
SENATE BILL 6002

State of Washington

68th Legislature

2024 Regular Session

By Senator Hunt

Prefiled 01/05/24.

1 AN ACT Relating to transferring the professional educator
2 standards board and the paraeducator board to the office of the
3 superintendent of public instruction; amending RCW 28A.300.040,
4 28A.410.200, 28A.410.210, 28A.413.020, and 28A.413.030; creating new
5 sections; and providing an effective date.

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

7 **Sec. 1.** RCW 28A.300.040 and 2023 c 303 s 3 are each amended to
8 read as follows:

9 In addition to any other powers and duties as provided by law,
10 the powers and duties of the superintendent of public instruction
11 shall be:

12 (1) To have supervision over all matters pertaining to the public
13 schools of the state;

14 (2) To report to the governor and the legislature such
15 information and data as may be required for the management and
16 improvement of the schools;

17 (3) To prepare and have printed such forms, registers, courses of
18 study, rules for the government of the common schools, and such other
19 material and books as may be necessary for the discharge of the
20 duties of teachers and officials charged with the administration of

1 the laws relating to the common schools, and to distribute the same
2 to educational service district superintendents;

3 (4) To travel, without neglecting his or her other official
4 duties as superintendent of public instruction, for the purpose of
5 attending educational meetings or conventions, of visiting schools,
6 and of consulting educational service district superintendents or
7 other school officials;

8 (5) To prepare and from time to time to revise a manual of the
9 Washington state common school code, copies of which shall be made
10 available online and which shall be sold at approximate actual cost
11 of publication and distribution per volume to public and nonpublic
12 agencies or individuals, said manual to contain Titles 28A and 28C
13 RCW, rules related to the common schools, and such other matter as
14 the state superintendent or the state board of education shall
15 determine;

16 (6) To file all papers, reports and public documents transmitted
17 to the superintendent by the school officials of the several counties
18 or districts of the state, each year separately. Copies of all papers
19 filed in the superintendent's office, and the superintendent's
20 official acts, may, or upon request, shall be certified by the
21 superintendent and attested by the superintendent's official seal,
22 and when so certified shall be evidence of the papers or acts so
23 certified to;

24 (7) To require annually, on or before the 15th day of August, of
25 the president, manager, or principal of every educational institution
26 in this state, a report as required by the superintendent of public
27 instruction; and it is the duty of every president, manager, or
28 principal, to complete and return such forms within such time as the
29 superintendent of public instruction shall direct;

30 (8) To keep in the superintendent's office a record of all
31 teachers receiving certificates to teach in the common schools of
32 this state;

33 (9) To issue certificates as provided by law;

34 (10) To keep in the superintendent's office at the capital of the
35 state, all books and papers pertaining to the business of the
36 superintendent's office, and to keep and preserve in the
37 superintendent's office a complete record of statistics, as well as a
38 record of the meetings of the state board of education;

39 (11) With the assistance of the office of the attorney general,
40 to decide all points of law which may be submitted to the

1 superintendent in writing by any educational service district
2 superintendent, or that may be submitted to the superintendent by any
3 other person, upon appeal from the decision of any educational
4 service district superintendent; and the superintendent shall publish
5 his or her rulings and decisions from time to time for the
6 information of school officials and teachers; and the
7 superintendent's decision shall be final unless set aside by a court
8 of competent jurisdiction;

9 (12) To administer oaths and affirmations in the discharge of the
10 superintendent's official duties;

11 (13) To deliver to his or her successor, at the expiration of the
12 superintendent's term of office, all records, books, maps, documents
13 and papers of whatever kind belonging to the superintendent's office
14 or which may have been received by the superintendent's for the use
15 of the superintendent's office;

16 (14) To administer family services and programs to promote the
17 state's policy as provided in RCW 74.14A.025;

18 (15) To promote the adoption of school-based curricula and
19 policies that provide quality, daily physical education for all
20 students, and to encourage policies that provide all students with
21 opportunities for physical activity outside of formal physical
22 education classes;

23 (16) To perform all duties required by chapter 303, Laws of 2023
24 for the delivery and oversight of basic education services to
25 justice-involved students under the age of 21 who are served through
26 institutional education programs in facilities that are not under the
27 jurisdiction of the department of social and health services or the
28 department of corrections; ~~((and))~~

29 (17) To administer the professional educator standards board
30 created in RCW 28A.410.200 and the paraeducator board created in RCW
31 28A.413.020; and

32 (18) To perform such other duties as may be required by law.

