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**SENATE BILL 6002**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Senators Hunt and Nobles

AN ACT Relating to transferring the professional educator standards board and the paraeducator board to the office of the superintendent of public instruction; amending RCW 28A.300.040, 28A.410.200, 28A.410.210, 28A.413.020, and 28A.413.030; creating new sections; and providing an effective date.

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

**Sec.**  RCW 28A.300.040 and 2023 c 303 s 3 are each amended to read as follows:

In addition to any other powers and duties as provided by law, the powers and duties of the superintendent of public instruction shall be:

(1) To have supervision over all matters pertaining to the public schools of the state;

(2) To report to the governor and the legislature such information and data as may be required for the management and improvement of the schools;

(3) To prepare and have printed such forms, registers, courses of study, rules for the government of the common schools, and such other material and books as may be necessary for the discharge of the duties of teachers and officials charged with the administration of the laws relating to the common schools, and to distribute the same to educational service district superintendents;

(4) To travel, without neglecting his or her other official duties as superintendent of public instruction, for the purpose of attending educational meetings or conventions, of visiting schools, and of consulting educational service district superintendents or other school officials;

(5) To prepare and from time to time to revise a manual of the Washington state common school code, copies of which shall be made available online and which shall be sold at approximate actual cost of publication and distribution per volume to public and nonpublic agencies or individuals, said manual to contain Titles 28A and 28C RCW, rules related to the common schools, and such other matter as the state superintendent or the state board of education shall determine;

(6) To file all papers, reports and public documents transmitted to the superintendent by the school officials of the several counties or districts of the state, each year separately. Copies of all papers filed in the superintendent's office, and the superintendent's official acts, may, or upon request, shall be certified by the superintendent and attested by the superintendent's official seal, and when so certified shall be evidence of the papers or acts so certified to;

(7) To require annually, on or before the 15th day of August, of the president, manager, or principal of every educational institution in this state, a report as required by the superintendent of public instruction; and it is the duty of every president, manager, or principal, to complete and return such forms within such time as the superintendent of public instruction shall direct;

(8) To keep in the superintendent's office a record of all teachers receiving certificates to teach in the common schools of this state;

(9) To issue certificates as provided by law;

(10) To keep in the superintendent's office at the capital of the state, all books and papers pertaining to the business of the superintendent's office, and to keep and preserve in the superintendent's office a complete record of statistics, as well as a record of the meetings of the state board of education;

(11) With the assistance of the office of the attorney general, to decide all points of law which may be submitted to the superintendent in writing by any educational service district superintendent, or that may be submitted to the superintendent by any other person, upon appeal from the decision of any educational service district superintendent; and the superintendent shall publish his or her rulings and decisions from time to time for the information of school officials and teachers; and the superintendent's decision shall be final unless set aside by a court of competent jurisdiction;

(12) To administer oaths and affirmations in the discharge of the superintendent's official duties;

(13) To deliver to his or her successor, at the expiration of the superintendent's term of office, all records, books, maps, documents and papers of whatever kind belonging to the superintendent's office or which may have been received by the superintendent's for the use of the superintendent's office;

(14) To administer family services and programs to promote the state's policy as provided in RCW 74.14A.025;

(15) To promote the adoption of school-based curricula and policies that provide quality, daily physical education for all students, and to encourage policies that provide all students with opportunities for physical activity outside of formal physical education classes;

(16) To perform all duties required by chapter 303, Laws of 2023 for the delivery and oversight of basic education services to justice-involved students under the age of 21 who are served through institutional education programs in facilities that are not under the jurisdiction of the department of social and health services or the department of corrections; ((~~and~~))

(17) To administer the professional educator standards board created in RCW 28A.410.200 and the paraeducator board created in RCW 28A.413.020; and

(18) To perform such other duties as may be required by law.

**Sec.**  RCW 28A.410.200 and 2017 c 189 s 1 are each amended to read as follows:

(1)(a) The Washington professional educator standards board is created, consisting of ((~~twelve~~)) 12 members to be appointed by the ((~~governor to four-year terms and the~~)) superintendent of public instruction ((~~or the superintendent's designee. On August 1, 2009, the board shall be reduced to twelve members~~)).

(b) Vacancies on the board shall be filled by appointment or reappointment by the ((~~governor~~)) superintendent of public instruction to terms of four years.

