement standards and the course of study necessary to meet these standards; any costs to paraeducators to meet the standards; the number of paraeducators in the district that meet the standards; and the impact on the size and assignment of the paraeducator workforce as a result of the pilot.

(3) By December 1, 2017, the committee and the board shall submit a report to the appropriate committees of the legislature that includes: (a) The outcomes of the pilot; (b) recommendations on whether the state should implement the standards of practice and the English language learner endorsement standards statewide with estimated costs of statewide implementation to the state and to districts; and (c) the effects of establishing a system of continuing education, licensure, endorsement, or alternative training verification processes and fees. In developing the report, the committee and the board shall collaborate with the office of the superintendent of public instruction, the educational service districts, the state board for community and technical colleges, and the school districts receiving grants under this section.

(4) The committee and the board shall include in the board's 2018 joint report to the legislature under RCW 28A.305.035 an update of the report required in subsection (3) of this section.

(5) This section is subject to the availability of amounts appropriated for this specific purpose.

NEW SECTION. **Sec.**  STATEWIDE IMPLEMENTATION. (1) No later than September 1, 2018, all school districts must begin implementing the state standards of practice for paraeducators working in the learning assistance program, the federal disadvantaged programs, and the English language learner programs, according to a phase-in schedule specified by the legislature.

(2) This section is subject to the availability of amounts appropriated for this specific purpose.

**Sec.**  RCW 28A.410.212 and 2009 c 531 s 1 are each amended to read as follows:

The professional educator standards board shall:

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

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

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

(4) Assure educator preparation program compliance; ((~~and~~))

(5) Prepare and maintain a cohesive educator development policy framework; and

(6) Perform the duties related to paraeducators provided in chapter 28A.--- RCW (the new chapter created in section 11 of this act).

**Sec.**  RCW 28A.630.400 and 2011 1st sp.s. c 11 s 132 are each amended to read as follows:

(1) The professional educator standards board and the state board for community and technical colleges, in consultation with the superintendent of public instruction, the state apprenticeship training council, and community colleges, shall adopt rules as necessary under chapter 34.05 RCW to implement the paraeducator associate of arts degree.

(2) As used in this section, a "paraeducator" is an individual who has completed an associate of arts degree for a paraeducator. The paraeducator may be hired by a school district to assist certificated instructional staff in the direct instruction of children in small and large groups, individualized instruction, testing of children, recordkeeping, and preparation of materials. The paraeducator shall work under the direction of instructional certificated staff.

(3)(a) The training program for a paraeducator associate of arts degree shall include, but is not limited to, the general requirements for receipt of an associate of arts degree and training in the areas of introduction to childhood education, orientation to children with disabilities, fundamentals of childhood education, creative activities for children, instructional materials for children, fine art experiences for children, the psychology of learning, introduction to education, child health and safety, child development and guidance, first aid, and a practicum in a school setting.

(b) Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2016, the training program for a paraeducator associate of arts degree must incorporate the state paraeducator standards of practice adopted by the professional educator standards board under section 5 of this act.

(4) Consideration shall be given to transferability of credit earned in this program to teacher preparation programs at colleges and universities.

**Sec.**  RCW 28B.50.891 and 2014 c 136 s 4 are each amended to read as follows:

Beginning with the ((~~2015-16~~)) 2016-17 academic year, any community or technical college that offers an apprenticeship program or certificate program for paraeducators must provide candidates the opportunity to earn transferrable course credits within the program. The programs must also incorporate the standards for cultural competence, including multicultural education and principles of language acquisition, developed by the professional educator standards board under RCW 28A.410.270. Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2016, the paraeducator apprenticeship and certificate programs must also incorporate the state paraeducator standards of practice adopted by the professional educator standards board under section 5 of this act.

NEW SECTION. **Sec.**  Sections 1 through 7 of this act constitute a new chapter in Title 28A RCW."

Correct the title.

EFFECT: INTENT: Retains the intent language.

