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**HOUSE BILL 1756**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Manweller and Tarleton

AN ACT Relating to career and technical education; amending RCW 28A.150.410, 28A.660.040, 28A.700.010, and 41.59.020; adding a new section to chapter 28A.250 RCW; and adding a new section to chapter 28B.102 RCW.

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

**Sec.**  RCW 28A.150.410 and 2010 c 236 s 10 are each amended to read as follows:

(1) The legislature shall establish for each school year in the appropriations act a statewide salary allocation schedule, for allocation purposes only, to be used to distribute funds for basic education certificated instructional staff salaries under RCW 28A.150.260. For the purposes of this section, the staff allocations for classroom teachers, teacher librarians, guidance counselors, and student health services staff under RCW 28A.150.260 are considered allocations for certificated instructional staff.

(2) Salary allocations for state-funded basic education certificated instructional staff shall be calculated by the superintendent of public instruction by determining the district's average salary for certificated instructional staff, using the statewide salary allocation schedule and related documents, conditions, and limitations established by the omnibus appropriations act.

(3) Beginning January 1, 1992, no more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in the omnibus appropriations act, or any replacement schedules and documents, unless:

(a) The employee has a master's degree; or

(b) The credits were used in generating state salary allocations before January 1, 1992.

(4) Beginning in the 2007-08 school year, the calculation of years of service for occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, and psychologists regulated under Title 18 RCW may include experience in schools and other nonschool positions as occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, or psychologists. The calculation shall be that one year of service in a nonschool position counts as one year of service for purposes of this chapter, up to a limit of two years of nonschool service. Nonschool years of service included in calculations under this subsection shall not be applied to service credit totals for purposes of any retirement benefit under chapter 41.32, 41.35, or 41.40 RCW, or any other state retirement system benefits.

(5) Beginning in the 2017-18 school year, the calculation of years of service for classroom teachers must include years of industry experience in any state. The calculation must be that one year of industry experience, up to a maximum of ten years, counts as one year of service for purposes of this chapter. Industry years of experience included in calculations under this subsection may not be applied to service credit totals for purposes of any retirement benefit under chapter 41.32, 41.35, or 41.40 RCW, or any other state retirement system benefits. This subsection (5) applies only to a teacher who holds a valid career and technical education teaching certificate for the content area in which he or she is assigned.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.250 RCW to read as follows:

Nothing in the rules adopted by the superintendent of public instruction in accordance with this chapter, or the policies and procedures adopted in accordance with RCW 28A.250.050, may:

(1) Require online career and technical education courses that are eligible for the occupational education credit required for graduation from a public high school to be aligned with a state-recognized career and technical student organization if the school or district can provide the student with alternative options for demonstrating leadership and employability skills for the online course, including community-based options, that are comparable to those traditionally available through a career and technical student organization; or

(2) Limit the online career and technical education courses available to students from approved online providers to only those courses that the district offers to students in a traditional classroom or skill center setting. This subsection (2) applies only to districts that enroll fewer than one thousand students.

**Sec.**  RCW 28A.660.040 and 2010 c 235 s 504 are each amended to read as follows:

Alternative route programs under this chapter shall operate one to four specific route programs. Successful completion of the program shall make a candidate eligible for residency teacher certification. The mentor of the teacher candidate at the school and the supervisor of the teacher candidate from the teacher preparation program must both agree that the teacher candidate has successfully completed the program.

(1) Alternative route programs operating route one programs shall enroll currently employed classified instructional employees with transferable associate degrees seeking residency teacher certification with endorsements in special education, bilingual education, or English as a second language. It is anticipated that candidates enrolled in this route will complete both their baccalaureate degree and requirements for residency certification in two years or less, including a mentored internship to be completed in the final year. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) District or building validation of qualifications, including one year of successful student interaction and leadership as a classified instructional employee;

(b) Successful passage of the statewide basic skills exam; and

(c) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers.

