Chapter 28A.410 RCW
CERTIFICATION

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RCW 28A.410.010 Certification—Duty of professional educator standards board—Rules—Record check—Lapsed certificates—Superintendent of public instruction as administrator. (1)(a) The Washington professional educator standards board shall establish, publish, and enforce rules determining eligibility for and certification of personnel employed in the common schools of this state, including certification for emergency or temporary, substitute or provisional duty and under such certificates or permits as the board shall deem proper or as otherwise prescribed by law. The rules shall require that the initial application for certification shall require, at the applicant's expense, a criminal history record check of the applicant through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834,

10.97.030, and 10.97.050 and through the federal bureau of investigation. The record check shall include a fingerprint check using a complete Washington state criminal identification fingerprint card. An individual who holds a valid portable background check clearance card issued by the department of children, youth, and families consistent with RCW 43.216.270 is exempt from the office of the superintendent of public instruction fingerprint background check if the individual provides a true and accurate copy of his or her Washington state patrol and federal bureau of investigation background report results to the office of the superintendent of public instruction. The superintendent of public instruction may waive the record check for any applicant who has had a record check within the two years before application. The superintendent of public instruction shall use the fingerprint criminal history record check information solely for the purpose of determining eligibility for a certificate under this section. The rules shall permit a holder of a lapsed certificate but not a revoked or suspended certificate to be employed on a conditional basis by a school district with the requirement that the holder must complete any certificate renewal requirements established by the state board of education within two years of initial reemployment.

(b) In establishing rules pertaining to the qualifications of instructors of American sign language the board shall consult with the national association of the deaf, "sign instructors guidance network" (s.i.g.n.), and the Washington state association of the deaf for evaluation and certification of sign language instructors.

(c) The board shall develop rules consistent with RCW 18.340.020 for the certification of spouses of military personnel.

(2) The superintendent of public instruction shall act as the administrator of any such rules and have the power to issue any certificates or permits and revoke the same in accordance with board rules. [2017 3rd sp.s. c 33 s 3; 2017 3rd sp.s. c 6 s 221; 2014 c 50 s 2; 2011 2nd sp.s. c 5 s 4; 2005 c 497 s 203; 2001 c 263 s 1. Prior: 1992 c 159 s 3; 1992 c 60 s 2; prior: 1988 c 172 s 3; 1988 c 97 s 1; 1987 c 486 s 8; 1975-'76 2nd ex.s. c 92 s 2; 1969 ex.s. c 223 s 28A.70.005. Formerly RCW 28A.70.005.]

Reviser's note: This section was amended by 2017 3rd sp.s. c 6 s 221 and by 2017 3rd sp.s. c 33 s 3, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2017 3rd sp.s. c 6 ss 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Implementation—2011 2nd sp.s. c 5: See note following RCW 18.340.010.

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Findings—1992 c 159: See note following RCW 28A.400.303.

Severability—1988 c 97: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1988 c 97 s 3.]

Severability—1975-'76 2nd ex.s. c 92: See note following RCW 28A.305.130.

RCW 28A.410.015 Applicant for permit or certificate—Immigration and citizenship status. An individual who is not lawfully present in the United States is eligible for a permit or certificate as allowed under Title 8 U.S.C. Sec. 1621. The professional educator standards board and the superintendent of public instruction shall not deny an application for a permit or certificate solely on the basis of a person's immigration or citizenship status if the person has met all other qualifications. [2024 c 50 s 3.]

Effective date—2024 c 50: See note following RCW 18.415.010.

RCW 28A.410.025 Qualifications—Certificate or permit required. No person shall be accounted as a qualified teacher within the meaning of the school law who is not the holder of a valid teacher's certificate or permit issued by lawful authority of this state. [1969 ex.s. c 223 s 28A.67.010. Prior: 1909 c 97 p 306 s 1; RRS s 4844; prior: 1907 c 240 s 6; 1897 c 118 s 51; 1891 c 127 s 14; 1890 p 369 s 37; 1886 p 18 s 47; 1873 p 430 s 15. Formerly RCW 28A.405.010, 28A.67.010, 28.67.010.]

RCW 28A.410.032 Qualifications—Teachers of visually impaired—Rules. Teachers of visually impaired students shall be qualified according to rules adopted by the professional educator standards board. [2005 c 497 s 220; 1996 c 135 s 4.]

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Findings—1996 c 135: See note following RCW 28A.155.105.

RCW 28A.410.035 Qualifications—Coursework on issues of abuse; sexual abuse and exploitation of a minor; and emotional or behavioral distress in students, including possible substance abuse, violence, and youth suicide. (1) To receive initial certification as a teacher in this state after August 31, 1991, an applicant shall have successfully completed a course on issues of abuse. The content of the course shall discuss the identification of physical abuse, emotional abuse, sexual abuse, and substance abuse; commercial sexual abuse of a minor, as defined in RCW 9.68A.100; sexual exploitation of a minor, as defined in RCW 9.68A.040; information on the impact of abuse on the behavior and learning abilities of students; discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse; and methods for teaching students about abuse of all types and their prevention.

(2) The professional educator standards board shall incorporate into the content required for the course under this section, knowledge and skill standards pertaining to recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. To receive initial certification after August 31, 2014, an applicant must have successfully completed a course that includes the content of this subsection. The board shall consult with the office of the superintendent of public instruction and the department of health in developing the standards. [2013 c 197 s 3; 2013 c 10 s 2; 1990 c 90 s 1. Formerly RCW 28A.405.025.]

Reviser's note: This section was amended by 2013 c 10 s 2 and by 2013 c 197 s 3, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Finding—Intent—2013 c 197: See note following RCW 43.20A.765.

Findings—Intent—2013 c 197: See note following RCW 28A.410.226.

Finding—2013 c 10: "The legislature finds that when teachers and school staff are trained in identifying and preventing child sexual abuse, commercial sexual abuse of minors, and sexual exploitation of minors, students benefit." [2013 c 10 s 1.]

Civil liability—2013 c 197: See RCW 28A.310.501.

RCW 28A.410.040 Initial-level certificates. The Washington professional educator standards board shall adopt rules providing that, except as provided in this section, all individuals qualifying for an initial-level teaching certificate after August 31, 1992, shall possess a baccalaureate degree in the arts, sciences, and/or humanities and have fulfilled the requirements for teacher certification pursuant to RCW 28A.410.210. However, candidates for grades preschool through eight certificates shall have fulfilled the requirements for a major as part of their baccalaureate degree. If the major is in early childhood education, elementary education, or special education, the candidate must have at least thirty quarter hours or twenty semester hours in one academic field. [2005 c 497 s 204; 1992 c 141 s 101; 1990 c 33 s 406. Prior: 1989 c 402 s 1; 1989 c 29 s 1; 1987 c 525 s 212. Formerly RCW 28A.70.040.]

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Findings—1992 c 141: "The legislature finds that the educational needs of students when they leave the public school system has [have] increased dramatically in the past two decades. If young people are to prosper in our democracy and if our nation is to grow economically, it is imperative that the overall level of learning achieved by students be significantly increased.

To achieve this higher level of learning, the legislature finds that the state of Washington needs to develop a performance-based school system. Instead of maintaining burdensome state accountability laws and rules that dictate educational offerings, the state needs to

hold schools accountable for their performance based on what their students learn.

The legislature further finds moving toward a performance-based accountability system will require repealing state laws and rules that inhibit the freedom of school boards and professional educators to carry out their work, and also will require that significantly more decisions be made at the school district and school building levels. In addition, it will be necessary to set high expectations for students, to identify what is expected of all students, and to develop a rigorous academic assessment system to determine if these expectations have been achieved.

