

HOUSE BILL REPORT

2ESHB 1377

As Amended by the Senate

Title: An act relating to posting of approved courses and providers of continuing education on equity-based school practices, the national professional standards for education leaders, and government-to-government relationships, which is currently required for administrators and teachers.

Brief Description: Posting of approved courses and providers of continuing education.

Sponsors: House Committee on Education (originally sponsored by Representatives Santos, Reed and Ortiz-Self).

Brief History:

Committee Activity:

Education: 2/7/23, 2/14/23 [DPS].

Floor Activity:

Passed House: 2/28/23, 97-0.

Floor Activity:

Passed House: 2/6/24, 97-0.

Senate Amended.

Passed Senate: 2/28/24, 48-1.

Brief Summary of Second Engrossed Substitute Bill

- Removes the limitation that continuing education for administrators and teachers on equity-based school practices or the National Professional Standards for Education Leaders (NPSEL) be provided only by identified clock hour providers.
- Directs providers of an administrator or teacher continuing education program on equity-based school practices or on NPSEL to publicly post the learning objectives of the program.
- Requires audits of providers of certain programs on equity-based school practices or NPSEL.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

- Requires education agencies to post on their websites a list of approved subject matter experts on government-to-government relationships with federally recognized tribes.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist, Callan, Eslick, Harris, McClintock, Ortiz-Self, Pollet, Sandlin, Steele, Stonier and Timmons.

Staff: Megan Wargacki (786-7194).

Background:

Continuing Education Requirements for Administrators and Teachers.

The Professional Educator Standards Board (PESB) adopts rules and creates policies for the preparation and certification of educators. The PESB's statutory duties include specifying the types and kinds of educator certificates to be issued and the conditions for certification.

Every five years, teachers and administrators must renew their certificate by meeting one of the following continuing education requirements: (1) complete 100 clock hours or the equivalent in college credit; (2) complete four professional growth plans (PGPs); or (3) complete a combination of PGPs and clock hours.

For administrators renewing a certificate on or after July 1, 2023, the continuing education must meet the following requirements: 10 percent must focus on equity-based school practices, 10 percent must focus on the National Professional Standards for Education Leaders (PSEL), and 5 percent must focus on government-to-government relationships with federally recognized tribes.

For teachers renewing a certificate on or after July 1, 2023, 15 percent of continuing education must focus on equity-based school practices.

Continuing education focused on equity-based school practices must be aligned with cultural competency, diversity, equity, and inclusion standards of the PESB.

Required continuing education for administrators and teachers related to equity-based school practice and the PSEL must be provided by one or more of the following entities, if they are an approved clock hour provider: the Office of the Superintendent of Public Instruction (OSPI), school districts, Educational Service Districts, PESB-approved

administrator or teacher preparation programs, the Association of Washington School Principals, or the Washington Education Association.

Required continuing education for administrators and teachers related to government-to-government relationships with federally recognized tribes must be provided by one or more subject matter experts approved by the Governor's Office on Indian Affairs in collaboration with the Tribal Leaders Congress on Education and the Office of Native Education in the OSPI.

Requirements for Providers of Continuing Education.

The PESB has adopted rules for the approval of providers of continuing education for administrators and teachers. In general, providers must meet a dozen specified program standards, for example: the content of the program and the intended outcomes or objectives of the program must be set forth in a program agenda, along with the instructor's qualifications to conduct the program; the provider must provide program evaluations to the participants; and the provider must permit a representative from the OSPI to attend the program and receive program materials at no charge. Providers must also comply with specified recordkeeping requirements, including making summaries of program evaluations available to the OSPI for seven years.

Providers must annually submit to the OSPI an assurance that continuing education programs comply with the program standards and recordkeeping requirements. In addition, continuing education providers must be audited by the OSPI on a selective basis, which may include responses to complaints or other evidence of possible noncompliance.

Summary of Second Engrossed Substitute Bill:

The Office of the Superintendent of Public Instruction (OSPI) and the Professional Educator Standards Board (PESB) must maintain on their websites a list of approved subject matter experts on government-to-government relationships with federally recognized tribes.

