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**SUBSTITUTE SENATE BILL 5044**

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**State of Washington 67th Legislature 2021 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Das, Wellman, Darneille, Hasegawa, Hunt, Lovelett, Nguyen, Nobles, Robinson, Saldaña, Stanford, and Wilson, C.)

AN ACT Relating to equity, cultural competency, and dismantling institutional racism in the public school system; amending RCW 28A.345.100, 28A.415.420, 28A.150.415, 28A.410.260, and 28A.410.270; adding a new section to chapter 28A.415 RCW; creating a new section; and repealing RCW 28A.657.140.

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

NEW SECTION. **Sec.**  (1) The legislature finds that state resources have been invested to: (a) Identify model standards for cultural competency; (b) incorporate these cultural competency standards into both the standards for effective teaching and the standards of practice for paraeducators; (c) develop cultural competency training programs for school district staff from paraeducators to administrators; and (d) develop a plan for the creation and delivery of cultural competency training for school board directors and superintendents.

(2) The legislature plans to continue the important work of dismantling institutional racism in public schools and recognizes the importance of increasing equity, diversity, inclusion, antiracism, and cultural competency training throughout the entire public school system by providing a continuum of training materials for classified staff, certificated instructional staff, certificated administrative staff, and superintendents that is job-embedded and provided in an ongoing manner.

**Sec.**  RCW 28A.345.100 and 2016 c 72 s 201 are each amended to read as follows:

(1) The Washington state school directors' association, in consultation with the educational opportunity gap oversight and accountability committee, the office of the superintendent of public instruction, and the professional educator standards board, ((~~the steering committee established in RCW 28A.405.100, and the educational opportunity gap oversight and accountability committee, must develop a plan for the creation and delivery of~~)) must develop a recommended list of available equity, diversity, inclusion, antiracism, and cultural competency training for school board directors ((~~and superintendents~~)). The training programs identified must ((~~also~~)) include the foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition, including information regarding best practices to implement the tribal history and culture curriculum. The training programs identified must instruct school board directors on dismantling institutional racism by examining school district policies with an equity lens, promoting racial literacy, understanding stereotype threat, and identifying disproportionate student outcomes by using district data. The content of the cultural competency training programs identified must be aligned with the standards for cultural ((~~competence~~)) competency developed by the professional educator standards board under RCW ((~~28A.410.270~~)) 28A.410.260 and training programs identified for equity, diversity, antiracism, and inclusion must consider various races, ethnicities, religions, disabilities, sexualities, and genders.

(2) Beginning in the 2022-23 school year, the Washington state school directors' association must provide ongoing training through the use of its association dues to school board members using an equity, diversity, inclusion, antiracism, and cultural competency training program from the list of recommended trainings created under this section.

**Sec.**  RCW 28A.415.420 and 2016 c 72 s 204 are each amended to read as follows:

(1) Subject to ((~~funds appropriated specifically~~)) the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in collaboration with the educational opportunity gap oversight and accountability committee, the professional educator standards board, colleges of education, and representatives from diverse communities and community-based organizations, must develop a content outline for professional development and training in cultural competence and dismantling institutional racism for school staff.

(2) The content of the cultural competence and antiracism professional development and training must be aligned with the standards developed by the professional educator standards board under RCW ((~~28A.410.270~~)) 28A.410.260. The training program must also include ((~~the~~)):

(a) The foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition, including information regarding best practices to implement the tribal history and culture curriculum;

(b) Review of district data to identify disproportionate student outcomes; and

(c) Understanding of implicit bias and stereotype threat.

(3) The cultural ((~~competence~~)) and antiracism professional development and training must contain components that are appropriate for classified school staff and district administrators as well as certificated instructional staff and principals at the building level. The professional development and training must also contain components suitable for delivery by individuals from the local community or community-based organizations with appropriate expertise.

(4) ((~~The legislature encourages~~)) Subject to the availability of amounts appropriated for this specific purpose, educational service districts and school districts ((~~to~~)) must use the cultural competence and antiracism professional development and training developed under this section ((~~and~~)) to provide job-embedded, ongoing opportunities for all school and school district staff, from classified staff to the superintendent, to gain knowledge and skills in cultural competence, including in partnership with their local communities.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.415 RCW to read as follows:

Beginning with the 2022-23 school year and subject to the availability of amounts appropriated for this specific purpose, school districts and educational service districts must use equity, diversity, inclusion, antiracism, and cultural competency training materials from the recommended list developed under RCW 28A.345.100 to provide job-embedded, ongoing training opportunities for classified staff, certificated instructional staff, certificated administrative staff, and the superintendent.