(c) No person may serve as a member of the board for more than two consecutive full four-year terms.

(d) The ((~~governor~~)) superintendent of public instruction shall biennially appoint the chair of the board. No board member may serve as chair for more than four consecutive years.

(2) A majority of the members of the board shall be active practitioners with the majority being classroom based. Membership on the board shall include individuals having one or more of the following:

(a) Experience in one or more of the education roles for which state preparation program approval is required and certificates issued;

(b) Experience providing or leading a state-approved teacher or educator preparation program;

(c) Experience providing mentoring and coaching to education professionals or others; and

(d) Education-related community experience.

(3) In appointing board members, the ((~~governor~~)) superintendent of public instruction shall consider the individual's commitment to quality education and the ongoing improvement of instruction, experiences in the public schools or private schools, involvement in developing quality teaching preparation and support programs, and vision for the most effective yet practical system of assuring teaching quality. The ((~~governor~~)) superintendent of public instruction shall also consider the diversity of the population of the state.

(4) ((~~All appointments to the board made by the governor are subject to confirmation by the senate.~~

~~(5)~~)) Each member of the board shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

((~~(6)~~)) (5) The ((~~governor~~)) superintendent of public instruction may remove a member of the board for neglect of duty, misconduct, malfeasance or misfeasance in office, or for incompetency or unprofessional conduct as defined in chapter 18.130 RCW. In such a case, the ((~~governor shall file with the secretary of state a statement of the causes for and the order of removal from office, and the secretary of state~~)) superintendent of public instruction shall send a certified copy of the statement of causes and order of removal to the last known post office address of the member.

((~~(7) Members of the board~~)) (6) The superintendent of public instruction shall hire an executive director and an administrative assistant ((~~to reside in the office of the superintendent of public instruction for administrative purposes only~~)). The office of the superintendent of public instruction shall administer the board.

((~~(8)~~)) (7) Members of the board may create informal advisory groups as needed to inform the board's work.

**Sec.**  RCW 28A.410.210 and 2017 3rd sp.s. c 26 s 2 are each amended to read as follows:

The purpose of the Washington professional educator standards board is to establish policies and requirements for the preparation and certification of educators that provide standards for competency in professional knowledge and practice in the areas of certification; a foundation of skills, knowledge, and attitudes necessary to help students with diverse needs, abilities, cultural experiences, and learning styles meet or exceed the learning goals outlined in RCW 28A.150.210; knowledge of research-based practice; and professional development throughout a career. The Washington professional educator standards board shall:

(1) Establish policies and practices for the approval of programs of courses, requirements, and other activities leading to educator certification including teacher, school administrator, and educational staff associate certification;

(2) Establish policies and practices for the approval of the character of work required to be performed as a condition of entrance to and graduation from any educator preparation program including teacher, school administrator, and educational staff associate preparation program as provided in subsection (1) of this section;

(3) Establish a list of accredited institutions of higher education of this and other states whose graduates may be awarded educator certificates as teacher, school administrator, and educational staff associate and establish criteria and enter into agreements with other states to acquire reciprocal approval of educator preparation programs and certification, including teacher certification from the national board for professional teaching standards;

(4) Establish policies for approval of nontraditional educator preparation programs;

(5) Conduct a review of educator program approval standards at least every five years, beginning in 2006, to reflect research findings and assure continued improvement of preparation programs for teachers, administrators, and school specialized personnel;

(6) Specify the types and kinds of educator certificates to be issued and conditions for certification in accordance with subsection (1) of this section, RCW 28A.410.251, and 28A.410.010;

(7) Apply for and receive federal or other funds on behalf of the state for purposes related to the duties of the board;

(8) Adopt rules under chapter 34.05 RCW that are necessary for the effective and efficient implementation of this chapter, provided the rules have the prior approval of the superintendent of public instruction and indicate that the superintendent of public instruction provided the approval;

(9) Maintain data concerning educator preparation programs and their quality, educator certification, educator employment trends and needs, and other data deemed relevant by the board;

(10) Serve as an advisory body to the superintendent of public instruction on issues related to educator recruitment, hiring, mentoring and support, professional growth, retention, educator evaluation including but not limited to peer evaluation, and revocation and suspension of licensure;

(11) Submit, by October 15th of each even-numbered year and in accordance with RCW 43.01.036, a joint report with the state board of education to the legislative education committees, the governor, and the superintendent of public instruction. The report shall address the progress the boards have made and the obstacles they have encountered, individually and collectively, in the work of achieving the goals set out in RCW 28A.150.210;

(12) Establish the prospective teacher assessment system for basic skills and subject knowledge that shall be required to obtain residency certification pursuant to RCW 28A.410.220 through 28A.410.240; and

(13) Conduct meetings under the provisions of chapter 42.30 RCW.