The legislature further finds that the governor's council on education reform and funding will, by December 1992, identify broad student learning goals. Subject to decisions made by the 1993 legislature, the legislature finds that it is critical that an organization be established to continue the council's work in identifying necessary student skills and knowledge, to develop student assessment and school accountability systems, and to take other steps necessary to develop a performance-based education system.

The legislature further finds that there is a need for high quality professional development as the state implements a performance-based system. Professional development must be available to schools and school districts to maintain quality control and to assure access to proven research on effective teaching." [1992 c 141 s 1.]

Part headings—1992 c 141: "Part headings as used in this act constitute no part of the law." [1992 c 141 s 601.]

Severability—1992 c 141: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1992 c 141 s 602.]

Intent—1987 c 525 ss 201-233: "The legislature intends to enhance the education of the state's youth by improving the quality of teaching. The legislature intends to establish a framework for teacher and principal preparation programs and to recognize teaching as a profession.

The legislature finds that the quality of teacher preparation programs is enhanced when a planned, sequenced approach is used that provides for the application of practice to academic coursework.

The legislature supports better integration of the elements of teacher preparation programs including knowledge of subject matter, teaching methods, and actual teaching experiences.

The legislature finds that establishing: (1) A teaching internship program; (2) a post-baccalaureate program resulting in a master's degree; (3) stronger requirements for earning principal credentials; and (4) a review of the preparation standards for school principals and educational staff associates are appropriate next steps in enhancing the quality of educational personnel in Washington." [1987 c 525 s 201.]

Short title—1987 c 525 ss 202-233: "Sections 202 through 233 of this act shall be known as the professional educator excellence act of 1987." [1987 c 525 s 234.]

Severability—1987 c 525: See note following RCW 28A.300.050.

RCW 28A.410.043 School counselor certification. A school counselor is a professional educator who holds a valid school counselor certification as defined by the professional educator standards board. The purpose and role of the school counselor is to plan, organize, and deliver a comprehensive school guidance and counseling program that personalizes education and supports, promotes, and enhances the academic, personal, social, and career development of all students, based on the national standards for school counseling programs of the American school counselor association. [2007 c 175 s 2.]

Findings—Intent—2007 c 175: "The legislature finds that the professional school counselor is a certificated educator with unique qualifications and skills to address all students' academic, personal, social, and career development needs. School counselors serve a vital role in maximizing student achievement, supporting a safe learning environment, and addressing the needs of all students through prevention and intervention programs that are part of a comprehensive school counseling program. The legislature further finds that current state statutes fail to mention anything about school counselors. Therefore, the legislature intends to codify into law the importance and the role of school counselors in public schools." [2007 c 175 s 1.]

RCW 28A.410.044 School psychologists and social workers—Domains and roles. (1) A school psychologist is a professional educator who holds a valid school psychologist certification as defined by the professional educator standards board. Pursuant to the national association of school psychologists' model for comprehensive and integrated school psychological services, school psychologists deliver services across ten domains of practice. Two domains permeate all areas of service delivery: Data-based decision making; and consultation and collaboration. Five domains encompass direct and indirect services to children and their families: Student-level services, interventions, and instructional supports to develop academic skills; student-level interventions and mental health services to develop social and life skills; systems-level school-wide practices to promote learning; systems-level preventive and responsive services; and systems-level family school collaboration services. The three foundational domains include: Knowledge and skills related to diversity in development and learning; research and program evaluation; and legal and ethical practice.

(2) A school social worker is a professional in the fields of social work and education who holds a valid school social worker certification as defined by the professional educator standards board. The purpose and role of the school social worker is to provide an integral link between school, home, and community in helping students achieve academic and social success. This is accomplished by removing barriers and providing services that include: Mental health and academic counseling, support for students and parents, crisis prevention and intervention, professional case management, collaboration with other professionals, organizations, and community

agencies, and advocacy for students and parents. School social workers work directly with school administrators as well as students and families, at various levels and as part of an interdisciplinary team in the educational system, including at the building, district, and state level. School social workers provide leadership and professional expertise regarding the formation of school discipline policies and procedures, and through school-based mental health services, crisis management, the implementation of social-emotional learning, and other support services that impact student academic and social-emotional success. School social workers also facilitate community involvement in the schools while advocating for student success. [2018 c 200 s 3.]

Findings—Intent—Civil liability—2018 c 200: See notes following RCW 28A.320.290.

RCW 28A.410.045 First peoples' language, culture, and oral tribal traditions teacher certification program—Established—Rules. (1) The Washington state first peoples' language, culture, and oral tribal traditions teacher certification program is established. The professional educator standards board shall adopt rules to implement the program in collaboration with the sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington, including the tribal leader congress on education and the first peoples' language and culture committee. The collaboration required under this section shall be defined by a protocol for cogovernance in first peoples' language, culture, and oral tribal traditions education developed by the professional educator standards board, the office of the superintendent of public instruction, and the sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington.

(2) Any sovereign tribal government whose traditional lands and territories lie within the borders of the state of Washington may participate individually on a government-to-government basis in the program.

(3) Under the first peoples' language, culture, and oral tribal traditions teacher certification program:

(a) Only a participating sovereign tribal government may certify individuals who meet the tribe's criteria for certification as a teacher in the Washington state first peoples' language, culture, and oral tribal traditions teacher certification program. Tribal law enforcement agencies and the Washington state patrol shall enter into government-to-government negotiations regarding the exchange of background information on applicants for certification. The office of the superintendent of public instruction shall not authorize or accept a certificate or endorsement in Washington state first peoples' language, culture, and oral tribal traditions without certification from a participating sovereign tribal government and without conducting a record check of an individual applying for certification as required under RCW 28A.410.010;

(b) For each teacher to be certified in the program, the participating sovereign tribal government shall submit information and documentation necessary for the issuance of a state certificate, as

defined by rule, to the office of the superintendent of public instruction;

(c) A Washington state first peoples' language, culture, and oral tribal traditions teacher certificate serves as a subject area endorsement in first peoples' language, culture, and oral tribal traditions. The holder of a Washington state first peoples' language, culture, and oral tribal traditions teacher certificate who does not also hold an initial, residency, continuing, or professional teaching certificate authorized by the professional educator standards board may be assigned to teach only the languages, cultures, and oral tribal traditions designated on the certificate and no other subject;

(d) In order to teach first peoples' language, culture, and oral tribal traditions, teachers must hold certificates from both the office of the superintendent of public instruction and from the sovereign tribal government; and

(e) The holder of a Washington state first peoples' language, culture, and oral tribal traditions teacher certificate meets Washington state's definition of a highly qualified teacher under the no child left behind act of 2001 (P.L. 107-110) for the purposes of teaching first peoples' language, culture, and oral tribal traditions, subject to approval by the United States department of education.

(4) First peoples' language/culture teacher certificates issued before July 22, 2007, under rules approved by the state board of education or the professional educator standards board under a pilot program remain valid as certificates under this section, subject to the provisions of this chapter.

(5) Schools and school districts on or near tribal reservations are encouraged to contract with sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington and with first peoples' language, culture, and oral tribal traditions teacher certification programs for in-service teacher training and continuing education in the culture and history appropriate for their geographic area, as well as suggested pedagogy and instructional strategies. [2007 c 319 s 2.]