(2) Alternative route programs operating route two programs shall enroll currently employed classified staff with baccalaureate degrees seeking residency teacher certification in subject matter shortage areas and areas with shortages due to geographic location. Candidates enrolled in this route must complete a mentored internship complemented by flexibly scheduled training and coursework offered at a local site, such as a school or educational service district, or online or via videoconference over the K-20 network, in collaboration with the partnership program's higher education partner. In addition, partnership grant programs shall uphold entry requirements for candidates that include:

(a) District or building validation of qualifications, including one year of successful student interaction and leadership as classified staff;

(b) A baccalaureate degree from a regionally accredited institution of higher education. The individual's college or university grade point average may be considered as a selection factor;

(c) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of the statewide basic skills exam.

(3) Alternative route programs seeking funds to operate route three programs shall enroll individuals with baccalaureate degrees, who are not employed in the district at the time of application, and individuals with at least eight thousand hours of industry experience who are seeking certifications and endorsements to teach career and technical education courses. When selecting candidates for certification through route three, districts and approved preparation program providers shall give priority to individuals who are seeking residency teacher certification in subject matter shortage areas or shortages due to geographic locations, and individuals seeking career and technical education certificates. Cohorts of candidates for this route shall attend an intensive summer teaching academy, followed by a full year employed by a district in a mentored internship, followed, if necessary, by a second summer teaching academy. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) A baccalaureate degree from a regionally accredited institution of higher education((~~.~~)), where the individual's grade point average may be considered as a selection factor, or at least eight thousand hours of industry experience for candidates seeking career and technical education certificates;

(b) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(c) External validation of qualifications, including demonstrated successful experience with students or children or demonstrated successful experience training or mentoring adults, such as reference letters and letters of support from previous employers;

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of statewide basic skills exam.

(4) Alternative route programs operating route four programs shall enroll individuals with baccalaureate degrees, who are employed in the district at the time of application((~~,~~)) or who hold conditional teaching certificates or emergency substitute certificates, and individuals with at least eight thousand hours of industry experience who are seeking certifications and endorsements to teach career and technical education courses. Cohorts of candidates for this route shall attend an intensive summer teaching academy, followed by a full year employed by a district in a mentored internship. If employed on a conditional certificate, the intern may serve as the teacher of record, supported by a well-trained mentor. In addition, partnership programs shall uphold entry requirements for candidates that include:

(a) A baccalaureate degree from a regionally accredited institution of higher education((~~.~~)), where the individual's grade point average may be considered as a selection factor, or at least eight thousand hours of industry experience for candidates seeking career and technical education certificates;

(b) Successful completion of the subject matter assessment required by RCW 28A.410.220(3);

(c) External validation of qualifications, including demonstrated successful experience with students or children or demonstrated successful experience training or mentoring adults, such as reference letters and letters of support from previous employers;

(d) Meeting the age, good moral character, and personal fitness requirements adopted by rule for teachers; and

(e) Successful passage of statewide basic skills exam.

(5) Applicants for alternative route programs who are eligible veterans or national guard members and who meet the entry requirements for the alternative route program for which application is made shall be given preference in admission.

NEW SECTION. **Sec.**  A new section is added to chapter 28B.102 RCW to read as follows:

(1) Subject to the appropriation of funds for this specific purpose, the career and technical education conditional scholarship program is established. The purpose of the program is to provide scholarships for persons who are seeking to obtain the necessary certifications and endorsements to teach career and technical education courses.

(2) The program shall be administered by the student achievement council. In administering the program, the council shall:

(a) Adopt necessary rules and develop guidelines to administer the program;

(b) Collect and manage repayments from participants who do not meet their service obligations; and

(c) Accept grants and donations from public and private sources for the program.

(3)(a) The career and technical education conditional scholarship program is limited to persons accepted and enrolled in a professional educator standards board-approved teacher preparation program who are seeking to obtain the necessary certifications and endorsements to teach career and technical education courses, and who are making satisfactory progress toward the completion of the teacher preparation program.