33 **Sec. 2.** RCW 28A.410.200 and 2017 c 189 s 1 are each amended to
34 read as follows:

35 (1)(a) The Washington professional educator standards board is
36 created, consisting of ~~((twelve))~~ 12 members to be appointed by the
37 ~~((governor to four-year terms and the))~~ superintendent of public
38 instruction ~~((or the superintendent's designee. On August 1, 2009,~~
39 ~~the board shall be reduced to twelve members))~~.

1 (b) Vacancies on the board shall be filled by appointment or
2 reappointment by the ~~((governor))~~ superintendent of public
3 instruction to terms of four years.

4 (c) No person may serve as a member of the board for more than
5 two consecutive full four-year terms.

6 (d) The ~~((governor))~~ superintendent of public instruction shall
7 biennially appoint the chair of the board. No board member may serve
8 as chair for more than four consecutive years.

9 (2) A majority of the members of the board shall be active
10 practitioners with the majority being classroom based. Membership on
11 the board shall include individuals having one or more of the
12 following:

13 (a) Experience in one or more of the education roles for which
14 state preparation program approval is required and certificates
15 issued;

16 (b) Experience providing or leading a state-approved teacher or
17 educator preparation program;

18 (c) Experience providing mentoring and coaching to education
19 professionals or others; and

20 (d) Education-related community experience.

21 (3) In appointing board members, the ~~((governor))~~ superintendent
22 of public instruction shall consider the individual's commitment to
23 quality education and the ongoing improvement of instruction,
24 experiences in the public schools or private schools, involvement in
25 developing quality teaching preparation and support programs, and
26 vision for the most effective yet practical system of assuring
27 teaching quality. The ~~((governor))~~ superintendent of public
28 instruction shall also consider the diversity of the population of
29 the state.

30 ~~((All appointments to the board made by the governor are~~
31 ~~subject to confirmation by the senate.~~

32 ~~(5))~~ Each member of the board shall be compensated in accordance
33 with RCW 43.03.240 and shall be reimbursed for travel expenses
34 incurred in carrying out the duties of the board in accordance with
35 RCW 43.03.050 and 43.03.060.

36 ~~((6))~~ (5) The ~~((governor))~~ superintendent of public instruction
37 may remove a member of the board for neglect of duty, misconduct,
38 malfeasance or misfeasance in office, or for incompetency or
39 unprofessional conduct as defined in chapter 18.130 RCW. In such a
40 case, the ~~((governor shall file with the secretary of state a~~

1 ~~statement of the causes for and the order of removal from office, and~~
2 ~~the secretary of state)) superintendent of public instruction shall~~
3 send a certified copy of the statement of causes and order of removal
4 to the last known post office address of the member.

5 ~~((7) Members of the board)) (6) The superintendent of public~~
6 ~~instruction shall hire an executive director and an administrative~~
7 ~~assistant ((to reside in the office of the superintendent of public~~
8 ~~instruction for administrative purposes only)). The office of the~~
9 ~~superintendent of public instruction shall administer the board.~~

10 ~~((8)) (7) Members of the board may create informal advisory~~
11 groups as needed to inform the board's work.

12 **Sec. 3.** RCW 28A.410.210 and 2017 3rd sp.s. c 26 s 2 are each
13 amended to read as follows:

14 The purpose of the Washington professional educator standards
15 board is to establish policies and requirements for the preparation
16 and certification of educators that provide standards for competency
17 in professional knowledge and practice in the areas of certification;
18 a foundation of skills, knowledge, and attitudes necessary to help
19 students with diverse needs, abilities, cultural experiences, and
20 learning styles meet or exceed the learning goals outlined in RCW
21 28A.150.210; knowledge of research-based practice; and professional
22 development throughout a career. The Washington professional educator
23 standards board shall:

24 (1) Establish policies and practices for the approval of programs
25 of courses, requirements, and other activities leading to educator
26 certification including teacher, school administrator, and
27 educational staff associate certification;

28 (2) Establish policies and practices for the approval of the
29 character of work required to be performed as a condition of entrance
30 to and graduation from any educator preparation program including
31 teacher, school administrator, and educational staff associate
32 preparation program as provided in subsection (1) of this section;

33 (3) Establish a list of accredited institutions of higher
34 education of this and other states whose graduates may be awarded
35 educator certificates as teacher, school administrator, and
36 educational staff associate and establish criteria and enter into
37 agreements with other states to acquire reciprocal approval of
38 educator preparation programs and certification, including teacher

1 certification from the national board for professional teaching
2 standards;

3 (4) Establish policies for approval of nontraditional educator
4 preparation programs;