Findings—2007 c 319: "The legislature finds that:

(1) Teaching first peoples' languages, cultures, and oral tribal traditions is a critical factor in fostering successful educational experiences and promoting cultural sensitivity for all students. Experience shows that such teaching dramatically raises student achievement and that the effect is particularly strong for Native American students;

(2) Native American students have the highest high school dropout rate among all groups of students. Less than one-fourth of Native American students in the class of 2008 are on track to graduate based on the results of the Washington assessment of student learning. Positive and supportive educational experiences are critical for the success of Native American students;

(3) The sole expertise of sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington in the transmission of their indigenous languages, heritage, cultural knowledge, histories, customs, and traditions should be honored;

(4) Government-to-government collaboration between the state and the sovereign tribal governments whose traditional lands and territories lie within the borders of the state of Washington serves

to implement the spirit of the 1989 centennial accord and other similar government-to-government agreements, including the 2004 accord between the federally recognized Indian tribes with treaty reserved rights in the state of Washington;

(5) Establishing a first peoples' language, culture, and oral tribal traditions teacher certification program both achieves educational objectives and models effective government-to-government relationships;

(6) Establishing a first peoples' language, culture, and oral tribal traditions certification program implements the following policy objectives of the federal Native American languages act of 1990 (P.L. 101-477) in a tangible way:

(a) To preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages;

(b) To allow exceptions to teacher certification requirements for federal programs and programs funded in whole or in part by the federal government, for instruction in Native American languages when such teacher certification requirements hinder the employment of qualified teachers who teach in Native American languages, and to encourage state and territorial governments to make similar exceptions;

(c) To encourage and support the use of Native American languages as a medium of instruction in order to encourage and support Native American language survival, educational opportunity, increased student success and performance, increased student awareness and knowledge of their culture and history, and increased student and community pride;

(d) To encourage state and local education programs to work with Native American parents, educators, Indian tribes, and other Native American governing bodies in the implementation of programs to put this policy into effect; and

(e) To encourage all institutions of elementary, secondary, and higher education, where appropriate, to include Native American languages in the curriculum in the same manner as foreign languages and to grant proficiency in Native American languages the same full academic credit as proficiency in foreign languages;

(7) Establishing a first peoples' language, culture, and oral tribal traditions certification program is consistent with the intent of presidential executive order number 13336 from 2004, entitled "American Indian and Alaska native education," to assist students in meeting the challenging student academic standards of the no child left behind act of 2001 (P.L. 107-110) in a manner that is consistent with tribal traditions, languages, and cultures." [2007 c 319 s 1.]

Short title—2007 c 319: "This act may be known and cited as the "First peoples' language, culture, and oral tribal traditions teacher certification act: Honoring our ancestors."" [2007 c 319 s 4.]

RCW 28A.410.046 Elementary mathematics specialists. (1) For the purposes of this section, an elementary mathematics specialist is a certificated teacher who has demonstrated at least the following knowledge and skills:

(a) Enhanced mathematics content knowledge and skills necessary to provide students in grades kindergarten through eight a deep

understanding of the essential academic learning requirements and performance expectations in mathematics;

(b) Knowledge and skills in a variety of instructional strategies for teaching mathematics content; and

(c) Knowledge and skills in instructional strategies targeted for students struggling with mathematics.

(2) The legislature encourages the professional educator standards board to develop standards for and adopt a specialty endorsement for elementary mathematics specialists as defined under this section.

(3) School districts may work with local colleges and universities, educator preparation programs, and educational service districts to develop and offer training and professional development opportunities in the knowledge and skills necessary for a teacher to be considered an elementary mathematics specialist under this section.

(4) School districts are encouraged to use elementary mathematics specialists for direct instruction of students using an itinerant teacher model where the specialist rotates from classroom to classroom within the school. [2011 c 209 s 2.]

Finding—Intent—2011 c 209: "The legislature finds that significant changes have been made in recent years to improve Washington's mathematics standards. Additional mathematics coursework, at a more rigorous level, will be required for high school graduation. Efforts to increase the rigor of high school mathematics will ultimately not be successful unless students in elementary and middle school are better prepared in mathematics. Successful preparation is more likely to occur if students have the opportunity to receive instruction from a teacher with proficiency in both mathematics content and effective instructional methods in mathematics for elementary and middle school students. It is the legislature's intent to encourage elementary teachers who enjoy and excel in mathematics to become specialists, and to encourage school districts to assign these specialists to teach elementary and middle school mathematics, thereby transmitting both their expertise and their enthusiasm for the subject to their students." [2011 c 209 s 1.]

RCW 28A.410.048 Teacher endorsements with literacy-related competencies—Advisory groups—Definitions. (1) Standards for teacher endorsements with literacy-related competencies must include the essential components of language comprehension, phonological awareness, orthographic knowledge, fluency, vocabulary, and oral language development and proficiency and other competencies needed to teach using a literacy curriculum that meets the requirements of RCW 28A.230.025(2). The board shall adopt revised standards for any teacher endorsement with literacy-related competencies that does not meet the requirements of this subsection (1).

(2) The board shall require board-approved teacher preparation programs that offer endorsements with literacy-related competencies to incorporate any revised board-adopted standards into their instructional content within two academic years after the end of the academic year in which the revised standards are adopted.

(3)(a) The board shall, within existing resources, convene advisory groups of board-approved teacher preparation programs to develop, review, and share curricula, instructional materials, and

open educational resources tailored to each literacy-related endorsement and designed to help teacher candidates be prepared at graduation to teach using a literacy curriculum that meets the requirements of RCW 28A.230.025(2).

(b) The public institutions of higher education approved to offer teacher endorsements with literacy-related competencies are encouraged to participate in the advisory groups under (a) of this subsection (3).

(4) For the purposes of this section, the following definitions apply:

(a) "Board" means the Washington professional educator standards board; and

(b) "Endorsement with literacy-related competencies" means an endorsement in elementary education, English language arts, literacy, special education, and any other endorsement determined by the board to include literacy-related competencies. [2026 c 190 s 3.]

Findings—Intent—2026 c 190: See note following RCW 28A.230.025.

RCW 28A.410.050 Baccalaureate and master's degree equivalency requirements for vocational instructors—Rules. The Washington professional educator standards board shall develop and adopt rules establishing baccalaureate and master's degree equivalency standards for vocational instructors performing instructional duties and acquiring certification after August 31, 1992. [2005 c 497 s 205; 1992 c 141 s 102; 1989 c 29 s 2; 1987 c 525 s 215. Formerly RCW 28A.70.042.]

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Findings—Part headings—Severability—1992 c 141: See notes following RCW 28A.410.040.

Intent—Short title—1987 c 525 ss 202-233: See notes following RCW 28A.410.040.

Severability—1987 c 525: See note following RCW 28A.300.050.

RCW 28A.410.060 Fee for certification—Disposition. The fee for any certificate, or any renewal thereof, issued by the authority of the state of Washington, and authorizing the holder to teach or perform other professional duties in the public schools of the state shall be not less than one dollar or such reasonable fee therefor as the Washington professional educator standards board by rule shall deem necessary therefor. The fee must accompany the application and cannot be refunded unless the application is withdrawn before it is finally considered. The educational service district superintendent, or other official authorized to receive such fee, shall within thirty days transmit the same to the treasurer of the county in which the office of the educational service district superintendent is located, to be by him or her placed to the credit of said school district or educational service district: PROVIDED, That if any school district collecting fees for the certification of professional staff does not

hold a professional training institute separate from the educational service district then all such moneys shall be placed to the credit of the educational service district.

