

HOUSE BILL REPORT

2SSB 5082

As Reported by House Committee On:

Education
Appropriations

Title: An act relating to promoting and expanding social emotional learning.

Brief Description: Promoting and expanding social emotional learning.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators McCoy, Hasegawa, Kuderer and Saldaña).

Brief History:

Committee Activity:

Education: 3/14/19, 3/28/19 [DPA];

Appropriations: 4/6/19, 4/8/19 [DPA(APP w/o ED)].

Brief Summary of Second Substitute Bill (As Amended by Committee)

- Directs the Office of the Superintendent of Public Instruction (OSPI) to adopt the social emotional learning (SEL) standards and benchmarks.
- Creates the SEL committee with specified members and duties, subject to state funding.
- Directs the Professional Educator Standards Board (PESB) and the Paraeducator Board to incorporate SEL standards, benchmarks, and specified related competencies into standards for principals, teachers, and paraeducators.
- Directs the OSPI to create and publish on its website a list of resources available for professional development of school district staff on specified topics.
- Requires school districts to use one of the state funded professional learning days to train staff in the topics identified for the resource list, every other school year.
- Directs the PESB to review preparation programs to assess whether and to what extent the programs are meeting knowledge, skills, and performance standards, and publish the results on its website.

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.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 10 members: Representatives Santos, Chair; Dolan, Vice Chair; Paul, Vice Chair; Bergquist, Callan, Kilduff, Ortiz-Self, Stonier, Thai and Valdez.

Minority Report: Do not pass. Signed by 5 members: Representatives McCaslin, Assistant Ranking Minority Member; Volz, Assistant Ranking Minority Member; Caldier, Corry and Kraft.

Minority Report: Without recommendation. Signed by 3 members: Representatives Steele, Ranking Minority Member; Harris and Rude.

Staff: Megan Wargacki (786-7194).

Background:

Social Emotional Learning. Social emotional learning (SEL) is the process of developing and applying the skills, attitudes, behavior, and knowledge that afford individuals the opportunity to identify and regulate emotions and behaviors, form meaningful relationships, and make responsible decisions.

The 2015 State Omnibus Operating Appropriations Act directed the Office of the Superintendent of Public Instruction (OSPI) to convene a work group to recommend comprehensive benchmarks for developmentally appropriate interpersonal and decision-making knowledge and skills of SEL for kindergarten through twelfth grade. The work group's recommendations were included in its October 1, 2016, final report. In 2016 the OSPI designed online education modules to develop educators, administrators, other professionals, and students' families knowledge of SEL and integrating it in classrooms.

The 2017 State Omnibus Operating Appropriations Act directed the OSPI to continue this work group and to: identify and articulate grade-level developmental indicators for each of the SEL benchmarks; solicit feedback from stakeholders; and develop a model of best practices or guidance for schools on implementing the benchmarks and indicators. The work group must submit recommendations by June 30, 2019.

Plans Related to Emotional or Behavioral Distress in Students. School districts are required to have a plan for recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, youth suicide, and sexual abuse. School districts must annually provide the plan to all district staff. The plan must include certain minimum components related to staff trainings, partnership development, communicating with students families, and district and staff response to certain situations. The OSPI developed a model plan for use by school districts that incorporates research-based best practices.

Educator and Paraeducator Standards. Each educator role, such as teacher, principal, school nurse, and school counselor, has a different set of knowledge and skills unique to that role.

The Professional Educator Standards Board requires that educator preparation programs prepare candidates to meet certain knowledge, skill, and performance standards.

The Paraeducator Board was created in 2017 to adopt minimum employment standards for paraeducators and paraeducator standards of practice. Beginning September 1, 2019, when funding is provided by the state, all school districts must provide courses that meet the standards of practice to paraeducators working in school districts. Paraeducators who complete the courses receive a general paraeducator certificate.

Professional Development. Professional learning is a comprehensive, sustained, job-embedded, and collaborative approach to improving educators' effectiveness in raising student achievement. State funding for professional learning days for certificated instructional staff must be provided to school districts as follows: one professional learning day in the 2018-19 school year; two professional learning days in the 2019-20 school year; and three professional learning days in the 2020-21 school year.