5 (5) Conduct a review of educator program approval standards at
6 least every five years, beginning in 2006, to reflect research
7 findings and assure continued improvement of preparation programs for
8 teachers, administrators, and school specialized personnel;

9 (6) Specify the types and kinds of educator certificates to be
10 issued and conditions for certification in accordance with subsection
11 (1) of this section, RCW 28A.410.251, and 28A.410.010;

12 (7) Apply for and receive federal or other funds on behalf of the
13 state for purposes related to the duties of the board;

14 (8) Adopt rules under chapter 34.05 RCW that are necessary for
15 the effective and efficient implementation of this chapter, provided
16 the rules have the prior approval of the superintendent of public
17 instruction and indicate that the superintendent of public
18 instruction provided the approval;

19 (9) Maintain data concerning educator preparation programs and
20 their quality, educator certification, educator employment trends and
21 needs, and other data deemed relevant by the board;

22 (10) Serve as an advisory body to the superintendent of public
23 instruction on issues related to educator recruitment, hiring,
24 mentoring and support, professional growth, retention, educator
25 evaluation including but not limited to peer evaluation, and
26 revocation and suspension of licensure;

27 (11) Submit, by October 15th of each even-numbered year and in
28 accordance with RCW 43.01.036, a joint report with the state board of
29 education to the legislative education committees, the governor, and
30 the superintendent of public instruction. The report shall address
31 the progress the boards have made and the obstacles they have
32 encountered, individually and collectively, in the work of achieving
33 the goals set out in RCW 28A.150.210;

34 (12) Establish the prospective teacher assessment system for
35 basic skills and subject knowledge that shall be required to obtain
36 residency certification pursuant to RCW 28A.410.220 through
37 28A.410.240; and

38 (13) Conduct meetings under the provisions of chapter 42.30 RCW.

1 **Sec. 4.** RCW 28A.413.020 and 2017 c 237 s 3 are each amended to
2 read as follows:

3 (1) (a) The paraeducator board is created, consisting of nine
4 members to be appointed to four-year terms.

5 (b) Vacancies on the board must be filled by appointment or
6 reappointment as described in subsection (2) of this section to terms
7 of four years.

8 (c) No person may serve as a member of the board for more than
9 two consecutive full four-year terms.

10 (d) The (~~governor~~) superintendent of public instruction must
11 biennially appoint the chair of the board. No board member may serve
12 as chair for more than four consecutive years.

13 (2) Appointments to the board must be made as follows (~~(, subject~~
14 ~~to confirmation by the senate)~~):

15 (a) The superintendent of public instruction shall appoint a
16 basic education paraeducator, a special education paraeducator, an
17 English language learner paraeducator, a teacher, a principal, and a
18 representative of the office of the superintendent of public
19 instruction;

20 (b) The Washington state parent teacher association shall appoint
21 a parent whose child receives instructional support from a
22 paraeducator;

23 (c) The state board for community and technical colleges shall
24 appoint a representative of the community and technical college
25 system; and

26 (d) The student achievement council shall appoint a
27 representative of a four-year institution of higher education as
28 defined in RCW 28B.10.016.

29 (3) The (~~professional educator standards board~~) office of the
30 superintendent of public instruction shall administer the board.

31 (4) Each member of the board must be compensated in accordance
32 with RCW 43.03.240 and must be reimbursed for travel expenses
33 incurred in carrying out the duties of the board in accordance with
34 RCW 43.03.050 and 43.03.060.

35 (5) Members of the board may create informal advisory groups as
36 needed to inform the board's work.

37 (6) The (~~governor~~) superintendent of public instruction may
38 remove a member of the board for neglect of duty, misconduct,
39 malfeasance or misfeasance in office, or for incompetency or
40 unprofessional conduct as defined in chapter 18.130 RCW. In such a

1 case, the (~~governor shall file with the secretary of state a~~
2 ~~statement of the causes for and the order of removal from the board,~~
3 ~~and the secretary of state~~)) superintendent of public instruction
4 shall send a certified copy of the statement of causes and order of
5 removal to the last known post office address of the member.