Such fees shall be used solely for the purpose of precertification professional preparation, program evaluation, professional in-service training programs, and provision of certification services by educational service districts, in accordance with rules of the Washington professional educator standards board herein authorized. [2008 c 107 s 1; 2005 c 497 s 206; 1990 c 33 s 407; 1975-'76 2nd ex.s. c 92 s 3; 1975-'76 2nd ex.s. c 15 s 17. Prior: 1975 1st ex.s. c 275 s 134; 1975 1st ex.s. c 192 s 1; 1969 ex.s. c 176 s 144; 1969 ex.s. c 223 s 28A.70.110; prior: 1965 c 139 s 20; 1909 c 97 p 336 s 3; RRS s 4968; prior: 1897 c 118 s 142. Formerly RCW 28A.70.110, 28.70.110, 28.70.120.]

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Severability—1975-'76 2nd ex.s. c 92: See note following RCW 28A.305.130.

Severability—1975 1st ex.s. c 192: "If any provision of this amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1975 1st ex.s. c 192 s 3.]

Rights preserved—Severability—1969 ex.s. c 176: See notes following RCW 28A.310.010.

RCW 28A.410.062 Initial educator certificates and paraeducator certificates—Application processing fee—Educator certification processing account. (1) The legislature finds that the current economic environment requires that the state, when appropriate, charge for some of the services provided directly to the users of those services. The office of the superintendent of public instruction is currently supported with state funds to process certification fees. In addition, the legislature finds that the processing of certifications should be moved to an online system that allows educators to manage their certifications and provides better information to policymakers. The legislature intends to assess a certification processing fee to eliminate state-funded support of the cost to issue educator certificates.

(2) In addition to the certification fee established under RCW 28A.410.060 for certificated instructional staff as defined in RCW 28A.150.203, the superintendent of public instruction shall charge an application processing fee for initial educator certificates and subsequent actions, and paraeducator certificates and subsequent actions. The superintendent of public instruction shall establish the amount of the fee by rule under chapter 34.05 RCW. The superintendent shall set the fee at a sufficient level to defray the costs of administering the educator certification program under RCW 28A.300.040(9) and the paraeducator certificate program under chapter 28A.413 RCW. Revenue generated through the processing fee shall be deposited in the educator certification processing account.

(3) The educator certification processing account is established in the custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received from the fees collected in subsection (2) of this section. Moneys in the account may be spent only for the processing of educator certificates and subsequent actions and paraeducator certificates and subsequent actions. Disbursements from the account shall be on authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements. [2017 c 237 s 16; 2011 1st sp.s. c 23 s 1.]

Effective date—2011 1st sp.s. c 23: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2011." [2011 1st sp.s. c 23 s 2.]

RCW 28A.410.070 Registration of certificates. (1) All certificates issued by the superintendent of public instruction shall be valid and entitle the holder thereof to employment in any school district of the state upon being registered by the school district if designated to do so by the school district, which fact shall be evidenced on the certificate in the words, "Registered for use in . . . . . district," together with the date of registry, and an official signature of the person registering the same: PROVIDED, That a copy of the original certificate duly certified by the superintendent of public instruction may be used for the purpose of registry and endorsement in lieu of the original.

(2) The superintendent of public instruction may accept applications for educator certification that are submitted using an electronic signature from the applicant. [2007 c 401 s 7; 1983 c 56 s 12; 1975-'76 2nd ex.s. c 92 s 4; 1975 1st ex.s. c 275 s 135; 1971 c 48 s 50; 1969 ex.s. c 223 s 28A.70.130. Prior: 1909 c 97 p 338 s 11; RRS s 4976; prior: 1897 c 118 s 147. Formerly RCW 28A.70.130, 28.70.130.]

Findings—2007 c 401: See note following RCW 28A.300.500.

Severability—1983 c 56: See note following RCW 28A.195.010.

Severability—1975-'76 2nd ex.s. c 92: See note following RCW 28A.305.130.

Severability—1971 c 48: See note following RCW 28A.310.250.

RCW 28A.410.080 School year—For certification or qualification purposes. The school year for all matters pertaining to teacher certification or for computing experience in teaching shall consist of not fewer than one hundred eighty school days. [1969 ex.s. c 223 s 28A.01.025. Prior: 1909 c 97 p 262 s 3, part; RRS s 4687, part; prior: 1903 c 104 s 22, part. Formerly RCW 28A.01.025, 28.01.010, part.]

RCW 28A.410.085 Willful noncompliance with state law—Act of unprofessional conduct. (1) The Washington professional educator

standards board must adopt rules that make a local school district superintendent's or chief administrator's willful noncompliance with state law an act of unprofessional conduct and provide that a superintendent or chief administrator, whether certificated or not, may be held accountable for such conduct under rules established under this section. It is a defense to a finding of willful noncompliance with state law if the superintendent or chief administrator can show that they were actively attempting to bring the school district, charter school, or state-tribal education compact school into compliance with the applicable state law.

(2) For the purposes of this section, "willful" and "noncompliance with state law" have the same meaning as in RCW 28A.300.0711. [2025 c 369 s 309.]

Intent—2025 c 369 ss 302-315: See note following RCW 28A.300.0711.

Effective date—2025 c 369: See note following RCW 28A.320.209.

RCW 28A.410.090 Revocation or suspension of certificate or permit to teach—Reprimand—Criminal basis—Complaints—Investigation—Process. (1)(a) Any certificate or permit authorized under the provisions of this chapter, chapter 28A.405 RCW, or rules promulgated thereunder may be revoked or suspended by the authority authorized to grant the same based upon a criminal records report authorized by law, or upon the complaint of the professional educator standards board or any school district superintendent, educational service district superintendent, or private school administrator for lack of good moral character or personal fitness, violation of written contract, unprofessional conduct, intemperance, or crime against the law of the state. A reprimand may be issued as an alternative to suspension or revocation of a certificate or permit. School district superintendents, educational service district superintendents, the professional educator standards board, or private school administrators may file a complaint concerning any certificated employee of a school district, educational service district, or private school and this filing authority is not limited to employees of the complaining superintendent or administrator. Such written complaint shall state the grounds and summarize the factual basis upon which a determination has been made that an investigation by the superintendent of public instruction is warranted.

(b) If the superintendent of public instruction has reasonable cause to believe that an alleged violation of this chapter or rules adopted under it has occurred based on a written complaint alleging physical abuse or sexual misconduct by a certificated school employee filed by a parent or another person, but no complaint has been forwarded to the superintendent by a school district superintendent, educational service district superintendent, or private school administrator, and that a school district superintendent, educational service district superintendent, or private school administrator has sufficient notice of the alleged violation and opportunity to file a complaint, the superintendent of public instruction may cause an investigation to be made of the alleged violation, together with such other matters that may be disclosed in the course of the investigation related to certificated personnel.

(2) A parent or another person may file a written complaint with the superintendent of public instruction alleging physical abuse or sexual misconduct by a certificated school employee if:

(a) The parent or other person has already filed a written complaint with the educational service district superintendent concerning that employee;

(b) The educational service district superintendent has not caused an investigation of the allegations and has not forwarded the complaint to the superintendent of public instruction for investigation; and

(c) The written complaint states the grounds and factual basis upon which the parent or other person believes an investigation should be conducted.

