**6408-S2 AMH APP H4645.1 - NOT FOR FLOOR USE**

**2SSB 6408** - H COMM AMD

By Committee on Appropriations

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  PARAEDUCATOR PERFORMANCE STANDARDS. (1)(a) By September 1, 2016, the office of the superintendent of public instruction shall adopt performance standards for paraeducator professional development and credentialing as described in this section. The purpose of the standards is to address the knowledge and skills competencies a paraeducator needs to possess and exhibit in order to meet the varied needs of the students served.

(b) The adopted standards must be based on the recommendations of the paraeducator work group established under section 2, chapter 136, Laws of 2014.

(2) The performance standards for paraeducator professional development and credentialing adopted under this section must clearly define the knowledge and skills competencies necessary for a paraeducator to, at a minimum:

(a) Support educational outcomes;

(b) Demonstrate professionalism and ethical practices;

(c) Support a positive and safe learning environment; and

(d) Communicate effectively and participate in the team process.

NEW SECTION. **Sec.**  PARAEDUCATOR ADVISORY BOARD. (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall establish a paraeducator advisory board with eleven members as follows:

(a) A paraeducator, a teacher, a principal, a parent, an administrator, a human resources director, a union representative, a representative of a community-based organization, and a representative of the office of the superintendent of public instruction, each appointed by the superintendent of public instruction;

(b) A representative of the community and technical college system appointed by the state board for community and technical colleges; and

(c) A representative of the professional educator standards board, appointed by the professional educator standards board.

(2) The purpose of the paraeducator advisory board is to provide guidance and leadership for the implementation of statewide performance standards for paraeducator professional development and credentialing described in section 1 of this act.

(3) Subject to the availability of amounts appropriated for this specific purpose, the paraeducator advisory board shall:

(a) In time for school districts to begin piloting the program in the 2017-18 school year, develop a curriculum and design a professional development program for paraeducators that meets the paraeducator performance standards described in section 1 of this act;

(b) In time for school districts to begin piloting the program in the 2017-18 school year, develop a curriculum and design a professional development program for teachers and principals that focuses on working with paraeducators, including how teachers can direct a paraeducator working within their classrooms, and how principals can supervise and evaluate paraeducators;

(c) Oversee and monitor the implementation of the professional development programs developed under this section in school districts that volunteer to pilot these programs as described in section 3 of this act;

(d) Make recommendations to the legislature regarding statewide implementation of the professional development programs developed under this section, as required under section 3 of this act; and

(e) Collaborate with the state board for community and technical colleges on aligning the credentials offered by the community and technical colleges with the paraeducator performance standards described in section 1 of this act.

NEW SECTION. **Sec.**  SCHOOL DISTRICT PILOTS. (1)(a) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall select a diverse set of willing school districts to pilot the implementation of the professional development programs for paraeducators, teachers, and principals developed under section 2 of this act during the 2017-18 and 2018-19 school years.

(b) By October 31, 2018, the school districts shall report to the paraeducator advisory board and the professional educator standards board with the outcomes of year one of the pilot and any recommendations for implementation of the professional development programs statewide. The outcomes reported must include: An analysis of the costs to the district to implement the paraeducator performance standards, including professional development costs, any costs to paraeducators to meet the standards, and the impact on the size and assignment of the paraeducators in the district as a result of the pilot.

(2) Subject to the availability of amounts appropriated for this specific purpose, by December 15, 2018, the paraeducator advisory board shall submit a report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, that includes: The outcomes of the pilot; barriers to statewide implementation of the paraeducator performance standards, including estimated costs of statewide implementation to the state and to districts; recommended changes to state statutes necessary in order to implement the standards statewide; recommendations on a timeline for statewide implementation of the paraeducator performance standards; the effects of requiring paraeducators to obtain a paraeducator certificate; and any other recommendations or concerns developed by the paraeducator advisory board.

NEW SECTION. **Sec.**  PROFESSIONAL PARAEDUCATOR CERTIFICATION SYSTEM. (1) Subject to the availability of amounts appropriated for this specific purpose, the professional educator standards board shall design a uniform and externally administered professional-level certification assessment for paraeducators based on the paraeducator performance standards described in section 1 of this act.

(2) Subject to the availability of amounts appropriated for this specific purpose, by December 15, 2018, the professional educator standards board shall submit a report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, that summarizes its work in the development of the assessment required under this section and makes recommendations for statewide implementation.

**Sec.**  RCW 28A.150.203 and 2009 c 548 s 102 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Basic education goal" means the student learning goals and the student knowledge and skills described under RCW 28A.150.210.

(2) "Certificated administrative staff" means all those persons who are chief executive officers, chief administrative officers, confidential employees, supervisors, principals, or assistant principals within the meaning of RCW 41.59.020(4).

