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ENGROSSED SECOND SUBSTITUTE SENATE BILL 5179

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State of Washington

64th Legislature

2015 Regular Session

By Senate Ways & Means (originally sponsored by Senators Hill, McAuliffe, Litzow, Mullet, Hobbs, and Dammeier)

READ FIRST TIME 02/13/15.

1 AN ACT Relating to paraeducators; amending RCW 28A.630.400 and  
2 28B.50.891; adding a new section to chapter 28A.410 RCW; and creating  
3 new sections.

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

5 NEW SECTION. **Sec. 1.** Paraeducators provide the majority of  
6 instruction in programs designed by the legislature to reduce the  
7 opportunity gap. By setting common statewide standards, training, and  
8 career development for paraeducators, as well as training for  
9 teachers and principals who have paraeducators in their classroom,  
10 students in these programs have a better chance of succeeding in the  
11 classroom.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.410  
13 RCW to read as follows:

14 (1) Effective September 1, 2015, the minimum employment standards  
15 for a paraeducator who works in the learning assistance program, the  
16 federal disadvantaged program, and English language learner programs  
17 shall be as provided in this subsection. The paraeducator must:

18 (a) Be at least eighteen years of age, hold a high school diploma  
19 or its equivalent, and have received a passing grade on the education  
20 testing service paraeducator assessment; or

1 (b) Hold an associate of arts degree; or  
2 (c) Have earned seventy-two quarter credits or forty-eight  
3 semester credits at an institution of higher education.

4 (2)(a) By September 1, 2015, members of the paraeducator board  
5 must be appointed. The board shall be composed of one paraeducator,  
6 one teacher, one principal, one parent whose child receives  
7 instructional support from a paraeducator, one representative of a  
8 community or technical college, and one representative of a four-year  
9 institution of higher education as defined in RCW 28B.10.016.

10 (b) Appointments to the board shall be made as follows:

11 (i) The superintendent of public instruction shall appoint the  
12 paraeducator, the teacher, and the principal;

13 (ii) The Washington state parent teacher association shall  
14 appoint the parent whose child receives instructional support from a  
15 paraeducator;

16 (iii) The state board for community and technical colleges shall  
17 appoint the representative of a community or technical college; and

18 (iv) The student achievement council shall appoint the  
19 representative of an institution of higher education.

20 (c) A representative from the professional educator standards  
21 board shall be the nonvoting facilitator of the board.

22 (d) The professional educator standards board shall be the  
23 administrator of the board.

24 (3) Beginning September 1, 2015, the paraeducator board must  
25 administer policies and rules for the preparation and certification  
26 of paraeducators who work in the learning assistance program, the  
27 federal disadvantaged program, or the English language learners  
28 program, the paraeducator career ladder, or the pathway to teacher  
29 certification.

30 (4)(a) During the 2015-16 and 2016-17 school years, grants, as  
31 funded by the legislature, shall be distributed by the board to a  
32 diverse set of school districts that volunteer to field test the  
33 implementation of the paraeducator certification and English language  
34 learner endorsement.

35 (b) Effective September 1, 2017, all school districts must begin  
36 implementing the paraeducator certification for paraeducators working  
37 in the programs in the learning assistance program, the federal  
38 disadvantaged program, or the English language learner  
39 program. Paraeducators have three years to acquire their  
40 certification.

1 (c) The certification standards shall be adopted by the board and  
2 must include:

3 (i) Supporting instructional opportunities;

4 (ii) Demonstrating professionalism and ethical practices;

5 (iii) Supporting a positive and safe learning environment;

6 (iv) Communicating effectively and participating in the team  
7 process; and

8 (v) Demonstrating cultural competency aligned with standards  
9 developed by the professional educator standards board under RCW  
10 28A.410.270.

11 (d) The board shall develop a practicum and must ensure that  
12 paraeducators have multiple methods to access training necessary to  
13 become certificated.

14 (e) The board has the authority to establish certification fees  
15 paid by paraeducators.

16 (f) The office of the superintendent of public instruction shall  
17 be provided the necessary funds to administer the paraeducator  
18 certificates and endorsements.

19 (5) Beginning September 1, 2017, all paraeducators working in  
20 English language learning programs have three years to acquire their  
21 endorsement.

22 (a) The board may adopt rules to implement the endorsement and  
23 training standards.

24 (b) The board shall ensure that training is made available to  
25 paraeducators in a variety of means that will limit cost and improve  
26 access.

27 (6) Paraeducators must renew their certificate or necessary  
28 endorsements every five years. In order to renew the certificate or  
29 endorsement, they must complete the clock hours determined by the  
30 board. The board may develop the training modules as well as ensure  
31 that the clock hour training is made available to paraeducators in a  
32 variety of means that will limit cost and improve access.

33 (7) The professional educator standards board must design and  
34 implement a training program for teachers and principals as it  
35 relates to their role working with paraeducators. Teacher training  
36 must include how to direct a paraeducator working with students in  
37 the paraeducator's classroom. Principal training must include how to  
38 supervise and evaluate paraeducators.