(3) Any certificate or permit authorized under the provisions of this chapter, chapter 28A.405 RCW, or rules adopted thereunder may be revoked or suspended by the authority authorized to grant the same upon complaint from the professional educator standards board alleging unprofessional conduct in the form of a fraudulent submission of a test for educators. A reprimand may be issued as an alternative to suspension or revocation of a certificate or permit. The professional educator standards board must issue to the superintendent of public instruction a written complaint stating the grounds and factual basis upon which the professional educator standards board believes an investigation should be conducted pursuant to this section. In all cases under this subsection, the person whose certificate is in question shall be given an opportunity to be heard and has the right to appeal as established in *RCW 28A.410.100.

(4)(a) Any such certificate or permit authorized under this chapter or chapter 28A.405 RCW shall be revoked by the authority authorized to grant the certificate upon a guilty plea or the conviction of any felony crime specified under RCW 28A.400.322, in accordance with this section. The person whose certificate is in question shall be given an opportunity to be heard.

(b) Mandatory permanent revocation upon a guilty plea or the conviction of felony crimes specified under RCW 28A.400.322(1) shall apply to such convictions or guilty pleas which occur after July 23, 1989, and before July 26, 2009.

(c) Mandatory permanent revocation upon a guilty plea or conviction of felony crimes specified under RCW 28A.400.322(2) shall apply to such convictions or guilty pleas that occur on or after July 26, 2009.

(d) Revocation of any certificate or permit authorized under this chapter or chapter 28A.405 RCW for a guilty plea or criminal conviction of a crime specified under RCW 28A.400.322 occurring prior to July 23, 1989, shall be subject to the provisions of subsection (1) of this section.

(5)(a) Any such certificate or permit authorized under this chapter or chapter 28A.405 RCW shall be suspended or revoked, according to the provisions of this subsection, by the authority authorized to grant the certificate upon a finding that an employee has engaged in an unauthorized use of school equipment to intentionally access material depicting sexually explicit conduct or has intentionally possessed on school grounds any material depicting sexually explicit conduct; except for material used in conjunction with established curriculum. A first time violation of this subsection shall result in either suspension or revocation of the employee's certificate or permit as determined by the office of the

superintendent of public instruction. A second violation shall result in a mandatory revocation of the certificate or permit.

(b) In all cases under this subsection (5), the person whose certificate is in question shall be given an opportunity to be heard and has the right to appeal as established in *RCW 28A.410.100. Certificates or permits shall be suspended or revoked under this subsection only if findings are made on or after July 24, 2005. For the purposes of this subsection, "sexually explicit conduct" has the same definition as provided in RCW 9.68A.011.

(6) Any such certificate or permit authorized under this chapter or chapter 28A.405 RCW shall be revoked by the authority authorized to grant the certificate upon a finding that the certificate holder obtained the certificate through fraudulent means, including fraudulent misrepresentation of required academic credentials or prior criminal record. In all cases under this subsection, the person whose certificate is in question shall be given an opportunity to be heard and has the right to appeal as established in *RCW 28A.410.100. Certificates or permits shall be revoked under this subsection only if findings are made on or after July 26, 2009.

(7)(a) In determining whether an individual lacks good moral character or personal fitness under this chapter, the superintendent of public instruction may consider founded reports of child abuse or neglect made by the **department of social and health services pursuant to RCW 26.44.030.

(b) The **department of social and health services shall furnish the superintendent with reports of founded findings of child abuse or neglect in a timely fashion, but shall not disclose to the superintendent screened-out, inconclusive, or unfounded reports as defined in RCW 26.44.020.

(c) If the **department of social and health services inadvertently furnishes the superintendent with a screened-out, inconclusive, or unfounded report in violation of this section, the superintendent shall:

(i) Not consider the information contained in the reports for any purpose;

(ii) Notify the **department of social and health services of the violation of this section;

(iii) Notify the subject of the reports at his or her last known address of the department of social and health service's violation; and

(iv) Destroy the improperly disclosed reports. [2017 3rd sp.s. c 33 s 4; 2013 c 163 s 1; 2009 c 396 s 5; 2005 c 461 s 2; 2004 c 134 s 2; 1996 c 126 s 2; 1992 c 159 s 4; 1990 c 33 s 408; 1989 c 320 s 1; 1975 1st ex.s. c 275 s 137; 1974 ex.s. c 55 s 2; 1971 c 48 s 51; 1969 ex.s. c 223 s 28A.70.160. Prior: 1909 c 97 p 345 s 1; RRS s 4992; prior: 1897 c 118 s 148. Formerly RCW 28A.70.160, 28.70.160.]

Reviser's note: *(1) The right to appeal was eliminated from RCW 28A.410.100 by 2009 c 531 s 3.

**(2) The powers, duties, and functions of the department of social and health services pertaining to child welfare services under chapter 26.44 RCW were transferred to the department of children, youth, and families by 2017 3rd sp.s. c 6 s 803, effective July 1, 2018.

Effective date—1996 c 126: See note following RCW 28A.400.305.

Findings—1992 c 159: See note following RCW 28A.400.303.

Severability—1989 c 320: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1989 c 320 s 7.]

Severability—1971 c 48: See note following RCW 28A.310.250.

Notification of conviction or guilty plea of certain felony crimes: RCW 43.43.845.

RCW 28A.410.095 Violation or noncompliance—Investigatory powers of superintendent of public instruction—Requirements for investigation of alleged sexual misconduct towards a child—Court orders—Contempt—Written findings required. (1) The superintendent of public instruction may initiate and conduct investigations as may be reasonably necessary to establish the existence of any alleged violations of or noncompliance with this chapter or any rules adopted under it. For the purpose of any investigation or proceeding under this chapter, the superintendent or any officer designated by the superintendent may administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, agreements, or other documents or records that the superintendent deems relevant and material to the inquiry.

(2) Investigations conducted by the superintendent of public instruction concerning alleged sexual misconduct towards a child shall be completed within one year of the initiation of the investigation or within thirty days of the completion of all proceedings, including court proceedings, resulting from an investigation conducted by law enforcement or child protective services if there is such an investigation. The superintendent of public instruction may take, for reasonable cause, additional time for completion of the investigation after informing the victim, the individual being investigated, and the school district that employs the individual being investigated of the reasons additional time is needed and the amount of additional time needed. Written notification must be provided to each of the parties who must be informed. The sole remedy for a failure to complete an investigation of sexual misconduct within the time allowed by this subsection is a civil penalty of fifty dollars per day for each day beyond the allowed time.

(3) If any person fails to obey a subpoena or obeys a subpoena but refuses to give evidence, any court of competent jurisdiction, upon application by the superintendent, may issue to that person an order requiring him or her to appear before the court and to show cause why he or she should not be compelled to obey the subpoena, and give evidence material to the matter under investigation. The failure to obey an order of the court may be punishable as contempt.

(4) Once an investigation has been initiated by the superintendent of public instruction, the investigation shall be completed regardless of whether the individual being investigated has resigned his or her position or allowed his or her teaching certificate to lapse. The superintendent shall make a written finding regarding each investigation indicating the actions taken, including a

statement of the reasons why a complaint was dismissed or did not warrant further investigation or action by the superintendent, and shall provide such notice to each person who filed the complaint. Written findings under this section are subject to public disclosure under chapter 42.56 RCW.

(5) An investigation into sexual or physical abuse of a student by a school employee shall only be initiated by the superintendent of public instruction after the superintendent of public instruction verifies that the incident has been reported to the proper law enforcement agency or the department of social and health services as required under RCW 26.44.030. [2005 c 274 s 245; 2004 c 134 s 1; 1992 c 159 s 5.]

Findings—1992 c 159: See note following RCW 28A.400.303.