Summary of Amended Bill:

Social Emotional Learning Committee. Subject to the state funding, the social emotional learning (SEL) committee is created to promote and expand SEL, which will help students build awareness and skills in managing emotions, setting goals, establishing relationships, and making responsible decisions that support success in school and life.

The minimum duties of the committee are to:

- develop and implement a statewide framework for SEL that is trauma-informed, culturally sustaining, and developmentally appropriate;
- review and update as needed the SEL standards, benchmarks, and developmental indicators and confirm they are evidence-based;
- align the SEL standards and benchmarks with other relevant standards and guidelines;
- identify best practices or guidance for schools implementing the SEL;
- identify professional development opportunities;
- consider systems for collecting data about SEL and monitoring implementation efforts;
- identify strategies to improve coordination between early learning, kindergarten through twelfth grade education, and higher education regarding SEL; and
- engage with stakeholders and seek feedback.

The SEL committee must consist of members representing the state ethnic commissions, state agencies, education organizations, educators, parents, community members, and others. The Governor and the tribes may jointly designate two members as specified. The SEL committee must include a representative from the Educational Opportunity Gap Oversight and Accountability Committee and have a joint meeting with this committee annually.

The Office of the Superintendent of Public Instruction (OSPI) must provide staff support for the committee. Beginning June 1, 2021, and annually thereafter, the committee must provide a progress report to the Governor and Legislature that include accomplishments, state-level

data regarding implementation of SEL, identification of systemic barriers or policy changes necessary to promote and expand SEL, and recommendations.

Adoption of Social Emotional Learning Standards. The OSPI must adopt the standards and benchmarks recommended by the SEL benchmarks work group in its October 1, 2016, final report. The OSPI must align the programs it oversees with the adopted SEL standards and integrate the standards where appropriate.

Educator and Paraeducator Standards. By January 1, 2020, in order to ensure that teachers, principals, and paraeducators can recognize signs of emotional or behavioral distress in students and appropriately refer students for assistance and support:

- The Professional Educator Standards Board (PESB) must incorporate the SEL standards and benchmarks into teacher and principal knowledge, skill, and performance standards.
- The Paraeducator Board must incorporate the SEL standards and benchmarks into the standards of practice for paraeducators.

In incorporating the SEL standards and benchmarks, the PESB and the Paraeducator Board must include related competencies, such as trauma-informed practices, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, and culturally sustaining practices.

The PESB must periodically review approved preparation programs to assess whether and to what extent the programs are meeting knowledge, skill, and performance standards, and publish on its website the results of the review in a format that facilitates program comparison.

Professional Development. Beginning in the 2020-21 school year, and every other school year thereafter, school districts must use one of the state funded professional learning days to train school district staff in SEL, trauma-informed practices, using the model plan related to recognition and response to emotional or behavioral distress, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, and culturally sustaining practices.

The OSPI must create and publish on its website a list of resources available for professional development of school district staff on the topics listed above. The OSPI must include in the list the professional development opportunities and resources identified by the SEL committee.

Amended Bill Compared to Second Substitute Bill:

Compared to the second substitute bill, the amended bill:

- maintains provisions creating the social emotional learning (SEL) committee and provisions requiring the Office of the Superintendent of Public Instruction (OSPI) to adopt the SEL standards and benchmarks, and align the programs it oversees with the SEL standards;