(b) Persons receiving a scholarship through the program may receive no more than the annual amount of the scholarship, not to exceed eight thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation to the teacher preparation program in which the recipient is enrolled. The council may adjust the annual award by the average rate of resident undergraduate tuition and fee increases at the state universities as defined in RCW 28B.10.016.

(4) The Washington professional educator standards board shall select individuals to receive the conditional scholarships established in this section.

(5) Subject to the availability of amounts appropriated for this specific purpose, and in accordance with conditional scholarships established in this section, the state shall forgive one year of loan obligations for every two years a recipient teaches in a public school. The amount of forgiven obligations under this section must be increased by the student achievement council to a maximum of one year of loan obligations for each year a recipient teaches in a public school if the recipient:

(a) Teaches at a school that has enrollment of sixty percent or more students eligible for free or reduced-price meals in the prior school year, or that is using provision two of the national school lunch act or the community eligibility provision under section 104(a) of the federal healthy, hunger-free kids act of 2010 to provide universal meals and that has a claiming percentage for free or reduced-price meals of sixty percent or more; and

(b) Holds a valid career and technical education teaching certificate for the content area in which he or she is assigned.

(6) Recipients who fail to continue a course of study leading to residency teacher certification or cease to teach in a public school in the state of Washington in their endorsement area must repay the remaining loan principal with interest. Recipients who fail to fulfill the required teaching obligation must repay the remaining loan principal with interest and any other applicable fees. The student achievement council shall adopt rules to define the terms for repayment, including applicable interest rates, fees, and deferments.

(7) The student achievement council may deposit all appropriations, collections, and any other funds received for the program in this section in the future teachers conditional scholarship account authorized in RCW 28B.102.080.

**Sec.**  RCW 28A.700.010 and 2008 c 170 s 101 are each amended to read as follows:

(1) To ensure high quality career and technical programs, the office of the superintendent of public instruction shall periodically review and approve the plans of local districts for the delivery of career and technical education. Standards for career and technical programs shall be established by the office of the superintendent of public instruction. ((~~The office of the superintendent of public instruction shall develop a schedule for career and technical education plan reapproval under this section that includes an abbreviated review process for programs reapproved after 2005, but before June 12, 2008. All school district career and technical education programs must meet the requirements of this section by August 31, 2010.~~))

(2) To receive approval, school district plans must:

(a) Demonstrate how career and technical education programs will ensure academic rigor; align with the state's education reform requirements; help address the skills gap of Washington's economy, including aligning programs with statewide and local industry projections and career cluster needs evidenced through economic development data; and maintain strong relationships with local career and technical education advisory councils for the design and delivery of career and technical education;

(b) Demonstrate a strategy to align the five-year planning requirement under the federal Carl Perkins act with the state and district career and technical program planning requirements that include:

(i) An assessment of equipment and technology needs to support the skills training of technical students;

(ii) An assessment of industry internships required for teachers to ensure the ability to prepare students for industry-defined standards or certifications, or both;

(iii) An assessment of the costs of supporting job shadows, mentors, community service and industry internships, and other activities for student learning in the community;

(iv) A description of the leadership activities to be provided for technical education students; and

(v) Annual local school board approval;

(c) Demonstrate that all preparatory career and technical education courses offered by the district meet the requirements of RCW 28A.700.030;

(d) Demonstrate, through the use of appropriate longitudinal data, progress toward meeting or exceeding the performance measures and targets established under RCW 28A.700.040 ((~~of an increased number of career and technical programs in high-demand fields~~)); and

(e) Demonstrate that approved career and technical programs maximize opportunities for students to earn dual credit for high school and college.

(3) To ensure high quality career education programs and services in secondary schools, the office of the superintendent of public instruction may provide technical assistance to local districts and develop state guidelines for the delivery of career guidance in secondary schools.