RCW 28A.410.100 Revocation of authority to teach—Hearings. Any teacher whose certificate to teach has been questioned under RCW 28A.410.090 shall have a right to be heard by the issuing authority before his or her certificate is revoked. [2009 c 531 s 3; 2005 c 497 s 207; 1992 c 159 s 6; 1990 c 33 s 409; 1975 1st ex.s. c 275 s 138; 1971 c 48 s 52; 1969 ex.s. c 223 s 28A.70.170. Prior: 1909 c 97 p 346 s 3; RRS s 4994. Formerly RCW 28A.70.170, 28.70.170.]

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Findings—1992 c 159: See note following RCW 28A.400.303.

Severability—1971 c 48: See note following RCW 28A.310.250.

RCW 28A.410.106 Certificate or permit suspension—Noncompliance with support order—Reissuance. Any certificate or permit authorized under this chapter or chapter 28A.405 RCW shall be suspended by the authority authorized to grant the certificate or permit if the department of social and health services certifies that the person is not in compliance with a support order or a *residential or visitation order as provided in RCW 74.20A.320. If the person continues to meet other requirements for reinstatement during the suspension, reissuance of the certificate or permit shall be automatic after the person provides the authority a release issued by the department of social and health services stating that the person is in compliance with the order. [1997 c 58 s 842.]

***Reviser's note:** 1997 c 58 s 886 requiring a court to order certification of noncompliance with residential provisions of a court-ordered parenting plan was vetoed. Provisions ordering the department of social and health services to certify a responsible parent based on a court order to certify for noncompliance with residential provisions of a parenting plan were vetoed. See RCW 74.20A.320.

Short title—Part headings, captions, table of contents not law—Exemptions and waivers from federal law—Conflict with federal requirements—Severability—1997 c 58: See RCW 74.08A.900 through 74.08A.904.

Effective dates—Intent—1997 c 58: See notes following RCW 74.20A.320.

RCW 28A.410.108 Reporting disciplinary actions to national clearinghouse. For the purposes of reporting disciplinary actions taken against certificated staff to other states via a national database used by the office of the superintendent of public instruction, the following actions shall be reported: Suspension, surrender, revocation, denial, stayed suspension, reinstatement, and any written reprimand related to abuse and sexual misconduct. These actions will only be reported to the extent that they are accepted by the national clearinghouse, but if there are categories not included, the office of the superintendent of public instruction shall seek modification to the national clearinghouse format. [2004 c 29 s 4.]

Findings—2004 c 29: See note following RCW 28A.400.301.

RCW 28A.410.110 Limitation on reinstatement after revocation—Reinstatement prohibited for certain felony crimes. In case any certificate or permit authorized under this chapter or chapter 28A.405 RCW is revoked, the holder shall not be eligible to receive another certificate or permit for a period of twelve months after the date of revocation. However, if the certificate or permit authorized under this chapter or chapter 28A.405 RCW was revoked because of a guilty plea or the conviction of a felony crime specified under RCW 28A.400.322, the certificate or permit shall not be reinstated. [2009 c 396 s 6; 1990 c 33 s 410; 1989 c 320 s 2; 1969 ex.s. c 223 s 28A.70.180. Prior: 1909 c 97 p 346 s 2; RRS s 4993. Formerly RCW 28A.70.180, 28.70.180.]

Severability—1989 c 320: See note following RCW 28A.410.090.

RCW 28A.410.120 Professional certification not required of superintendents or deputy or assistant superintendents. Notwithstanding any other provision of this title, the Washington professional educator standards board or superintendent of public instruction shall not require any professional certification or other qualifications of any person elected superintendent of a local school district by that district's board of directors, or any person hired in any manner to fill a position designated as, or which is, in fact, deputy superintendent, or assistant superintendent. [2005 c 497 s 208; 1990 c 33 s 411; 1975 1st ex.s. c 254 s 3. Formerly RCW 28A.02.260.]

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Severability—1975 1st ex.s. c 254: "If any provision of this 1975 amendatory act, or its application to any person or circumstances is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1975 1st ex.s. c 254 s 4.]

RCW 28A.410.200 Washington professional educator standards board—Creation—Membership—Executive director. (1)(a) The Washington professional educator standards board is created, consisting of twelve members to be appointed by the governor to four-year terms and the superintendent of public instruction or the superintendent's designee. On August 1, 2009, the board shall be reduced to twelve members.

(b) Vacancies on the board shall be filled by appointment or reappointment by the governor to terms of four years.

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

(d) The governor shall biennially appoint the chair of the board. No board member may serve as chair for more than four consecutive years.

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

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

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

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

(d) Education-related community experience.

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

(4) All appointments to the board made by the governor are subject to confirmation by the senate.

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

(6) The governor may remove a member of the board for neglect of duty, misconduct, malfeasance or misfeasance in office, or for incompetency or unprofessional conduct as defined in chapter 18.130 RCW. In such a case, the governor shall file with the secretary of state a statement of the causes for and the order of removal from office, and the secretary of state shall send a certified copy of the statement of causes and order of removal to the last known post office address of the member.

(7) Members of the board shall hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes only.

(8) Members of the board may create informal advisory groups as needed to inform the board's work. [2017 c 189 s 1; 2009 c 531 s 2; 2005 c 497 s 202; 2003 1st sp.s. c 22 s 1; 2002 c 92 s 1; 2000 c 39 s 102.]

Effective date—2009 c 531 s 2: "Section 2 of this act takes effect August 1, 2009." [2009 c 531 s 5.]

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Findings—2000 c 39: "The legislature finds and declares:

(1) Creation of a public body whose focus is educator quality would be likely to bring greater focus and attention to the profession;

(2) Professional educator standards boards are consumer protection boards, establishing assessment policies to ensure the public that its new practitioners have the knowledge to be competent;

(3) The highest possible standards for all educators are essential in ensuring attainment of high academic standards by all students;

(4) Teacher assessment for certification can guard against admission to the teaching profession of persons who have not demonstrated that they are knowledgeable in the subjects they will be assigned to teach; and

(5) Teacher assessment for certification should be implemented as an additional element to the system of teacher preparation and certification." [2000 c 39 s 101.]

Part headings and section captions not law—2000 c 39: "Part headings and section captions used in this act are not any part of the law." [2000 c 39 s 301.]

Joint report to the legislature: RCW 28A.305.035.

RCW 28A.410.210 Washington professional educator standards board—Purpose—Powers and duties. The purpose of the Washington professional educator standards board is to establish policies and requirements for the preparation and certification of educators that provide standards for competency in professional knowledge and practice in the areas of certification; a foundation of skills, knowledge, and attitudes necessary to help students with diverse needs, abilities, cultural experiences, and learning styles meet or exceed the learning goals outlined in RCW 28A.150.210; knowledge of research-based practice; and professional development throughout a career. The Washington professional educator standards board shall:

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

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

(3) Establish a list of accredited institutions of higher education of this and other states whose graduates may be awarded educator certificates as teacher, school administrator, and educational staff associate and establish criteria and enter into agreements with other states to acquire reciprocal approval of educator preparation programs and certification, including teacher certification from the national board for professional teaching standards;

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

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

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

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

(8) Adopt rules under chapter 34.05 RCW that are necessary for the effective and efficient implementation of this chapter;

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

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

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

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

(13) Conduct meetings under the provisions of chapter 42.30 RCW. [2017 3rd sp.s. c 26 s 2; 2009 c 531 s 4; 2008 c 176 s 1; 2005 c 497 s 201; 2000 c 39 s 103.]