6 **Sec. 5.** RCW 28A.413.030 and 2023 c 19 s 2 are each amended to
7 read as follows:

8 (1) The paraeducator board has the following powers and duties:

9 (a) Based on the recommendations of the paraeducator work group
10 established in chapter 136, Laws of 2014, adopt: (i) Minimum
11 employment requirements for paraeducators, as described in RCW
12 28A.413.040; and (ii) paraeducator standards of practice, as
13 described in RCW 28A.413.050;

14 (b) Adopt one or more assessments that meet a rigorous standard
15 of quality and can be used to demonstrate knowledge of, and the
16 ability to assist in, instruction in reading, writing, and
17 mathematics, as well as set a passing score for each assessment
18 adopted. The board may develop assessments to meet the requirement of
19 this subsection (1) (b);

20 (c) Establish requirements and policies for a general
21 paraeducator certificate, as described in RCW 28A.413.070;

22 (d) Based on the recommendations of the paraeducator work group
23 established in chapter 136, Laws of 2014, establish requirements and
24 policies for subject matter certificates in English language learner
25 and special education, as described in RCW 28A.413.080;

26 (e) Based on the recommendations of the paraeducator work group
27 established in chapter 136, Laws of 2014, establish requirements and
28 policies for an advanced paraeducator certificate, as described in
29 RCW 28A.413.090;

30 (f) By September 1, 2018, approve, and develop if necessary,
31 courses required to meet the provisions of this chapter, where the
32 courses are offered in a variety of means that will limit cost and
33 improve access;

34 (g) Make policy recommendations, as necessary, for a paraeducator
35 career ladder that will increase opportunities for paraeducator
36 advancement through advanced education, professional learning, and
37 increased instructional responsibility;

1 (h) Collaborate with the office of the superintendent of public
2 instruction to adapt the electronic educator certification process to
3 include paraeducator certificates; and

4 (i) Adopt rules under chapter 34.05 RCW that are necessary for
5 the effective and efficient implementation of this chapter, provided
6 the rules have the prior approval of the superintendent of public
7 instruction and indicate that the superintendent of public
8 instruction provided the approval.

9 (2) The superintendent of public instruction shall act as the
10 administrator of any such rules and have the power to issue any
11 paraeducator certificates and revoke the same in accordance with
12 board rules.

13 NEW SECTION. **Sec. 6.** (1) All powers, duties, and functions of
14 the professional educator standards board are transferred to the
15 office of the superintendent of public instruction, and the
16 professional educator standards board shall continue to fulfill its
17 purpose as an advisory and rule-making board within the office of the
18 superintendent of public instruction as provided in RCW 28A.410.210.
19 All references to the professional educator standards board in the
20 Revised Code of Washington shall be construed to mean the
21 professional educator standards board under the administration and
22 oversight of the office of the superintendent of public instruction
23 when referring to the functions transferred in this section.

24 (2)(a) All reports, documents, surveys, books, records, files,
25 papers, or written material in the possession of the professional
26 educator standards board pertaining to the powers, duties, and
27 functions transferred shall be delivered to the custody of the office
28 of the superintendent of public instruction. All cabinets, furniture,
29 office equipment, motor vehicles, and other tangible property
30 employed by the professional educator standards board in carrying out
31 the powers, duties, and functions transferred shall be made available
32 to the office of the superintendent of public instruction. All funds,
33 credits, or other assets held in connection with the powers, duties,
34 and functions transferred shall be assigned to the office of the
35 superintendent of public instruction.

36 (b) Any appropriations made to the professional educator
37 standards board for carrying out the powers, duties, and functions
38 transferred shall, on the effective date of this section, be

1 transferred and credited to the office of the superintendent of
2 public instruction.

3 (c) Whenever any question arises as to the transfer of any
4 personnel, funds, books, documents, records, papers, files,
5 equipment, or other tangible property used or held in the exercise of
6 the powers and the performance of the duties and functions
7 transferred, the director of financial management shall make a
8 determination as to the proper allocation and certify the same to the
9 state agencies concerned.

10 (3) All employees of the professional educator standards board
11 engaged in performing the powers, duties, and functions transferred
12 are transferred to the jurisdiction of the office of the
13 superintendent of public instruction. All employees classified under
14 chapter 41.06 RCW, the state civil service law, are assigned to the
15 office of the superintendent of public instruction to perform their
16 usual duties upon the same terms as formerly, without any loss of
17 rights, subject to any action that may be appropriate thereafter in
18 accordance with the laws and rules governing state civil service.

19 (4) All rules and all pending business before the professional
20 educator standards board pertaining to the powers, duties, and
21 functions transferred shall be continued and acted upon by the office
22 of the superintendent of public instruction. All existing contracts
23 and obligations shall remain in full force and shall be performed by
24 the office of the superintendent of public instruction.

25 (5) The transfer of the powers, duties, functions, and personnel
26 of the professional educator standards board shall not affect the
27 validity of any act performed before the effective date of this
28 section.