A provider of an administrator or teacher continuing education program focused on equity-based school practices or the National Professional Standards for Education Leaders (NPSEL) must publicly post the learning objectives of the program on its website. If the provider does not have a website, it must post the learning objectives of the program in a conspicuous place in the entity's main office and submit a copy of the learning objectives to the PESB.

To determine whether providers of administrator and teacher continuing education programs focused on equity-based school practices and on NPSEL are in substantial compliance with requirements related to posting learning objectives and the continuing education program approval standards, the OSPI must audit providers as follows:

- an organization or entity that is not a PESB-approved continuing education provider prior to the effective date of the bill must be audited within two years of initial PESB-

- approval; and
- a representative sample of each of the following categories of approved providers must be audited each year: (1) PESB-approved educator preparation programs and other college and university programs; (2) school districts, public schools, educational service districts, and any other local, state, or federal agencies; (3) private schools approved by the State Board of Education; and (4) any other organizations or entities.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment has the following effect on the Second Engrossed Substitute House Bill:

- restores language requiring that, to meet teacher and administrator certification renewal requirements, continuing education focused on either equity-based school practices or the National Professional Standards for Education Leaders (NPSEL) must be provided by one or more listed entities, if they are approved clock hour providers (referred to as approved providers); and adds “other organizations approved by the Professional Educator Standards Board” (PESB) to the list of approved providers;
- adds that, beginning with the 2025-26 school year, the PESB must approve providers through a revised application process that includes submitting specified information to the PESB, for example: the entity’s experience and expertise in providing professional development to educators generally, as well as specific experience and expertise in equity-based practices; and possible subject matter topics of continuing education to be provided by the entity;
- removes language requiring the Office of the Superintendent of Public Instruction (OSPI) to audit, over the next ten years, approved providers to confirm that they are meeting the PESB approval standards;
- requires, by September 1, 2024, the PESB to develop a process for the temporary or permanent revocation of approved provider status and specifies revocation criteria;
- specifies the entities that may submit a complaint against an approved provider; and
- directs, by December 1, 2024, the PESB in consultation with the OSPI to report to the Legislature on how to implement an auditing system of approved providers and other recommendations for improving the clock hour system.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 26, 2024.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is intended to correct an unintended consequence of legislation passed last year. The legislation specified the number of hours that the administrators and teachers

need to spend on mandatory continuing education. Because the provisions were new, care was taken about who could provide the continuing education content. However, private schools were not listed as an authorized provider, and this is a problem for private school administrators and teachers.

Private schools want to be able to provide this content to their educators. More teachers need to have access to this content. Those who want to provide the content should be able to do so.

This bill clarifies that the Professional Educator Standard Board (PESB) must approve providers and programs the providers are offering for credit hours. Under the bill, clock hour providers will not be able to be approved by July 2023 because the bill proposes a significant change to how clock hour providers are currently approved. In general, there needs to be more regulation of clock hour providers.

(Opposed) None.

(Other) The trainings educators engage in should be high-quality and meaningful. Shifting from an approved provider list to an approved course list could have implementation challenges. There could be educators that are unable to meet the requirements by the deadline in the bill.

Since the passage of the legislation in 2021 that requires teachers to renew their certificate with 15 percent equity-based practices, some clock hour providers have been working to develop continuing education. This bill would require the development of a new process for approval of this content. The PESB works as efficiently as possible, but it will take time for them to approve the courses. Educators may be unable to renew their certificates if they cannot find approved courses in time. The requirement in the bill could be extended so that the PESB process is up and running before the new continuing education requirement is effective.

Persons Testifying: (In support) Representative Sharon Tomiko Santos, prime sponsor; Zackary Turner; and Suzanne Hanson, Washington Federation of Independent Schools.

(Other) Anna Hernandez-French, Office of the Superintendent of Public Instruction; and Nasue Nishida, Washington Education Association.

Persons Signed In To Testify But Not Testifying: None.