

WSR 23-06-030
EMERGENCY RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed February 22, 2023, 4:26 p.m., effective February 22, 2023, 4:26 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Update WAC with new language to align with newly adopted federal licensing guidelines for military servicemembers or their spouses. Newly adopted federal licensing guidelines for military servicemembers and their spouses requires alignment in state policy to avoid confusion in the field.

Citation of Rules Affected by this Order: Amending WAC 181-78A-257.

Statutory Authority for Adoption: Chapter 28A.410 RCW.

Under RCW 34.05.350 the agency for good cause finds that state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this Finding: Federal rule requires immediate adoption of this rule to align state policy.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 1, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: February 22, 2023.

Jisu Ryu
Rules Coordinator

OTS-4376.1

AMENDATORY SECTION (Amending WSR 21-19-131, filed 9/21/21, effective 10/22/21)

WAC 181-79A-257 Out-of-state candidates. Candidates for certification from other states who meet the general certificate requirements described in WAC 181-79A-150 (1) and (2), and the specific requirements for the certificate being sought in chapter 181-77 or 181-79A WAC including, but not limited to, degree, continuing education credit hours, and certification/licensure, shall be eligible for Washington certificates as follows:

(1) **Residency or initial certificates.** The residency or initial certificate shall be issued by the superintendent of public instruction to any candidate who meets requirements for the certificate in-

cluding testing requirements as described in RCW 28A.410.220, and chapters 181-01 and 181-02 WAC, and who meets one of the following:

(a) Has completed a state approved preparation program in the professional field for which the certificate is to be issued and such additional professional fields as required by WAC 181-79A-150(4). Such programs shall include a defined course of study and a supervised internship.

(b) If a candidate for teacher, administrator, or educational staff associate certification does not meet the qualifications described in (a) of this subsection, a residency or initial certificate shall be issued to a candidate who holds or has held a certificate in the role, comparable to a residency or initial certificate, issued by another state and has practiced at the P-12 level in the role outside the state of Washington for at least three years.

(c) Holds an appropriate degree from an accredited college or university and has practiced three years as an educational staff associate in that role in a state where such certificate was not required.

(d) Holds a valid Nationally Certified School Psychologist (NCSP) credential issued by the National Association of School Psychologists (NASP); and applies for a residency educational staff associated school psychologist certificate.

(2) **Professional certificate.** The professional certificate shall be issued to out-of-state candidates if the candidate meets requirements for the initial or residency certificate including testing requirements as described in RCW 28A.410.220 and chapters 181-01 and 181-02 WAC, meets the issues of abuse or emotional or behavioral distress requirement as described in WAC 181-79A-200, and if one of the following conditions is met:

(a) The candidate has completed an advanced level certification procedure approved by the professional educator standards board as equivalent to the approved program procedure required in Washington; or

(b) The candidate holds a valid teaching certificate issued by the National Board for Professional Teaching Standards; or

(c) The candidate holds a valid school counselor certificate issued by the National Board for Professional Teaching Standards.

(3) **Military servicemembers and spouses of military servicemembers.**

(a) A residency or initial certificate shall be issued by the superintendent of public instruction to any candidate who holds a valid certificate in the role, comparable to a residency or initial certificate, who:

(i) Is a military servicemember or spouse of a military servicemember; and

(ii) Provides a copy of military relocation orders to Washington state for military service; and

(iii) Remains in good standing with the licensing authority that issued the certificate, and with every other licensing authority that has issued the servicemember or the spouse of a servicemember a license valid at a similar scope of practice.

(b) Military servicemembers or spouses issued certificates under this subsection are considered to have met assessment requirements per chapters 181-01 and 181-02 WAC.

(c) Under RCW 18.340.020 out-of-state candidates who are military spouses shall receive expedited issuance of the appropriate certificate in accordance with this section.

(4) Out-of-state candidates must meet the assessment requirements per chapters 181-01 and 181-02 WAC. Equivalent assessments will be published by the board.

(5) Out-of-state candidates for educational staff associate certificates under WAC 181-79A-223 are considered to have met the requirement for the professional transitions to public schools course work provided they meet one or more of the following:

(a) Have completed a state-approved program as an educational staff associate in the role; or

(b) Hold or have held a certificate in the role, comparable to a residency or initial certificate, issued by another state and have practiced at the P-12 school level in the role outside the state of Washington for at least three years; or

(c) Hold an appropriate degree from an accredited college or university and have practiced three years as an educational staff associate in that role in a state where such certificate was not required.

[Statutory Authority: Chapter 28A.410 RCW. WSR 21-19-131, § 181-79A-257, filed 9/21/21, effective 10/22/21; WSR 21-08-024, § 181-79A-257, filed 3/29/21, effective 4/29/21. Statutory Authority: RCW 28A.410.220. WSR 18-21-011, § 181-79A-257, filed 10/4/18, effective 11/4/18. Statutory Authority: RCW 28A.410.210. WSR 15-23-013, § 181-79A-257, filed 11/6/15, effective 12/7/15; WSR 14-13-006, § 181-79A-257, filed 6/5/14, effective 7/6/14; WSR 11-15-038, § 181-79A-257, filed 7/13/11, effective 8/13/11; WSR 09-16-018, § 181-79A-257, filed 7/24/09, effective 8/24/09; WSR 07-20-047, § 181-79A-257, filed 9/26/07, effective 10/27/07; WSR 06-14-010, § 181-79A-257, filed 6/22/06, effective 7/23/06. WSR 06-02-051, recodified as § 181-79A-257, filed 12/29/05, effective 1/1/06. Statutory Authority: RCW 28A.410.010. WSR 05-04-054, § 180-79A-257, filed 1/28/05, effective 2/28/05; WSR 04-21-005, § 180-79A-257, filed 10/7/04, effective 11/7/04; WSR 04-04-011, § 180-79A-257, filed 1/23/04, effective 2/23/04; WSR 04-04-009, § 180-79A-257, filed 1/23/04, effective 2/23/04; WSR 01-18-043, § 180-79A-257, filed 8/29/01, effective 9/29/01; WSR 01-13-108, § 180-79A-257, filed 6/20/01, effective 7/21/01; WSR 00-23-005, § 180-79A-257, filed 11/2/00, effective 12/3/00; WSR 00-03-048, § 180-79A-257, filed 1/14/00, effective 2/14/00. Statutory Authority: RCW 28A.305.130 (1) and (2), 28A.410.010 and 28A.150.220(4). WSR 99-01-174, § 180-79A-257, filed 12/23/98, effective 1/23/99.]