29 (6) If apportionments of budgeted funds are required because of
30 the transfers directed by this section, the director of financial
31 management shall certify the apportionments to the agencies affected,
32 the state auditor, and the state treasurer. Each of these shall make
33 the appropriate transfer and adjustments in funds and appropriation
34 accounts and equipment records in accordance with the certification.

35 (7) All classified employees of the professional educator
36 standards board assigned to the office of the superintendent of
37 public instruction under this section whose positions are within an
38 existing bargaining unit description at the office of the
39 superintendent of public instruction shall become a part of the
40 existing bargaining unit at the office of the superintendent of

1 public instruction and shall be considered an appropriate inclusion
2 or modification of the existing bargaining unit under the provisions
3 of chapter 41.80 RCW.

4 NEW SECTION. **Sec. 7.** (1) All powers, duties, and functions of
5 the paraeducator board are transferred to the office of the
6 superintendent of public instruction, and the paraeducator board
7 shall continue to fulfill its purpose as an advisory and rule-making
8 board within the office of the superintendent of public instruction
9 as provided in RCW 28A.413.030. All references to the paraeducator
10 board in the Revised Code of Washington shall be construed to mean
11 the paraeducator board under the administration and oversight of the
12 office of the superintendent of public instruction when referring to
13 the functions transferred in this section.

14 (2)(a) All reports, documents, surveys, books, records, files,
15 papers, or written material in the possession of the paraeducator
16 board pertaining to the powers, duties, and functions transferred
17 shall be delivered to the custody of the office of the superintendent
18 of public instruction. All cabinets, furniture, office equipment,
19 motor vehicles, and other tangible property employed by the
20 paraeducator board in carrying out the powers, duties, and functions
21 transferred shall be made available to the office of the
22 superintendent of public instruction. All funds, credits, or other
23 assets held in connection with the powers, duties, and functions
24 transferred shall be assigned to the office of the superintendent of
25 public instruction.

26 (b) Any appropriations made to the paraeducator board for
27 carrying out the powers, duties, and functions transferred shall, on
28 the effective date of this section, be transferred and credited to
29 the office of the superintendent of public instruction.

30 (c) Whenever any question arises as to the transfer of any
31 personnel, funds, books, documents, records, papers, files,
32 equipment, or other tangible property used or held in the exercise of
33 the powers and the performance of the duties and functions
34 transferred, the director of financial management shall make a
35 determination as to the proper allocation and certify the same to the
36 state agencies concerned.

37 (3) All employees of the paraeducator board engaged in performing
38 the powers, duties, and functions transferred are transferred to the
39 jurisdiction of the office of the superintendent of public

1 instruction. All employees classified under chapter 41.06 RCW, the
2 state civil service law, are assigned to the office of the
3 superintendent of public instruction to perform their usual duties
4 upon the same terms as formerly, without any loss of rights, subject
5 to any action that may be appropriate thereafter in accordance with
6 the laws and rules governing state civil service.

7 (4) All rules and all pending business before the paraeducator
8 board pertaining to the powers, duties, and functions transferred
9 shall be continued and acted upon by the office of the superintendent
10 of public instruction. All existing contracts and obligations shall
11 remain in full force and shall be performed by the office of the
12 superintendent of public instruction.

13 (5) The transfer of the powers, duties, functions, and personnel
14 of the paraeducator board shall not affect the validity of any act
15 performed before the effective date of this section.

16 (6) If apportionments of budgeted funds are required because of
17 the transfers directed by this section, the director of financial
18 management shall certify the apportionments to the agencies affected,
19 the state auditor, and the state treasurer. Each of these shall make
20 the appropriate transfer and adjustments in funds and appropriation
21 accounts and equipment records in accordance with the certification.

22 (7) All classified employees of the paraeducator board assigned
23 to the office of the superintendent of public instruction under this
24 section whose positions are within an existing bargaining unit
25 description at the office of the superintendent of public instruction
26 shall become a part of the existing bargaining unit at the office of
27 the superintendent of public instruction and shall be considered an
28 appropriate inclusion or modification of the existing bargaining unit
29 under the provisions of chapter 41.80 RCW.

30 NEW SECTION. **Sec. 8.** The office of the code reviser shall note,
31 wherever any agency or agency's duties transferred, consolidated, or
32 eliminated under this act are used or referred to in statute, that
33 the agency has changed. The office of the code reviser shall prepare
34 legislation for the 2025 regular session that: (1) Changes all
35 statutory references of any agency transferred, consolidated, or
36 eliminated under this act; and (2) changes statutory references to
37 sections affected by this act but not amended in this act.

1 NEW SECTION. **Sec. 9.** Sections 1 through 7 of this act take
2 effect July 1, 2025.

--- **END** ---