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**SUBSTITUTE SENATE BILL 6408**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Hill, McAuliffe, Litzow, Hobbs, Mullet, Benton, Rolfes, Frockt, and Conway)

AN ACT Relating to paraeducators; amending RCW 28A.630.400 and 28B.50.891; adding a new section to chapter 28A.410 RCW; and creating new sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  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 classroom, students in these programs have a better chance of succeeding in the classroom.

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

(1) Effective September 1, 2016, the minimum employment standards for a paraeducator who works in the special education program, the basic education program, the learning assistance program, the federal disadvantaged program, and English language learner programs shall be as provided in this subsection. The paraeducator must:

(a) 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; or

(b) Hold an associate of arts degree; or

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

(d) Have completed a registered apprenticeship program.

(2)(a) By September 1, 2016, members of the paraeducator board must be appointed. The board shall be composed of one paraeducator, one teacher, one principal, one parent whose child receives instructional support from a paraeducator, one representative of a community or technical college, and one representative of a four-year institution of higher education as defined in RCW 28B.10.016.

(b) Appointments to the board shall be made as follows:

(i) The superintendent of public instruction shall appoint the paraeducator, the teacher, the office of the superintendent of public instruction representative, and the principal;

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

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

(iv) The student achievement council shall appoint the representative of an institution of higher education.

(c) A representative from the office of the superintendent of public instruction shall be the nonvoting facilitator of the board.

(d) The office of the superintendent of public instruction shall be the administrator of the board.

(3) Beginning September 1, 2016, the paraeducator board must administer policies and rules for the preparation and certification of paraeducators who work in special education, basic education, the learning assistance program, the federal disadvantaged program, or the English language learners program, the paraeducator career ladder, or the pathway to teacher certification.

(4)(a) During the 2016-17 and 2017-18 school years, grants, as funded by the legislature, shall be distributed by the board to a diverse set of school districts that volunteer to field test the implementation of the paraeducator certification, special education, and English language learner endorsement.

(b) Effective September 1, 2018, all school districts must begin implementing the paraeducator certification for paraeducators working in the programs in special education, basic education, the learning assistance program, the federal disadvantaged program, or the English language learner program. Paraeducators have three years to acquire their certification.

(c) The certification standards shall be adopted by the board and must include:

(i) Supporting instructional opportunities;

(ii) Demonstrating professionalism and ethical practices;

(iii) Supporting a positive and safe learning environment;

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

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

(d) The board shall develop a practicum and must ensure that paraeducators have multiple methods to access training necessary to become certificated.

(e) The board has the authority to establish certification fees paid by paraeducators, however the board shall adapt the current teacher e-certification process to be used for paraeducator certification.

(f) The office of the superintendent of public instruction shall be provided the necessary funds to administer the board and the paraeducator certificates and endorsements.

(g) The board shall develop competency-based testing to allow paraeducators to use their prior experience or training to meet paraeducator standards.

(5) Beginning September 1, 2018, all paraeducators working in special education and English language learning programs have three years to acquire their endorsement.

(a) The board may adopt rules to implement the endorsement and training standards.

(b) The board shall ensure that training is made available to paraeducators in a variety of means that will limit cost and improve access.

(6) Paraeducators must renew their certificate or necessary endorsements every five years. In order to renew the certificate or endorsement, they must complete the clock hours determined by the board. The board may develop the training modules as well as ensure that the clock hour training is made available to paraeducators in a variety of means that will limit cost and improve access.

(7) The professional educator standards board must design and implement a training program for teachers and principals as it relates to their role working with paraeducators. Teacher training must include how to direct a paraeducator working with students in the paraeducator's classroom. Principal training must include how to supervise and evaluate paraeducators.

(8)(a) The board shall develop the rules for an advanced paraeducator endorsement, training modules, and renewal process that must be implemented by September 1, 2018.

(b) Some responsibilities of the advanced paraeducator position are mentoring or coaching other paraeducators, assisting in highly impacted classrooms, short-term teacher substitution, and assistance in specific specialized instruction support or technology applications.

(c) The rules must include provisions regarding the ability of a person holding an advanced paraeducator endorsement that will qualify the paraeducator to replace a teacher in short absence situations in those districts that are experiencing difficulty finding substitute teachers.

(9) The definitions in this subsection apply throughout this section.

(a) "Board" means the paraeducator board.

(b) "English language learner programs" or "English language learner endorsement" refers to the English language learners program, the transitional bilingual instruction program, and the federal limited English proficiency program.

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

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

**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) If amounts are not appropriated specifically for the purpose of (b) of this subsection, 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, 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 adopted state standards for paraeducators, which include core knowledge and skill competencies in (i) supporting instructional opportunities, (ii) demonstrating professional and ethical practices, (iii) supporting a positive and safe learning environment, (iv) communicating effectively and participating in the team process, and (v) demonstrating cultural competency aligned with standards developed by the professional educator standards board under RCW 28A.410.270.

(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 academic year, any community or technical college that offers an apprenticeship program or certificate program for paraeducators must provide candidates the opportunity to earn transferable 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 specifically appropriated for this specific purpose, the programs must also include core knowledge and skill competencies in: Supporting instructional opportunities, demonstrating professional and ethical practices, supporting a positive and safe learning environment, and communicating effectively and participating in the team process.

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington state institute for public policy shall conduct a study on the effectiveness of paraeducators in improving student outcomes in Washington state. The study shall examine variation in the use of paraeducators across schools and districts and analyze whether and the extent that any differences in students' academic progress can be attributed to the use of paraeducators. The office of the superintendent of public instruction and the education data center shall provide the data necessary to conduct the analysis. The study must also include a review of the national research literature on the effectiveness of paraeducators in improving student outcomes.

(2) The institute shall submit a final report to the relevant committees of the legislature by December 15, 2016.

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