**Sec.**  RCW 28A.413.020 and 2017 c 237 s 3 are each amended to read as follows:

(1)(a) The paraeducator board is created, consisting of nine members to be appointed to four-year terms.

(b) Vacancies on the board must be filled by appointment or reappointment as described in subsection (2) of this section to terms of four years.

(c) No person may serve as a member of the board for more than two consecutive full four-year terms.

(d) The ((~~governor~~)) superintendent of public instruction must biennially appoint the chair of the board. No board member may serve as chair for more than four consecutive years.

(2) Appointments to the board must be made as follows((~~, subject to confirmation by the senate~~)):

(a) The superintendent of public instruction shall appoint a basic education paraeducator, a special education paraeducator, an English language learner paraeducator, a teacher, a principal, and a representative of the office of the superintendent of public instruction;

(b) The Washington state parent teacher association shall appoint a parent whose child receives instructional support from a paraeducator;

(c) The state board for community and technical colleges shall appoint a representative of the community and technical college system; and

(d) The student achievement council shall appoint a representative of a four-year institution of higher education as defined in RCW 28B.10.016.

(3) The ((~~professional educator standards board~~)) office of the superintendent of public instruction shall administer the board.

(4) Each member of the board must be compensated in accordance with RCW 43.03.240 and must be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(5) Members of the board may create informal advisory groups as needed to inform the board's work.

(6) The ((~~governor~~)) superintendent of public instruction may remove a member of the board for neglect of duty, misconduct, malfeasance or misfeasance in office, or for incompetency or unprofessional conduct as defined in chapter 18.130 RCW. In such a case, the ((~~governor shall file with the secretary of state a statement of the causes for and the order of removal from the board, and the secretary of state~~)) superintendent of public instruction shall send a certified copy of the statement of causes and order of removal to the last known post office address of the member.

**Sec.**  RCW 28A.413.030 and 2023 c 19 s 2 are each amended to read as follows:

(1) The paraeducator board has the following powers and duties:

(a) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, adopt: (i) Minimum employment requirements for paraeducators, as described in RCW 28A.413.040; and (ii) paraeducator standards of practice, as described in RCW 28A.413.050;

(b) Adopt one or more assessments that meet a rigorous standard of quality and can be used to demonstrate knowledge of, and the ability to assist in, instruction in reading, writing, and mathematics, as well as set a passing score for each assessment adopted. The board may develop assessments to meet the requirement of this subsection (1)(b);

(c) Establish requirements and policies for a general paraeducator certificate, as described in RCW 28A.413.070;

(d) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, establish requirements and policies for subject matter certificates in English language learner and special education, as described in RCW 28A.413.080;

(e) Based on the recommendations of the paraeducator work group established in chapter 136, Laws of 2014, establish requirements and policies for an advanced paraeducator certificate, as described in RCW 28A.413.090;

(f) By September 1, 2018, approve, and develop if necessary, courses required to meet the provisions of this chapter, where the courses are offered in a variety of means that will limit cost and improve access;

(g) Make policy recommendations, as necessary, for a paraeducator career ladder that will increase opportunities for paraeducator advancement through advanced education, professional learning, and increased instructional responsibility;

(h) Collaborate with the office of the superintendent of public instruction to adapt the electronic educator certification process to include paraeducator certificates; and

(i) Adopt rules under chapter 34.05 RCW that are necessary for the effective and efficient implementation of this chapter, provided the rules have the prior approval of the superintendent of public instruction and indicate that the superintendent of public instruction provided the approval.

(2) The superintendent of public instruction shall act as the administrator of any such rules and have the power to issue any paraeducator certificates and revoke the same in accordance with board rules.

