

SENATE BILL REPORT

SB 5180

As Amended by House, February 29, 2024

Title: An act relating to the interstate teacher mobility compact.

Brief Description: Adopting the interstate teacher mobility compact.

Sponsors: Senators Hunt, Hawkins and Mullet.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/16/23, 1/25/23 [DP-WM].
Ways & Means: 2/18/23, 2/23/23 [DP].

Floor Activity: Passed Senate: 3/7/23, 48-0; 2/1/24, 49-0.
Passed House: 2/29/24, 92-0.

Brief Summary of Bill

- Adopts the Interstate Teacher Mobility Compact (Compact) and its provisions.
- Limits license reciprocity to those determined to be eligible by each member state of the Compact.
- Directs states under the Compact to submit a list of eligible licenses that the state will grant to licensees coming from other Compact member states.
- Requires member states to grant an equivalent license to active military members and military spouses who hold an eligible teaching license.
- Specifies that member states have discretion in relation to recertification requirements.
- Creates the Interstate Teacher Mobility Compact Commission with certain administrative requirements.
- Establishes that the Compact will come into effect on the date on which the Compact is enacted into law in the 10th member state.

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.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

Staff: Benjamin Omdal (786-7442)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Nguyen, Pedersen, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

Staff: Trevor Press (786-7446)

Background: Teacher Certification Requirements. Under state law, the Professional Educator Standards Board (PESB) is tasked with establishing rules for teacher certification, including requirements for teacher preparation programs. Under rules set by PESB and state law, there are several pathways to becoming a certificated teacher, with the traditional route being enrollment in a teacher preparation program as part of a bachelor or master's degree program.

Teacher applicants must also take a basic skills assessment and report the results to PESB. Applicants must also achieve a minimum assessment score in the subjects for which the applicant has applied for an endorsement.

As part of the initial application for certification, candidates must undergo a criminal history record check through the Washington State Patrol criminal identification system.

Out-of-State Teachers. PESB is required under state law to adopt rules to identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience, including a method to determine the comparability of rigor between the Washington professional certification process and the advanced level teacher certification process of other states.

A professional-level certificate must be issued to out-of-state teachers if the teacher holds a valid teaching certificate issued by the National Board for Professional Teaching Standards.

Out-of-state candidates who have not completed an approved teacher preparation program

or approved alternate route program may obtain a residency certificate if they have an out-of-state teaching certificate and three years of out-of-state teaching experience.

PESB may also establish criteria to ensure that persons who are applying for residency certification and persons applying to master's degree level teacher preparation programs can demonstrate to PESB's satisfaction that they have the requisite basic skills.

Licensure of Members of the Military and Their Spouses. PESB is required under state law to develop rules for expediting issuance of a license to a person who is licensed in another state and whose spouse is the subject of a military transfer to Washington State.

Summary of Bill: The Interstate Teacher Mobility Compact (Compact) is adopted. The Compact shall come into effect on the date on which the compact statute is enacted into law in the 10th member state.

Teacher Licensure. Each state in the Compact must compile a list of eligible licenses the member state is willing to consider for equivalency and provide this list to the Interstate Teacher Mobility Compact Commission (Commission) established under the Compact.

Upon receipt of an application for licensure by a teacher holding a valid, current—unencumbered—license in a member state, the receiving state shall determine which, of any, of the state's eligible licenses the teacher is qualified to hold and shall grant such a license to the applicant. The determination shall be made in the sole discretion of the receiving state's licensing authority. An unencumbered license is not a restricted, probationary, provisional, substitute, or temporary credential.

A state under the Compact may require specific requirements for licensure renewal or advancement and may require additional information from teachers receiving a license for purposes of compensation.

For active military members and eligible military spouses who hold a license that is not unencumbered, the receiving state shall grant an equivalent license, except where the receiving state does not have an equivalent license.

Nothing in the Compact shall be construed to invalidate or alter existing and future cooperative agreements, or limit award licenses or other benefits based on additional credentials.

Teacher Discipline and Adverse Actions. Nothing in the Compact shall be deemed or construed to limit the authority of a member state to investigate or impose disciplinary measures on teachers according to state practice.

Member states shall be authorized to receive and must provide files and information regarding the investigation and discipline of teachers in other member states upon request,

according to certain disclosure conditions.

Interstate Teacher Mobility Compact Commission. The Commission is established as a joint interstate governmental agency comprised of states that have enacted the Compact. Various powers and duties of the Commission are created, including, among others:

- the structure of the Commission, including internal rules;
- the ability to hire employees and establish employee policies;
- establish other administrative actions, including the formation of an executive committee; and
- determine whether a state's adopted language is materially different from the model compact language such that the state would not qualify for participation in the project.

Each member state shall have one delegate to the Commission, the primary administrative officer of the state licensing authority or their designee.

The Commission shall exercise rulemaking powers pursuant to the criteria set forth in the Compact and rules adopted under its provisions.

Effect and Conflict with State Laws. Member states shall enforce the Compact subject to its terms. The Compact also provides procedures on effectuation, withdrawal, amendment, and severability.

Any laws, statutes, regulations, or other legal requirements in a member state in conflict with the Compact are superseded to the extent of the conflict.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Early Learning & K-12 Education): PRO: We have several compacts for various occupations, we need to establish one for teachers as well. The Compact will be important to military spouses and will help them get jobs when they move between stations. Not only will military spouses benefit from this, but so will other teachers that wish to move and have easier access to teaching in Washington and other states within the Compact. The nation is facing a teacher shortage; the Compact will help alleviate this issue.

OTHER: This bill is not necessary. There is no teacher shortage, rather, the jobs do not match the teachers. The reciprocity project is already in place, so this bill is not needed. A concern is that this program will lower standards of licensing and will not help military

spouses like the bill aims too.

Persons Testifying (Early Learning & K-12 Education): PRO: Senator Sam Hunt, Prime Sponsor; Tammie Perreault, Department of Defense; Coryn Davis; Dan Logsdon, The Council of State Governments; Jimmy Adams, National Association of State Directors of Teacher Education and Certification (NASDTEC); Tom Davis, Veterans Legislative Coalition (VLC); Martha Patterson, Central Kitsap Education Association/ Washington Education Association; Anna Hernandez-French, OSPI; Adam Diersing, The Council of State Governments; Shelly Helder.

OTHER: Bob Cooper, WA Association of Colleges for Teacher Education; Zackary Turner, PESB.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):
No one.

Staff Summary of Public Testimony (Ways & Means): PRO: Washington currently belongs to four other occupational licensure compacts. Occupational licensure compacts are considered the gold standard for reciprocity for military families. Eleven states currently have pending legislation for this session. One of the best ways lawmakers can support the military is to pass legislation like this that makes relocating less destabilizing. We anticipate the fiscal impact to be smaller than other licensure compacts.

Persons Testifying (Ways & Means): PRO: Senator Sam Hunt, Prime Sponsor; Adam Diersing, The Council of State Governments; Tammie Perreault, Department of Defense; Tom Davis, Veterans Legislative Coalition (VLC).

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.

EFFECT OF HOUSE AMENDMENT(S):

- Requires a teacher eligible to receive a license under the Compact to comply with any applicable conditions of employment in Washington, unless otherwise provided in the Compact.
- Revises the definition of "active military member" and "eligible military spouse" to refer to a person's status in the "armed forces," rather than the "uniformed services," which aligns these definitions with the Interstate Teacher Mobility Compact Model Legislation.
- Clarifies that the rule referred to in the authorization for the Interstate Commission to adopt an emergency administrative rule to meet a deadline that is "established by federal law or rule" is a "rule of the Interstate Commission."