
ENGROSSED SUBSTITUTE SENATE BILL 5044

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.)

READ FIRST TIME 01/21/21.

1 AN ACT Relating to equity, cultural competency, and dismantling
2 institutional racism in the public school system; amending RCW
3 28A.345.100, 28A.415.420, 28A.150.415, 28A.410.260, and 28A.410.270;
4 adding a new section to chapter 28A.415 RCW; creating a new section;
5 and repealing RCW 28A.657.140.

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

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

16 (2) The legislature plans to continue the important work of
17 dismantling institutional racism in public schools and recognizes the
18 importance of increasing equity, diversity, inclusion, antiracism,
19 and cultural competency training throughout the entire public school
20 system by providing a continuum of training materials for classified
21 staff, certificated instructional staff, certificated administrative

1 staff, and superintendents that is job-embedded and provided in an
2 ongoing manner.

3 **Sec. 2.** RCW 28A.345.100 and 2016 c 72 s 201 are each amended to
4 read as follows:

5 (1) The Washington state school directors' association, in
6 consultation with the educational opportunity gap oversight and
7 accountability committee, the office of the superintendent of public
8 instruction, and the professional educator standards board, ((the
9 steering committee established in RCW 28A.405.100, and the
10 educational opportunity gap oversight and accountability committee,
11 must develop a plan for the creation and delivery of)) must develop a
12 recommended list of available equity, diversity, inclusion,
13 antiracism, and cultural competency training for school board
14 directors ((and superintendents)) and post the recommended list of
15 training programs online for parents and community members. The
16 training programs identified must ((also)) include the foundational
17 elements of cultural competence, focusing on multicultural education
18 and principles of English language acquisition, including information
19 regarding best practices to implement the tribal history and culture
20 curriculum. The training programs identified must instruct school
21 board directors on dismantling institutional racism by examining
22 school district policies with an equity lens, promoting racial
23 literacy, understanding stereotype threat, and identifying
24 disproportionate student outcomes by using district data. The content
25 of the cultural competency training programs identified must be
26 aligned with the standards for cultural ((competence)) competency
27 developed by the professional educator standards board under RCW
28 ((28A.410.270)) 28A.410.260 and training programs identified for
29 equity, diversity, antiracism, and inclusion must consider various
30 races, ethnicities, religions, disabilities, sexualities, and
31 genders.

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

1 **Sec. 3.** RCW 28A.415.420 and 2016 c 72 s 204 are each amended to
2 read as follows:

3 (1) Subject to ~~((funds—appropriated—specifically))~~ the
4 availability of amounts appropriated for this specific purpose, the
5 office of the superintendent of public instruction, in collaboration
6 with the educational opportunity gap oversight and accountability
7 committee, the professional educator standards board, colleges of
8 education, and representatives from diverse communities and
9 community-based organizations, must develop a content outline for
10 professional development and training in cultural competence and
11 dismantling institutional racism for school staff. The office of the
12 superintendent of public instruction must post the content outline
13 for professional development and training online for parents and
14 community members.

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

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

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

26 (c) Understanding of implicit bias and stereotype threat.

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

35 (4) ~~((The legislature encourages))~~ Subject to the availability of
36 amounts appropriated for this specific purpose, educational service
37 districts and school districts ~~((to))~~ must use the cultural
38 competence and antiracism professional development and training
39 developed under this section ~~((and))~~ to provide job-embedded, ongoing
40 opportunities for all school and school district staff, from

1 classified staff to the superintendent, to gain knowledge and skills
2 in cultural competence, including in partnership with their local
3 communities.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.415
5 RCW to read as follows:

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

14 **Sec. 5.** RCW 28A.150.415 and 2019 c 387 s 3 are each amended to
15 read as follows:

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

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

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

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

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

30 (3) The office of the superintendent of public instruction shall
31 calculate each school district's professional learning allocation as
32 provided in subsection (1) of this section separate from the minimum
33 state allocation for salaries as specified in RCW 28A.150.410 and
34 associated fringe benefits on the apportionment reports provided to
35 each school district. The professional learning allocation shall be
36 equal to the proportional increase resulting from adding the
37 professional learning days provided in subsection (1) of this section
38 to the required minimum number of school days in RCW

1 28A.150.220(5)(a) applied to the school district's minimum state
2 allocation for salaries and associated fringe benefits for
3 certificated instructional staff as specified in the omnibus
4 operating appropriations act. Professional learning allocations shall
5 be included in per-pupil calculations, such as special education, for
6 programs funded on a per-pupil basis.

7 ~~((3))~~ (4) Nothing in this section entitles an individual
8 certificated instructional staff to any particular number of
9 professional learning days.

10 ~~((4))~~ (5) The professional learning days must meet the
11 definitions and standards provided in RCW 28A.415.430, 28A.415.432,
12 and 28A.415.434.

13 **Sec. 6.** RCW 28A.410.260 and 2009 c 468 s 5 are each amended to
14 read as follows:

15 (1) The professional educator standards board, in consultation
16 and collaboration with the ~~((achievement))~~ educational opportunity
17 gap oversight and accountability committee established under RCW
18 28A.300.136, shall identify and update a list of model standards for
19 antiracism and cultural competency and make recommendations to the
20 education committees of the legislature on the strengths and
21 weaknesses of those standards. The professional educator standards
22 board must post the list of model standards for antiracism and
23 cultural competency online for parents and community members.

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

33 **Sec. 7.** RCW 28A.410.270 and 2019 c 386 s 3 are each amended to
34 read as follows:

35 (1)(a) The Washington professional educator standards board shall
36 adopt a set of articulated teacher knowledge, skill, and performance
37 standards for effective teaching that are evidence-based, measurable,
38 meaningful, and documented in high quality research as being

1 associated with improved student learning. The standards shall be
2 calibrated for each level along the entire career continuum.

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

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

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

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

1 of a variety of assessment and instructional strategies, and student
2 work.

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

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

12 NEW SECTION. **Sec. 8.** RCW 28A.657.140 (Cultural competence
13 professional development and training) and 2016 c 72 s 205 are each
14 repealed.

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