(4) To ensure leadership development, the staff of the office of the superintendent of public instruction may serve as the state advisors to Washington state FFA, Washington future business leaders of America, Washington DECA, Washington SkillsUSA, Washington family, career and community leaders, and Washington technology students association, and any additional career or technical student organizations that are formed. Working with the directors or executive secretaries of these organizations, the office of the superintendent of public instruction may develop tools for the coordination of leadership activities with the curriculum of technical education programs.

(5) As used in this section, "career and technical education" means a planned program of courses and learning experiences that begins with exploration of career options; supports basic academic and life skills; and enables achievement of high academic standards, leadership, options for high skill, high wage employment preparation, and advanced and continuing education.

**Sec.**  RCW 41.59.020 and 1989 c 11 s 11 are each amended to read as follows:

As used in this chapter:

(1) The term "employee organization" means any organization, union, association, agency, committee, council, or group of any kind in which employees participate, and which exists for the purpose, in whole or in part, of collective bargaining with employers.

(2) The term "collective bargaining" or "bargaining" means the performance of the mutual obligation of the representatives of the employer and the exclusive bargaining representative to meet at reasonable times in light of the time limitations of the budget-making process, and to bargain in good faith in an effort to reach agreement with respect to the wages, hours, and terms and conditions of employment: PROVIDED, That prior law, practice or interpretation shall be neither restrictive, expansive, nor determinative with respect to the scope of bargaining. A written contract incorporating any agreements reached shall be executed if requested by either party. The obligation to bargain does not compel either party to agree to a proposal or to make a concession.

In the event of a dispute between an employer and an exclusive bargaining representative over the matters that are terms and conditions of employment, the commission shall decide which item(s) are mandatory subjects for bargaining and which item(s) are nonmandatory.

(3) The term "commission" means the public employment relations commission established by RCW 41.58.010.

(4) The terms "employee" and "educational employee" means any certificated employee of a school district, except:

(a) The chief executive officer of the employer((~~.~~));

(b) The chief administrative officers of the employer, which shall mean the superintendent of the district, deputy superintendents, administrative assistants to the superintendent, assistant superintendents, and business manager. Title variation from all positions enumerated in this subsection (b) may be appealed to the commission for determination of inclusion in, or exclusion from, the term "educational employee"((~~.~~));

(c) Confidential employees, which shall mean:

(i) Any person who participates directly on behalf of an employer in the formulation of labor relations policy, the preparation for or conduct of collective bargaining, or the administration of collective bargaining agreements, except that the role of such person is not merely routine or clerical in nature but calls for the consistent exercise of independent judgment; and

(ii) Any person who assists and acts in a confidential capacity to such person((~~.~~));

(d) Unless included within a bargaining unit pursuant to RCW 41.59.080, any supervisor, which means any employee having authority, in the interest of an employer, to hire, assign, promote, transfer, layoff, recall, suspend, discipline, or discharge other employees, or to adjust their grievances, or to recommend effectively such action, if in connection with the foregoing the exercise of such authority is not merely routine or clerical in nature but calls for the consistent exercise of independent judgment, and shall not include any persons solely by reason of their membership on a faculty tenure or other governance committee or body. The term "supervisor" shall include only those employees who perform a preponderance of the above-specified acts of authority((~~.~~));

(e) Unless included within a bargaining unit pursuant to RCW 41.59.080, principals and assistant principals in school districts; and

(f) Any teacher who holds a valid career and technical education teaching certificate for the content area in which he or she is assigned and who is employed by the school district at an amount that is less than four-tenths of a full-time equivalent position.

(5) The term "employer" means any school district.

(6) The term "exclusive bargaining representative" means any employee organization which has:

(a) Been selected or designated pursuant to the provisions of this chapter as the representative of the employees in an appropriate collective bargaining unit; or

(b) Prior to January 1, 1976, been recognized under a predecessor statute as the representative of the employees in an appropriate collective bargaining or negotiations unit.

(7) The term "person" means one or more individuals, organizations, unions, associations, partnerships, corporations, boards, committees, commissions, agencies, or other entities, or their representatives.

(8) The term "nonsupervisory employee" means all educational employees other than principals, assistant principals and supervisors.

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