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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.)

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)). The training programs identified  
15 must ((also)) include the foundational elements of cultural  
16 competence, focusing on multicultural education and principles of  
17 English language acquisition, including information regarding best  
18 practices to implement the tribal history and culture curriculum. The  
19 training programs identified must instruct school board directors on  
20 dismantling institutional racism by examining school district  
21 policies with an equity lens, promoting racial literacy,  
22 understanding stereotype threat, and identifying disproportionate  
23 student outcomes by using district data. The content of the cultural  
24 competency training programs identified must be aligned with the  
25 standards for cultural ((competence)) competency developed by the  
26 professional educator standards board under RCW ((28A.410.270))  
27 28A.410.260 and training programs identified for equity, diversity,  
28 antiracism, and inclusion must consider various races, ethnicities,  
29 religions, disabilities, sexualities, and genders.

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

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

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

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

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

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

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

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

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

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

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

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

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

- 17        ~~(a) One professional learning day in the 2018-19 school year;~~  
18        ~~(b) Two professional learning days in the 2019-20 school year;~~  
19   and  
20        ~~(c) Three professional learning days in the 2020-21 school~~  
21   ~~year.))~~

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

27        (3) The office of the superintendent of public instruction shall  
28   calculate each school district's professional learning allocation as  
29   provided in subsection (1) of this section separate from the minimum  
30   state allocation for salaries as specified in RCW 28A.150.410 and  
31   associated fringe benefits on the apportionment reports provided to  
32   each school district. The professional learning allocation shall be  
33   equal to the proportional increase resulting from adding the  
34   professional learning days provided in subsection (1) of this section  
35   to the required minimum number of school days in RCW  
36   28A.150.220(5) (a) applied to the school district's minimum state  
37   allocation for salaries and associated fringe benefits for  
38   certificated instructional staff as specified in the omnibus  
39   operating appropriations act. Professional learning allocations shall

1 be included in per-pupil calculations, such as special education, for  
2 programs funded on a per-pupil basis.

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

6 ~~((4))~~ (5) The professional learning days must meet the  
7 definitions and standards provided in RCW 28A.415.430, 28A.415.432,  
8 and 28A.415.434.

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

11 (1) The professional educator standards board, in consultation  
12 and collaboration with the ~~((achievement))~~ educational opportunity  
13 gap oversight and accountability committee established under RCW  
14 28A.300.136, shall identify and update a list of model standards for  
15 antiracism and cultural competency and make recommendations to the  
16 education committees of the legislature on the strengths and  
17 weaknesses of those standards.

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

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

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

34 (b) In developing the standards, the board shall, to the extent  
35 possible, incorporate standards for cultural competency, as defined  
36 in RCW 28A.410.260, along the entire continuum. ~~((For the purposes of~~  
37 ~~this subsection, "cultural competency" includes knowledge of student~~  
38 ~~cultural histories and contexts, as well as family norms and values~~

1 ~~in different cultures; knowledge and skills in accessing community~~  
2 ~~resources and community and parent outreach; and skills in adapting~~  
3 ~~instruction to students' experiences and identifying cultural~~  
4 ~~contexts for individual students.)~~

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

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

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

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

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

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

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