Effective date—2017 3rd sp.s. c 26: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [July 7, 2017]." [2017 3rd sp.s. c 26 s 6.]

Intent—Part headings not law—Effective date—2005 c 497: See notes following RCW 28A.305.011.

Findings—Part headings and section captions not law—2000 c 39: See notes following RCW 28A.410.200.

RCW 28A.410.212 Washington professional educator standards board—Duties. The professional educator standards board shall:

(1) Develop and maintain a research base of educator preparation best practices;

(2) Develop and coordinate initiatives for educator preparation in high-demand fields as well as outreach and recruitment initiatives for underrepresented populations;

(3) Provide program improvement technical assistance to providers of educator preparation programs;

(4) Assure educator preparation program compliance; and

(5) Prepare and maintain a cohesive educator development policy framework. [2009 c 531 s 1.]

RCW 28A.410.220 Washington professional educator standards board—Performance standards and professional-level certification assessment—Basic skills assessment—Assessment of subject knowledge—Administration of section—Rule-making authority. (1)(a) The Washington professional educator standards board shall make available a means of assessing an applicant's knowledge in the basic skills. For the purposes of this section, "basic skills" means the subjects of at least reading, writing, and mathematics. An applicant must take this basic skills assessment, or an alternative or equivalent basic skills assessment as determined by the Washington professional educator standards board, and report the individual results to the Washington professional educator standards board and an approved teacher preparation program, for admission to the approved teacher preparation program.

(b) An approved teacher preparation program may use the results of the basic skills assessment, or an alternative or equivalent basic skills assessment as determined by the Washington professional educator standards board, as a formative assessment of academic strengths and weakness in determining the candidate's readiness for the program.

(c) The Washington professional educator standards board may establish criteria to ensure that persons from out-of-state who are applying for residency certification and persons applying to master's degree level teacher preparation programs can demonstrate to the board's satisfaction that they have the requisite basic skills.

(d) The Washington professional educator standards board may identify and accept other tests and test scores as long as the tests are comparable in rigor to the basic skills assessment and candidates meet or exceed the basic skills requirements established by the board.

(2) The Washington professional educator standards board shall set performance standards and develop, pilot, and implement a uniform and externally administered professional-level certification assessment based on demonstrated teaching skill. In the development of this assessment, consideration shall be given to changes in professional certification program components such as the culminating seminar.

(3) Beginning not later than September 1, 2002, the Washington professional educator standards board shall provide for the initial piloting and implementation of a means of assessing an applicant's knowledge in the subjects for which the applicant has applied for an endorsement to his or her residency or professional teaching certificate. The assessment of subject knowledge shall not include instructional methodology. Beginning September 1, 2005, passing this assessment shall be required to receive an endorsement for certification purposes.

(4) The Washington professional educator standards board may permit exceptions from the assessment requirements under subsections (1), (2), and (3) of this section on a case-by-case basis.

(5) The Washington professional educator standards board shall provide for reasonable accommodations for individuals who are required to take the assessments in subsection (1), (2), or (3) of this section if the individuals have learning or other disabilities.

(6) With the exception of applicants exempt from the requirements of subsections (2) and (3) of this section, an applicant must achieve a minimum assessment score or scores established by the Washington professional educator standards board on each of the assessments under subsections (2) and (3) of this section.

(7) The Washington professional educator standards board and superintendent of public instruction, as determined by the Washington professional educator standards board, may contract with one or more third parties for:

(a) The development, purchase, administration, scoring, and reporting of scores of the assessments established by the Washington professional educator standards board under subsections (1), (2), and (3) of this section;

(b) Related clerical and administrative activities; or

(c) Any combination of the purposes in this subsection.

(8) Applicants for admission to a Washington teacher preparation program and applicants for residency and professional certificates who are required to successfully complete one or more of the assessments under subsections (1), (2), and (3) of this section, and who are charged a fee for the assessment by a third party contracted with under subsection (7) of this section, shall pay the fee charged by the contractor directly to the contractor. Such fees shall be reasonably related to the actual costs of the contractor in providing the assessment.

(9) The superintendent of public instruction is responsible for supervision and providing support services to administer this section.

(10) The Washington professional educator standards board shall collaboratively select or develop and implement the applicable assessments and minimum assessment scores required under this section with the superintendent of public instruction and shall provide opportunities for representatives of other interested educational organizations to participate in the selection or development and implementation of such assessments in a manner deemed appropriate by the Washington professional educator standards board.

(11) The Washington professional educator standards board shall adopt rules under chapter 34.05 RCW that are reasonably necessary for the effective and efficient implementation of this section. [2019 c 121 s 1; 2013 c 193 s 2; 2008 c 176 s 2; 2002 c 92 s 2; 2000 c 39 s 201.]

Finding—Intent—2013 c 193: "The legislature finds that the use of a basic skills test as an entrance requirement to teacher certification programs has unintentionally created a barrier to the effective recruitment of candidates from underrepresented populations who are otherwise qualified for the program. Therefore, the legislature intends to expand the pool of potential teacher candidates by expanding the types of testing instruments and assessments that may be used to measure basic skills. The legislature intends to review any alternative assessments to ensure that candidates must continue to meet the established standards for admission to a teacher certification program." [2013 c 193 s 1.]

Findings—Part headings and section captions not law—2000 c 39: See notes following RCW 28A.410.200.

RCW 28A.410.221 Washington professional educator standards board—Revision of STEM-related subject-area teacher endorsements. The professional educator standards board shall, in its regular review and revision of teacher certification standards as required by RCW 28A.410.210, revise standards for the elementary education endorsement and middle level and secondary mathematics and science teacher endorsements as well as other subject area endorsements with STEM-related components. Standards revisions related to mathematics shall be adopted by September 1, 2013. Standards revisions related to science shall be adopted by September 1, 2014. The revised standards shall include the integration of science, technology, engineering, and mathematics (STEM) knowledge and skill and be aligned, as appropriate, with common core mathematics standards, the 2009 [2008] revision of state mathematics student learning standards and performance expectations, the biology end-of-course assessment, and the 2012 student science learning standards developed from the conceptual framework for science education and next generation standards and related student performance expectations. In addition to appropriate mathematics and science content, the endorsement standards must also include the concepts and instructional practices of the interdisciplinary connections with engineering and technology. [2011 2nd sp.s. c 2 s 1.]

RCW 28A.410.2211 Washington professional educator standards board—Revision of assessments to meet revised STEM-related standards. (1) The professional educator standards board shall revise assessments for prospective teachers and teachers adding subject area endorsements required for teacher certification under RCW 28A.410.220 to measure the revised standards in RCW 28A.410.221.

(2) The professional educator standards board shall require that successful candidates for the residency certificate demonstrate effective subject specific instructional methods that address the revised standards. [2021 c 198 s 5; 2011 2nd sp.s. c 2 s 2.]

Finding—Intent—Effective date—2021 c 198: See notes following RCW 28A.410.283.

RCW 28A.410.2212 Washington professional educator standards board—Certificate renewal rules for teachers in STEM-related subjects. The professional educator standards board shall revise certificate renewal rules for teachers at the elementary and secondary levels in STEM-related subjects by September 1, 2014. The revised rules shall include the requirement that continuing education or professional growth plans for these teachers include a specific focus on the integration of science, mathematics, technology, and engineering instruction. [2011 2nd sp.s. c 2 s 3.]