(3) "Certificated employee" as used in this chapter and RCW 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250, 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those persons who hold certificates as authorized by rule of the Washington professional educator standards board, but does not mean those persons working as paraeducators.

(4) "Certificated instructional staff" means those persons employed by a school district who are nonsupervisory certificated employees within the meaning of RCW 41.59.020(8).

(5) "Class size" means an instructional grouping of students where, on average, the ratio of students to teacher is the number specified.

(6) "Classified employee" means a person who does not hold a professional education certificate, including a paraeducator, or who is employed in a position that does not require such a certificate.

(7) "Classroom teacher" means a person who holds a professional education certificate and is employed in a position for which such certificate is required whose primary duty is the daily educational instruction of students. In exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision, but the hiring of such classified employees shall not occur during a labor dispute, and such classified employees shall not be hired to replace certificated employees during a labor dispute.

(8) "Instructional program of basic education" means the minimum program required to be provided by school districts and includes instructional hour requirements and other components under RCW 28A.150.220.

(9) "Paraeducator" means a classified employee who works under the supervision of a certificated employee to support and assist in providing instructional and other services to children and youth and their families. The certificated employee remains responsible for the overall conduct and management of the classroom or program including the design, implementation, and evaluation of the instructional programs and student progress.

(10) "Program of basic education" means the overall program under RCW 28A.150.200 and deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution.

((~~(10)~~)) (11) "School day" means each day of the school year on which pupils enrolled in the common schools of a school district are engaged in academic and career and technical instruction planned by and under the direction of the school.

((~~(11)~~)) (12) "School year" includes the minimum number of school days required under RCW 28A.150.220 and begins on the first day of September and ends with the last day of August, except that any school district may elect to commence the annual school term in the month of August of any calendar year and in such case the operation of a school district for such period in August shall be credited by the superintendent of public instruction to the succeeding school year for the purpose of the allocation and distribution of state funds for the support of such school district.

((~~(12)~~)) (13) "Teacher planning period" means a period of a school day as determined by the administration and board of ((~~the~~)) directors of the district that may be used by teachers for instruction-related activities including but not limited to preparing instructional materials; reviewing student performance; recording student data; consulting with other teachers, instructional assistants, mentors, instructional coaches, administrators, and parents; or participating in professional development.

NEW SECTION. **Sec.**  Sections 1 through 3 of this act are each added to chapter 28A.400 RCW.

NEW SECTION. **Sec.**  If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

Correct the title.

EFFECT: Removes all underlying language and inserts language that:

Defines "paraeducator" as a classified employee who works under the supervision of a certificated employee to support and assist in providing instructional and other services to children and youth and their families, and specifies that the certificated employee remains responsible for the overall conduct and management of the classroom or program including the design, implementation, and evaluation of the instructional programs and student progress.

Requires the Office of the Superintendent of Public Instruction (OSPI) to adopt performance standards for paraeducator professional development and credentialing that must be based on the recommendations of the Paraeducator Work Group.

Establishes, subject to an appropriation, a Paraeducator Advisory Board with eleven specified members under the OSPI.

Specifies that, subject to an appropriation, the Paraeducator Advisory Board must develop a curriculum and design a professional development program for paraeducators that meets the paraeducator performance standards; develop a curriculum and design a professional development program for teachers and principals that focuses on working with paraeducators; oversee and monitor implementation of the professional development programs in school districts that volunteer to pilot these programs; and collaborate with the State Board for Community and Technical Colleges on aligning the credentials offered by the community and technical colleges with the paraeducator performance standards.

Requires, subject to an appropriation, the OSPI to select willing school districts to pilot for two years the implementation of the professional development programs for paraeducators, teachers, and administrators, and requires the districts to report back on the outcomes of the pilot after one year.

Requires, subject to an appropriation, and by December 15, 2018, that the Paraeducator Advisory Board must submit a report to the Legislature that includes: The outcomes of the pilot; barriers to statewide implementation of the paraeducator performance standards, including estimated costs of statewide implementation to the state and to districts; recommended changes to state statutes necessary in order to implement the standards statewide; recommendations on a timeline for statewide implementation of the paraeducator performance standards; the effects of requiring paraeducators to obtain a paraeducator certificate; and any other recommendations or concerns developed by the Paraeducator Advisory Board.

Requires, subject to an appropriation, the Professional Educator Standards Board to design a uniform and externally administered professional-level certification assessment for paraeducators based on the paraeducator performance standards and report to the Legislature its recommendations for statewide implementation, by December 15, 2016.

A null and void clause is added. If specific funding is not provided in the omnibus appropriations act for the bill, then the bill is null and void.