- modifies the list of entities between which the SEL committee must identify strategies for improved coordination to include youth-serving community partners and culturally-based providers;
- directs the Professional Educator Standards Board (PESB) and the Paraeducator Board to, by January 1, 2020, incorporate SEL standards and benchmarks into standards for principals and paraeducators (in addition to teachers);
- specifies that the PESB and the Paraeducator Board must include related competencies, such as trauma-informed practices, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, and culturally sustaining practices, in the standards for principals, teachers, and paraeducators;
- directs the OSPI to create and publish on its website a list of resources available for professional development of school district staff on the following topics: SEL, trauma-informed practices, recognition and response to emotional or behavioral distress, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, and culturally sustaining practices;
- requires, beginning in the 2020-21 school year, and every other school year thereafter, school districts to use one of the state-funded professional learning days to train staff in the topics identified for the resource list; and
- directs the PESB to periodically review approved preparation programs to assess whether and to what extent the programs are meeting knowledge, skill, and performance standards, and publish on its website the results of the review in a format that facilitates program comparison.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on March 28, 2019.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) When the social emotional learning (SEL) committee was first constituted in the state operating budget, there was only one person of color as a member. This caused some difficulties. The current SEL committee works well together and is making progress, but it is a problem that it is not a permanent committee. The SEL committee has proposed this legislation to create a permanent committee that includes more people of color. The size of the committee is necessary to get the diversity of perspectives that are needed. The committee will build on the work previously done. It will ensure that educators, communities of color, parents, and organizations who work to support students will keep the vital work of SEL moving forward. Lots of work is being done in school districts and colleges on SEL. However, there needs to be a central point to focus this work to create common definitions and common expectations.

Social emotional learning skills are those skills that allow us to understand and manage our own emotions, understand what other people are going through, and then have executive

decision making to allow us to make good decisions. Last month the National Commission on Social Emotional and Academic Development discussed requiring skills such as paying attention, setting goals, collaboration, planning for the future; attitudes such as internal motivation, perseverance, and a sense of purpose; values such as responsibility, honesty, and integrity; and the abilities to think critically, consider different views, and problem solve. These are the core of what a person needs to successfully function in society and in the work place. Research shows that SEL has a positive effect on children, many of whom come from low-income households, unstable housing, and who have suffered adverse childhood experiences. There is an 11 percent increase in academic performance for those students who have good SEL skills. There is also an increase in employment performance. More than 90 percent of administrators and teachers think that SEL is an important part of a school curriculum. More than 80 percent of parents think that their children should learn these skills in school.

Many things impact students abilities to learn, including the school and classroom climate, culture, and environment. The state has invested lots of time and resources on developing standards and resources for SEL. Many school districts have incorporated these, and students are benefitting in their academics and social interactions. Learning is more easily accomplished when students feel safe and are in an environment of respect. It is important to provide technical advice and assistance to schools that want to implement evidence-based, high-quality SEL programs. Schools can have a counselor teach SEL or schools can embed SEL in courses that are taught by teachers. Community-based organizations and cultural programs are working on SEL development. A few simple amendments would connect SEL work to the work that is happening out of school.

The Professional Educator Standards Board is the proper agency to make sure that new educators understand that students must feel welcome when they enter the school building. There also needs to be funding for community outreach, which is a cost, but it is well worth it.

Too many students experience anxiety, depression, bullying, abuse, and trauma, which interfere with their ability to learn, pay attention, and exhibit healthy and positive behaviors. Social emotional skills are the very foundation upon which healthy decisions, behaviors, relationships, engagement in learning, and success in life are built. Students should be able to recognize body language, facial cues, and tone of voice. Guiding students to discern the difference between a tone or expression that is curious versus mean is a practice in de-escalation. Students who can articulate and identify complex emotions thrive academically and personally.

(Opposed) Schools are lacking in content areas; students are not learning to read and write well, and are not learning language and mathematics. There is a need to provide more choices in reading, writing, history, art, and science. Schools used to operate with policies and discipline. This bill will not make graduation standards any higher or improve graduation rates. School should teach morals, how to cope and fight, how to deal with being a Christian and an immigrant.

All children should learn to play well together, respect others, and handle conflict, and if they do, they will do better in life. The way to accomplish this is not through a 29-member panel,

where most of the members are selected by the Office of the Superintendent of Public Instruction (OSPI), and so will reflect the values of the OSPI.

This bill creates a state-wide, mandated, cookie-cutter idea of what a good child looks like. This bill will assess whether parents are doing a good job of training their children. This does not work well with our multicultural state and country.

People come to the United States to have their children taught in Christian schools and in a good environment, so they can go to college and proceed with their career. The viewpoint proposed in this bill is shameful. There is a concern that someone from a different culture would change the mentality and hearts of children. Many people will take their children out of public schools if this bill is enacted.