1 (8)(a) The board shall develop the rules for an advanced  
2 paraeducator endorsement, training modules, and renewal process that  
3 must be implemented by September 1, 2017.

4 (b) Some responsibilities of the advanced paraeducator position  
5 are mentoring or coaching other paraeducators, assisting in highly  
6 impacted classrooms, short-term teacher substitution, and assistance  
7 in specific specialized instruction support or technology  
8 applications.

9 (c) The rules must include provisions regarding the ability of a  
10 person holding an advanced paraeducator endorsement that will qualify  
11 the paraeducator to replace a teacher in short absence situations in  
12 those districts that are experiencing difficulty finding substitute  
13 teachers.

14 (9) The definitions in this subsection apply throughout this  
15 section.

16 (a) "Board" means the paraeducator board.

17 (b) "English language learner programs" or "English language  
18 learner endorsement" refers to the English language learners program,  
19 the transitional bilingual instruction program, and the federal  
20 limited English proficiency program.

21 (c) "Paraeducator" means a school district employee who works  
22 under the supervision of a certificated or licensed staff member to  
23 support and assist in providing instructional services to students  
24 and their families.

25 (10) This section is subject to the availability of amounts  
26 specifically appropriated for this specific purpose.

27 **Sec. 3.** RCW 28A.630.400 and 2011 1st sp.s. c 11 s 132 are each  
28 amended to read as follows:

29 (1) The professional educator standards board and the state board  
30 for community and technical colleges, in consultation with the  
31 superintendent of public instruction, the state apprenticeship  
32 training council, and community colleges, shall adopt rules as  
33 necessary under chapter 34.05 RCW to implement the paraeducator  
34 associate of arts degree.

35 (2) As used in this section, a "paraeducator" is an individual  
36 who has completed an associate of arts degree for a paraeducator. The  
37 paraeducator may be hired by a school district to assist certificated  
38 instructional staff in the direct instruction of children in small  
39 and large groups, individualized instruction, testing of children,

1 recordkeeping, and preparation of materials. The paraeducator shall  
2 work under the direction of instructional certificated staff.

3 (3)(a) If amounts are not appropriated specifically for the  
4 purpose of (b) of this subsection, the training program for a  
5 paraeducator associate of arts degree shall include, but is not  
6 limited to, the general requirements for receipt of an associate of  
7 arts degree and training in the areas of introduction to childhood  
8 education, orientation to children with disabilities, fundamentals of  
9 childhood education, creative activities for children, instructional  
10 materials for children, fine art experiences for children, the  
11 psychology of learning, introduction to education, child health and  
12 safety, child development and guidance, first aid, and a practicum in  
13 a school setting.

14 (b) Subject to the availability of amounts appropriated for this  
15 specific purpose, the training program for a paraeducator associate  
16 of arts degree shall include, but is not limited to, the general  
17 requirements for receipt of an associate of arts degree and training  
18 in the adopted state standards for paraeducators, which include core  
19 knowledge and skill competencies in (i) supporting instructional  
20 opportunities, (ii) demonstrating professional and ethical practices,  
21 (iii) supporting a positive and safe learning environment, (iv)  
22 communicating effectively and participating in the team process, and  
23 (v) demonstrating cultural competency aligned with standards  
24 developed by the professional educator standards board under RCW  
25 28A.410.270.

26 (4) Consideration shall be given to transferability of credit  
27 earned in this program to teacher preparation programs at colleges  
28 and universities.

29 **Sec. 4.** RCW 28B.50.891 and 2014 c 136 s 4 are each amended to  
30 read as follows:

31 Beginning with the 2015-16 academic year, any community or  
32 technical college that offers an apprenticeship program or  
33 certificate program for paraeducators must provide candidates the  
34 opportunity to earn transferrable course credits within the program.  
35 The programs must also incorporate the standards for cultural  
36 competence, including multicultural education and principles of  
37 language acquisition, developed by the professional educator  
38 standards board under RCW 28A.410.270. Subject to the availability of  
39 amounts specifically appropriated for this specific purpose, the

1 programs must also include core knowledge and skill competencies in:  
2 Supporting instructional opportunities, demonstrating professional  
3 and ethical practices, supporting a positive and safe learning  
4 environment, and communicating effectively and participating in the  
5 team process.

6 NEW SECTION. Sec. 5. (1) Subject to the availability of amounts  
7 appropriated for this specific purpose, the Washington state  
8 institute for public policy shall conduct a study on the  
9 effectiveness of paraeducators in improving student outcomes in  
10 Washington state. The study shall examine variation in the use of  
11 paraeducators across schools and districts and analyze whether and  
12 the extent that any differences in students' academic progress can be  
13 attributed to the use of paraeducators. The office of the  
14 superintendent of public instruction and the education data center  
15 shall provide the data necessary to conduct the analysis. The study  
16 must also include a review of the national research literature on the  
17 effectiveness of paraeducators in improving student outcomes.

18 (2) The institute shall submit a final report to the relevant  
19 committees of the legislature by December 15, 2016.

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