

HOUSE BILL REPORT

HB 1277

As Reported by House Committee On:
Education

Title: An act relating to improving the consistency and quality of the implementation of the fundamental course of study for paraeducators.

Brief Description: Establishing rules to improve the consistency and quality of the implementation of the fundamental courses of study for paraeducators.

Sponsors: Representatives Donaghy, Harris, Slatter, Kloba, Reeves, Reed, Ormsby and Pollet; by request of Professional Educator Standards Board.

Brief History:

Committee Activity:

Education: 1/19/23, 1/26/23 [DPS].

Brief Summary of Substitute Bill

- Directs the Paraeducator Board to update rules and publish guidance related to the fundamental course of study.
- Requires school districts to provide to each paraeducator two days of the four-day fundamental course of study in person unless the school district is granted an individual exemption by the Paraeducator Board.

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).

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.

Background:

Paraeducator Board.

The Paraeducator Board is a statutorily created nine-member board whose duties include establishment of requirements related to the paraeducator standards of practice, mandatory paraeducator certificates, and optional paraeducator certificates.

Paraeducator Fundamental Course of Study.

The paraeducator fundamental course of study is a four-day course on the state paraeducator standards of practice. School districts must provide the fundamental course of study to paraeducators who have not completed the course, either in the district or in another district within the state.

At least one day of the fundamental course of study must be provided in person. School districts must use best efforts to provide the course before the paraeducator begins to work with students and their families.

Subject to funding limitations described below, school districts must provide the four-day fundamental course of study by the following deadlines:

- For paraeducators hired on or before September 1: the first two days of the course must be provided by September 30 of that year, and the second two days of the course must be provided within six months of the date of hire.
- For paraeducators hired after September 1:
 - in districts with 10,000 or more students: the first two days of the course must be provided within four months of the date of hire, and the second two days of the course must be provided within six months of the date of hire or by September 1 of the following year, whichever is sooner; and
 - in districts with fewer than 10,000 students: the entire course must be provided by September 1 of the following year.

School districts are only required to provide to paraeducators the number of days of the fundamental course of study for which state funding is specifically provided. Since fiscal year 2020, the state has appropriated funding for school districts to provide two days of training to paraeducators each year. In fiscal year 2023, the state appropriated funding sufficient for new paraeducators to receive four days of training during their first year.

Summary of Substitute Bill:

By July 1, 2024, the Paraeducator Board must update rules on the implementation of the fundamental course of study to require that a significant majority of paraeducators are provided with the course in person. Under the rules, the Paraeducator Board may grant an exemption from the in-person requirement for an individual paraeducator based on an application from a school district that describes the extenuating circumstances that prevent

the paraeducator from being able to complete the in-person requirement. These may include a burdensome commute, dangerous weather events, being hired by a small school district at an irregular time of year, and other extenuating circumstances.

By July 1, 2024, the Paraeducator Board must publish guidance for school districts on how to provide the fundamental course of study to improve consistency and quality of staff development.

At least two days of the four-day fundamental course of study must be provided in person to each paraeducator unless the school district is granted an individual exemption by the Paraeducator Board.

Substitute Bill Compared to Original Bill:

The substitute bill modifies the rulemaking requirements of the Paraeducator Board, including by requiring that a significant majority of paraeducators are provided with the fundamental course of study in person and by making the in-person exemption an individual exemption that requires an application based on extenuating circumstances.

The substitute bill requires at least two days, instead of one day, of the four-day fundamental course of study to be provided in person to each paraeducator unless a school district is granted an individual exemption by the Paraeducator Board.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on January 26, 2023.

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

Staff Summary of Public Testimony:

(In support) Paraeducators provide a safe and welcoming place for everyone in the school building. Years ago, the majority of new paraeducators had no information on how to do their jobs. The Legislature then authorized and funded the paraeducator certificate program, which is the first of its kind in the nation.

The paraeducator fundamental course of study helps paraeducators to learn and grow in areas such as behavior management, child development, communication, social emotional learning, and equity. For some paraeducators, it took years to learn what the course teaches in four days. Knowing how to help students be the best they can be comes directly from standards of practice that are included in the course.

The fundamental course of study for paraeducators is implemented inconsistently across school districts. One issue relates to portability; some paraeducators who completed the course in one district and are subsequently hired by another district are told they must complete it again.

The Paraeducator Board and the Professional Educator Standards Board (PESB) have been responsive to concerns shared by paraeducators. Now that initial implementation has happened, it is time to reflect on the places where implementation can be improved and systematized. The PESB has found that school districts and paraeducators need flexibility in offering professional learning for paraeducators synchronously online when appropriate. The PESB also found that school district and guidance for implementing the course in local communities while respecting local control. The pandemic disrupted how paraeducators received professional development, so now is a good time for the Paraeducator Board to give school districts updated guidance.

The bill will give the Paraeducator Board the authority to determine how the fundamental course of study is offered. It will charge agency staff and stakeholders to convene a work group to develop the rules and guidance, which will be done at no additional cost. The bill will allow the Paraeducator Board to provide some flexibility to school districts because not all schools and situations are the same. The bill ensures that everyone is able to receive the same standardized education without creating unnecessary requirements. The exemptions to in-person learning should be as limited as possible.

The state spends millions of dollars on the fundamental course of study. This bill will ensure that the funding is cost effective and impactful for Washington educators, students, and families.

(Opposed) None.

Persons Testifying: Representative Brandy Donaghy, prime sponsor; Dawna Hansen-Murray; Erica Hernandez-Scott, Professional Educator Standards Board; and Nasue Nishida, Washington Education Association.

Persons Signed In To Testify But Not Testifying: None.