MINIMUM EMPLOYMENT STANDARDS: Retains the requirement that minimum employment entry standards for paraeducators who work in English Language Learner (ELL) Programs, the Learning Assistance Program (LAP), and the Federal Disadvantaged Programs be implemented September 1, 2015.

PARAEDUCATOR PROFESSIONAL PRACTICES COMMITTEE: Creates a Paraeducator Professional Practices Committee (Committee) overseen and administered by the Professional Educator Standards Board (PESB) by September 1, 2015, rather than a Paraeducator Board administered by the PESB. Adds to the membership of the Committee a human resources director, in addition to a paraeducator, a teacher, a principal, a parent whose child receives instructional support from a paraeducator, a representative from the community and technical colleges, and a representative from the four-year institutions of higher education. Removes language making a representative of the PESB a nonvoting member. Places the responsibility of developing rules and policies and adopting standards for paraeducator standards of practice and endorsement standards with the PESB, rather than with the Paraeducator Board.

STANDARDS OF PRACTICE AND COURSES OF STUDY: Removes language relating to a Paraeducator Certificate. Retains the standards for paraeducators working in the ELL Programs, the LAP, and the Federal Disadvantaged Programs, but calls them Standards of Practice, rather than Certification Standards. Requires the PESB, rather than the Paraeducator Board, to adopt the Standards of Practice, as well as standards and rules for the issuance of an ELL Endorsement and an Advanced Paraeducator Endorsement. Requires the Committee to recommend courses of study necessary to meet the Standards of Practice and the endorsement standards to the PESB, in collaboration with the State Board for Community and Technical Colleges, the Office of the Superintendent of Public Instruction (OSPI), and the Educational Service Districts (ESDs), rather than requiring the OSPI and the ESDs, in collaboration with the Paraeducator Board, to develop the courses. Requires the PESB to approve the courses for the Standards of Practice and the ELL Endorsement by July 1, 2016, and for the Advanced Paraeducator Endorsement by September 1, 2017. Retains the requirement that the courses of study be made available through various means to limit costs and improve access. Provides that the Committee and the PESB may consult with experts.

Removes requirements specifying how long paraeducators have to acquire a paraeducator certification and endorsement, and when paraeducators must renew. Removes the requirement that the OSPI be provided funds to administer the paraeducator certificate and endorsement and the permission for the Paraeducator Board to establish certification fees.

PILOTS: Moves the start date for volunteer districts to field test, or pilot, for two years, the implementation of the Standards of Practice for certain programs and the ELL Endorsement standards to 2016-17, rather than 2015-16. Retains the specification that the volunteer districts be provided with grants funds. Retains the requirement that the volunteer districts report the costs to implement the pilot, and adds that other outcomes be reported. Requires that the committee and the PESB submit a year one report to the Legislature by December 1, 2017, that includes (1) the outcomes of the pilot; (2) recommendations on whether the state should implement the Standards of Practice and the ELL Endorsement standards statewide with estimated costs of statewide implementation to the state and to districts; and (3) the effects of establishing a system of continuing education, licensure, endorsement, or alternative training verification processes and fees. Requires the committee and the PESB, in developing the report, to collaborate with certain entities. Requires the committee and the PESB to update the report in its 2018 Joint Report to the Legislature.

STATEWIDE IMPLEMENTATION: Moves the start date for the statewide implementation of the Standards of Practice for certain programs and the ELL Endorsement standards to September 1, 2018, rather than September 1, 2017. Provides that the implementation be phased in according to a schedule specified by the Legislature.

PARAEDUCATOR EDUCATION: Provides that the Standards of Practice be incorporated into the Paraeducator Associate of Arts Degree and the Paraeducator Apprenticeship and Certificate Programs by September 1, 2016, rather than 90 days after adjournment of the session in which the bill is passed.

APPROPRIATIONS: Continues to make all sections of the bill subject to the availability of amounts appropriated for the specific purpose.