**Sec.**  RCW 28A.150.415 and 2019 c 387 s 3 are each amended to read as follows:

(1) Beginning with the ((~~2018-19~~)) 2020-21 school year, the legislature shall ((~~begin phasing~~)) allocate in funding for three professional learning days for certificated instructional staff. ((~~At a minimum, the state must allocate funding for:~~

~~(a) One professional learning day in the 2018-19 school year;~~

~~(b) Two professional learning days in the 2019-20 school year; and~~

~~(c) Three professional learning days in the 2020-21 school year.~~))

(2) Each year, beginning with the 2021-22 school year, one professional learning day must be prioritized by school districts to focus first on providing equity, diversity, inclusion, antiracism, and cultural competency training as established in section 4 of this act.

(3) The office of the superintendent of public instruction shall calculate each school district's professional learning allocation as provided in subsection (1) of this section separate from the minimum state allocation for salaries as specified in RCW 28A.150.410 and associated fringe benefits on the apportionment reports provided to each school district. The professional learning allocation shall be equal to the proportional increase resulting from adding the professional learning days provided in subsection (1) of this section to the required minimum number of school days in RCW 28A.150.220(5)(a) applied to the school district's minimum state allocation for salaries and associated fringe benefits for certificated instructional staff as specified in the omnibus operating appropriations act. Professional learning allocations shall be included in per-pupil calculations, such as special education, for programs funded on a per-pupil basis.

((~~(3)~~)) (4) Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

((~~(4)~~)) (5) The professional learning days must meet the definitions and standards provided in RCW 28A.415.430, 28A.415.432, and 28A.415.434.

**Sec.**  RCW 28A.410.260 and 2009 c 468 s 5 are each amended to read as follows:

(1) The professional educator standards board, in consultation and collaboration with the ((~~achievement~~)) educational opportunity gap oversight and accountability committee established under RCW 28A.300.136, shall identify and update a list of model standards for antiracism and cultural competency and make recommendations to the education committees of the legislature on the strengths and weaknesses of those standards.

(2) For the purposes of this section, "cultural competency" includes ((~~knowledge of~~)) antiracism standards, an equity framework, and culturally responsive instruction that acknowledges student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.

**Sec.**  RCW 28A.410.270 and 2019 c 386 s 3 are each amended to read as follows:

(1)(a) The Washington professional educator standards board shall adopt a set of articulated teacher knowledge, skill, and performance standards for effective teaching that are evidence-based, measurable, meaningful, and documented in high quality research as being associated with improved student learning. The standards shall be calibrated for each level along the entire career continuum.

(b) In developing the standards, the board shall, to the extent possible, incorporate standards for cultural competency, as defined in RCW 28A.410.260, along the entire continuum. ((~~For the purposes of this subsection, "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.~~))

(c) By January 1, 2020, in order to ensure that teachers can recognize signs of emotional or behavioral distress in students and appropriately refer students for assistance and support, the Washington professional educator standards board shall incorporate along the entire continuum the social-emotional learning standards and benchmarks recommended by the social-emotional learning benchmarks work group in its October 1, 2016, final report titled, "addressing social emotional learning in Washington's K-12 public schools." In incorporating the social-emotional learning standards and benchmarks, the Washington professional educator standards board must include related competencies, such as trauma-informed practices, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, and culturally sustaining practices.

(2) The Washington professional educator standards board shall adopt a definition of master teacher, with a comparable level of increased competency between professional certification level and master level as between professional certification level and national board certification. Within the definition established by the Washington professional educator standards board, teachers certified through the national board for professional teaching standards shall be considered master teachers.

(3) The Washington professional educator standards board shall maintain a uniform, statewide, valid, and reliable classroom-based means of evaluating teacher effectiveness as a culminating measure at the preservice level that is to be used during the student-teaching field experience. This assessment shall include multiple measures of teacher performance in classrooms, evidence of positive impact on student learning, and shall include review of artifacts, such as use of a variety of assessment and instructional strategies, and student work.

(4) Award of a professional certificate shall be based on a minimum of two years of successful teaching experience as defined by the board, and may not require candidates to enroll in a professional certification program.

(5) Educator preparation programs approved to offer the residency teaching certificate shall be required to demonstrate how the program produces effective teachers as evidenced by the measures established under this section and other criteria established by the Washington professional educator standards board.

NEW SECTION. **Sec.**  RCW 28A.657.140 (Cultural competence professional development and training) and 2016 c 72 s 205 are each repealed.

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