

**WSR 21-15-040**  
**PROPOSED RULES**  
**PARAEDUCATOR BOARD**

[Filed July 14, 2021, 9:32 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 19-05-035.

Title of Rule and Other Identifying Information: WAC 179-11-040 General paraeducator certificate process. This rule making relates to when paraeducators must complete training on the general paraeducator certificate. The proposed changes align with board members' intent regarding the training and responds effectively to recent legislative changes.

Hearing Location(s): On September 15, 2021, at 8 a.m., at Spokane, Washington. The exact location is to be determined. Once determined, the location will be posted to the website. We will also have a link available to listen to the meeting virtually, which will become available several weeks prior to the meeting. More information regarding this can be found on the website <https://www.pesb.wa.gov/about-us/board-meetings/>.

Date of Intended Adoption: September 15, 2021.

Submit Written Comments to: Paraeducator Board, 600 Washington Street S.E., Room 400, Olympia, WA 98504, email [paraboard@k12.wa.us](mailto:paraboard@k12.wa.us), by September 13, 2021.

Assistance for Persons with Disabilities: Contact professional educator standards board, phone 360-725-6275, email [pesb@k12.wa.us](mailto:pesb@k12.wa.us), by September 13, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amendment responds to recent legislative activity for the effective implementation and execution of the paraeducator certificate program. Proposed amendment removes the requirement on paraeducators to complete general paraeducator certificate within three years of completing the fundamental course of study.

Reasons Supporting Proposal: The recent legislative session concluded with a budget allocation that requires two days of training on the paraeducator certificate program per school year. The general paraeducator certificate, a component of the program, is met by completing ten days of training. A paraeducator cannot complete this training within three years if funding is only provided for two days of training per school year.

Statutory Authority for Adoption: Chapter 28A.413 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Paraeducator board, governmental.

Name of Agency Personnel Responsible for Drafting: Jack Busbee, 600 Washington Street S.E., Olympia, WA 98504, 360-725-6275; Implementation and Enforcement: Paraeducator Board, 600 Washington Street S.E., Olympia, WA 98504, 360-725-6275.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules relate only to internal governmental operations that are not subject to violation by a nongovernment party.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. The WAC amendment does not impact small business.

July 14, 2021  
Jack Busbee  
Rules Coordinator

## OTS-3171.1

AMENDATORY SECTION (Amending WSR 19-21-071, filed 10/11/19, effective 11/11/19)

**WAC 179-11-040 Process.** (1) School districts must implement this section only in school years for which state funding is appropriated specifically for the purposes of this section and only for the number of days that are funded by the appropriation.

(2) School districts are encouraged to provide at least one day of the ten days of general courses, as defined by the board, on the state paraeducator standards of practice as a professional learning day, where paraeducators collaborate with certified staff and other classified staff on applicable courses.

(3) ~~((The paraeducator must complete the general paraeducator certificate within three employed years after completing the fundamental course of study))~~ After completing the fundamental course of study, paraeducators must complete annual training provided by their school district on the general paraeducator certificate and only for the number of days that are funded by the appropriation, as follows:

(a) If the fundamental course of study is completed prior to June 30th of a calendar year, then it shall have a completion date calculated on the basis that it was completed on June 30th of the same calendar year regardless of the date of completion; and

(b) If the fundamental course of study is completed July 1st or later in the calendar year, then it shall have a completion date calculated on the basis that it was completed on June 30th of the next calendar year regardless of the date of completion.

(4) Beginning with the 2019-20 school year, school districts must:

(a) Provide paraeducators with general courses on the state paraeducator standards of practice; and

(b) If four days of funding is appropriated, ensure all paraeducators employed by the district meet the general paraeducator certificate requirements of this section within three years of completing the four-day fundamental course of study.

The district is only required to ensure paraeducators meet the general certificate requirement by the end of the paraeducator's third year of employment in that district as a paraeducator.

(5) To attain the paraeducator general certificate, the paraeducator must complete training that meets in-service education approval standards as written in chapter 181-85 WAC.

(6) A maximum of one professional growth plan may be completed towards the attainment of the general paraeducator certificate.

(7) A paraeducator who completes continuing education credit hours to meet the English language learner subject matter certificate or special education subject matter certificate may count these hours towards meeting the general paraeducator certificate.

(8) The paraeducator shall be responsible for completing filing requirements with the superintendent of public instruction, in accordance with WAC 179-01-020, the completion of the general paraeducator certificate.

[Statutory Authority: Chapter 28A.413 RCW. WSR 19-21-071, § 179-11-040, filed 10/11/19, effective 11/11/19; WSR 19-13-071, § 179-11-040, filed 6/17/19, effective 7/18/19; WSR 18-16-107, § 179-11-040, filed 7/31/18, effective 8/31/18.]