NEW SECTION. **Sec.**  (1) All powers, duties, and functions of the professional educator standards board are transferred to the office of the superintendent of public instruction, and the professional educator standards board shall continue to fulfill its purpose as an advisory and rule-making board within the office of the superintendent of public instruction as provided in RCW 28A.410.210. All references to the professional educator standards board in the Revised Code of Washington shall be construed to mean the professional educator standards board under the administration and oversight of the office of the superintendent of public instruction when referring to the functions transferred in this section.

(2)(a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the professional educator standards board pertaining to the powers, duties, and functions transferred shall be delivered to the custody of the office of the superintendent of public instruction. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the professional educator standards board in carrying out the powers, duties, and functions transferred shall be made available to the office of the superintendent of public instruction. All funds, credits, or other assets held in connection with the powers, duties, and functions transferred shall be assigned to the office of the superintendent of public instruction.

(b) Any appropriations made to the professional educator standards board for carrying out the powers, duties, and functions transferred shall, on the effective date of this section, be transferred and credited to the office of the superintendent of public instruction.

(c) Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All employees of the professional educator standards board engaged in performing the powers, duties, and functions transferred are transferred to the jurisdiction of the office of the superintendent of public instruction. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the office of the superintendent of public instruction to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(4) All rules and all pending business before the professional educator standards board pertaining to the powers, duties, and functions transferred shall be continued and acted upon by the office of the superintendent of public instruction. All existing contracts and obligations shall remain in full force and shall be performed by the office of the superintendent of public instruction.

(5) The transfer of the powers, duties, functions, and personnel of the professional educator standards board shall not affect the validity of any act performed before the effective date of this section.

(6) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(7) All classified employees of the professional educator standards board assigned to the office of the superintendent of public instruction under this section whose positions are within an existing bargaining unit description at the office of the superintendent of public instruction shall become a part of the existing bargaining unit at the office of the superintendent of public instruction and shall be considered an appropriate inclusion or modification of the existing bargaining unit under the provisions of chapter 41.80 RCW.

NEW SECTION. **Sec.**  (1) All powers, duties, and functions of the paraeducator board are transferred to the office of the superintendent of public instruction, and the paraeducator board shall continue to fulfill its purpose as an advisory and rule-making board within the office of the superintendent of public instruction as provided in RCW 28A.413.030. All references to the paraeducator board in the Revised Code of Washington shall be construed to mean the paraeducator board under the administration and oversight of the office of the superintendent of public instruction when referring to the functions transferred in this section.

(2)(a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the paraeducator board pertaining to the powers, duties, and functions transferred shall be delivered to the custody of the office of the superintendent of public instruction. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the paraeducator board in carrying out the powers, duties, and functions transferred shall be made available to the office of the superintendent of public instruction. All funds, credits, or other assets held in connection with the powers, duties, and functions transferred shall be assigned to the office of the superintendent of public instruction.

(b) Any appropriations made to the paraeducator board for carrying out the powers, duties, and functions transferred shall, on the effective date of this section, be transferred and credited to the office of the superintendent of public instruction.

(c) Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All employees of the paraeducator board engaged in performing the powers, duties, and functions transferred are transferred to the jurisdiction of the office of the superintendent of public instruction. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the office of the superintendent of public instruction to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(4) All rules and all pending business before the paraeducator board pertaining to the powers, duties, and functions transferred shall be continued and acted upon by the office of the superintendent of public instruction. All existing contracts and obligations shall remain in full force and shall be performed by the office of the superintendent of public instruction.

(5) The transfer of the powers, duties, functions, and personnel of the paraeducator board shall not affect the validity of any act performed before the effective date of this section.

(6) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(7) All classified employees of the paraeducator board assigned to the office of the superintendent of public instruction under this section whose positions are within an existing bargaining unit description at the office of the superintendent of public instruction shall become a part of the existing bargaining unit at the office of the superintendent of public instruction and shall be considered an appropriate inclusion or modification of the existing bargaining unit under the provisions of chapter 41.80 RCW.

NEW SECTION. **Sec.**  The office of the code reviser shall note, wherever any agency or agency's duties transferred, consolidated, or eliminated under this act are used or referred to in statute, that the agency has changed. The office of the code reviser shall prepare legislation for the 2025 regular session that: (1) Changes all statutory references of any agency transferred, consolidated, or eliminated under this act; and (2) changes statutory references to sections affected by this act but not amended in this act.

NEW SECTION. **Sec.**  Sections 1 through 7 of this act take effect July 1, 2025.

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