Some people do not believe there are genders other than male and female. A bully is someone who seeks to harm, intimidate, and coerce. This is what the transgender lobby is doing. Some transgender students suffer from severe mental health issues and are unable to hold down a job. Medical procedures and hormones to change genders cause permanent effects, including sterility, and can have side effects. Some people who undergo these treatments because of feelings they had as teenagers later discover that their feelings were wrong. Feelings can change profoundly across a person's lifetime. Many young people are struggling with their identities, and they need compassion, but they do not need to be pushed into social, medical, and surgical transition that has not been properly studied. The SEL committee will not help transgender people to feel protected. Transgender students are no more special than other people. They do not deserve special treatment because they feel that they do not fit in.

Tax dollars should not have to pay for this bill. Tax dollars should not be used for any special treatment for people with made up genders. Parents know their children best and know their SEL needs. Children should go to their parents for information and help. The state should not intervene in children's personal lives without parental involvement. This bill bans freedom to practice religion and moral values in accordance with the First Amendment.

There are 29 members on the SEL committee, including someone from Child Protective Services. The bill requires collection of data on children and the committee judges the behaviors, attitudes, and values of the children based on standards and benchmarks. It is a violation of constitutional rights to collect the data, and then to be in judgment of the children and the families. By using the term "trauma-informed," it seems that the bill considers all students to need government help. This sets up the government to be co-parents for the children, which is not right. The bill is similar to the social system in China. Left to a government committee, no matter how many different groups are represented, bias will play a part.

Persons Testifying: (In support) Senator McCoy, prime sponsor; Bob Cooper, Washington Association of Colleges for Teacher Education; Lucinda Young, Washington Education Association; Ron Hertel, Office of the Superintendent of Public Instruction; Lisa Keating, Washington State PTA; David Beard, School's Out Washington; and Melanie Smith, Committee for Children.

(Opposed) Nancy Johnson; Olga Fisenko, International Academy; Lynn Meagher; Lana Andriyenko; Dawn Land; Inna Kulik; Chris Plante, Family Policy Institute of Washington.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education. Signed by 24 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; Rude, Assistant Ranking Minority Member; Cody, Dolan, Dye, Fitzgibbon, Hansen, Hudgins, Jinkins, Macri, Mosbrucker, Pettigrew, Pollet, Ryu, Senn, Springer, Stanford, Steele, Sullivan, Tarleton, Tharinger and Ybarra.

Minority Report: Do not pass. Signed by 8 members: Representatives Stokesbary, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Caldier, Chandler, Hoff, Kraft, Schmick and Sutherland.

Staff: Jordan Clarke (786-7123).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:

The Appropriations Committee recommended the addition of a null and void clause, making the bill null and void unless funded in the budget.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) The state should continue the current social emotional learning (SEL) work group by creating the SEL committee discussed in this bill. According to the Journal of Benefit-Cost Analysis, there is an 11-to-1 benefit-cost ratio for teaching SEL in schools. The bill would teach children how to make good decisions, which could decrease alcohol consumption, drug consumption, and teenage pregnancy. This bill takes the right step to set these frameworks and benchmarks around SEL.

The state has already invested money in the SEL work group. Including SEL in schools helps students both academically and socially, and is critical for student progress. The bill supports the committee and could encourage school districts to utilize the program. The Office of the Superintendent of Public Instruction also has a person currently working on SEL, so the infrastructure is there for this bill.

(Opposed) Improving SEL is not new, but it has not received or required additional funding or professional development days before. When these standards are required to be incorporated into a student's curriculum, it decreases the amount of time spent on other curriculum. Giving school district staff the proper amount of time to address SEL is costly and time-consuming. The goals of this bill are good, but the Legislature should leave SEL up to parents. The data collected in the bill should also be subject to the Health Insurance Portability and Accountability Act and should not be shared. The bill does not involve professionals, and only considers standards for teachers. In addition, this bill could cause anxiety and stress for students and teachers who are expected to take these additional standards into account.

Persons Testifying: (In support) Marie Sullivan, Washington State PTA; Melanie Smith, Committee for Children; and Lucinda Young, Washington Education Association.

(Opposed) Joyce Fiess, Citizens United for Responsible Education; and Sharon Hanek.

Persons Signed In To Testify But Not Testifying: None.