RCW 28A.410.224 Washington professional educator standards board—Standards for computer science endorsement. The professional

educator standards board shall, in its regular review and revision of teacher certification standards as required by RCW 28A.410.210, develop standards for a K-12 computer science endorsement. Standards related to computer science shall be adopted by January 15, 2016. The revised standards shall be aligned with the computer science learning standards developed by a nationally recognized computer science education organization and updated to include the standards adopted by the office of the superintendent of public instruction under RCW 28A.300.585. In addition to appropriate computer science content, the computer science endorsement standards must facilitate dual endorsement in computer science and mathematics or science, or another related endorsement in high demand as indicated by a school district. [2015 1st sp.s. c 3 s 2.]

RCW 28A.410.225 Washington professional educator standards board—Endorsement requirements—Teachers of deaf and hard of hearing students. The agency responsible for teacher certification shall develop certification endorsement requirements for teachers of deaf and hard of hearing students. The endorsement shall be focused on the specific skills and knowledge necessary to serve the education and communication needs of deaf and hard of hearing students. In establishing rules for the endorsement of teachers who will be working almost exclusively with students who are deaf or hard of hearing, the agency shall consider applicants to have met state endorsement requirements if they possess a baccalaureate or master's degree in deaf education from a teacher training program approved by the council on education of the deaf. [2005 c 493 s 2.]

Findings—Intent—2005 c 493: "The legislature finds that the quality of education for children who are deaf or hard of hearing and the expectations for those children's achievement should be equivalent to those for children throughout the state. The legislature also finds that deaf and hard of hearing children can benefit greatly if they are taught by an educator who is trained to understand the learning and communication issues the children face. Educators who received teacher training in a program for the deaf and hard of hearing are sensitive to the needs of deaf and hard of hearing students and are able to provide appropriate strategies to assist students in reacting to and interacting with their environment. The legislature intends to assist school districts in their efforts to attract teachers who are especially trained to work with deaf and hard of hearing students by directing the state board of education to establish a certification endorsement for teachers of the deaf and hard of hearing." [2005 c 493 s 1.]

RCW 28A.410.226 Washington professional educator standards board—Training program on youth suicide screening—Certificates for school nurses, social workers, psychologists, and counselors—Adoption of standards. (1) As provided under subsections (2) and (3) of this section, individuals certified by the professional educator standards board as a school nurse, school social worker, school psychologist, or school counselor must complete a training program on youth suicide screening and referral as a condition of certification. The training program must be at least three hours in length. The professional

educator standards board must adopt standards for the minimum content of the training in consultation with the office of the superintendent of public instruction and the department of health. In developing the standards, the board must consider training programs listed on the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(2) This section applies to the following certificates if the certificate is first issued or is renewed on or after July 1, 2015:

(a) Continuing certificates for school nurses;

(b) Continuing certificates for school social workers;

(c) Continuing and professional certificates for school psychologists; and

(d) Continuing and professional certificates for school counselors.

(3) A school counselor who holds or submits a school counseling certificate from the national board for professional teaching standards or a school psychologist who holds or submits a school psychologist certificate from the national association of school psychologists in lieu of a professional certificate must complete the training program under subsection (1) of this section by July 1, 2015, or within the five-year period before the certificate is first submitted to the professional educator standards board, whichever is later, and at least once every five years thereafter in order to be considered certified by the professional educator standards board.

(4) The professional educator standards board shall consider the training program under subsection (1) of this section as approved continuing education under *RCW 28A.415.020 and shall count the training program toward meeting continuing education requirements for certification as a school nurse, school social worker, school psychologist, or school counselor. [2013 c 197 s 2.]

***Reviser's note:** RCW 28A.415.020 was repealed by 2018 c 266 s 411.

Findings—Intent—2013 c 197: "(1) The legislature finds that:

(a) According to the state department of health, suicide is the second leading cause of death for Washington youth between the ages of ten and twenty-four. Suicide rates among Washington youth remain higher than that national average;

(b) An increasing body of research shows an association between adverse childhood experiences such as trauma, violence, or abuse, and school performance. Children and teens spend a significant amount of time in school. Teachers and other school staff who interact with students daily are in a prime position to recognize the signs of emotional or behavioral distress and make appropriate referrals. School personnel need effective training to help build the skills and confidence to assist youth in seeking help;

(c) Educators are not necessarily trained to address significant social, emotional, or behavioral issues exhibited by youth. Rather, best practices guidelines suggest that school districts should form partnerships with qualified health, mental health, and social services agencies to provide support; and

(d) Current safe school plans prepared by school districts tend to focus more on natural disasters and external threats and less on how to recognize and respond to potential crises among the students inside the school.

(2) Therefore, the legislature intends to increase the capacity for school districts to recognize and respond to youth in need through additional training, more comprehensive planning, and emphasis on partnerships between schools and communities." [2013 c 197 s 1.]

Finding—Intent—2013 c 197: See note following RCW 43.20A.765.

Civil liability—2013 c 197: See RCW 28A.310.501.

RCW 28A.410.230 Washington professional educator standards board—Review of proposed assessments before implementation. The Washington professional educator standards board shall report the proposed assessments to the legislative education committees for review and comment prior to implementing the assessments by contractual agreement with the selected vendor or vendors. [2000 c 39 s 202.]

Findings—Part headings and section captions not law—2000 c 39: See notes following RCW 28A.410.200.

RCW 28A.410.240 Washington professional educator standards board—Reports. (1) By December 1, 2003, and annually thereafter, the Washington professional educator standards board shall prepare a report that includes the following information:

(a) The range of scores on the basic skills assessment under RCW 28A.410.220(1) for persons who passed the assessment and were admitted to a Washington preparation program; and

(b) The range of scores on the subject assessments under *RCW 28A.410.220(2) for persons who passed the assessments and earned an endorsement.

(2) The information under subsection (1) of this section shall be reported for the individual public and private colleges and universities in Washington, as well as reported on an aggregate basis. The report shall also include results disaggregated demographically. The report shall include information on the number and percentage of candidates exempted from assessments, demographic information on candidates exempted, institutions attended and endorsements sought by exempted candidates, and reasons for exclusion from the required assessments. The report shall be made available through the state library, on the website of the office of superintendent of public instruction, and placed on the legislative alert list. [2000 c 39 s 203.]

***Reviser's note:** RCW 28A.410.220 was amended by 2008 c 176 s 2, changing subsection (2) to subsection (3).

Findings—Part headings and section captions not law—2000 c 39: See notes following RCW 28A.410.200.

RCW 28A.410.250 Washington professional educator standards board—Professional certification—Rules. The agency responsible for educator certification shall adopt rules for professional certification that:

(1) Grant professional certification to any teacher who attains certification from the national board for professional teaching standards; [and]

(2) Identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience, including a method to determine the comparability of rigor between the Washington professional certification process and the advanced level teacher certification process of other states. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds: (a) A valid teaching certificate issued by the national board for professional teaching standards; or (b) an advanced level teacher certificate from another state that has been determined to be comparable to the Washington professional certificate. [2017 3rd sp.s. c 26 s 3; 2016 c 233 s 4; 2005 c 498 s 2.]

Effective date—2017 3rd sp.s. c 26: See note following RCW 28A.410.210.

Intent—2005 c 498: "The legislature recognizes the importance of ongoing professional development and growth for teachers with the goal of improving student achievement. It is the intent of the legislature to ensure that professional certification is administered in such a way as to ensure that the professional development and growth of individual teachers is directly aligned to their current and future teaching responsibilities as professional educators." [2005 c 498 s 1.]

RCW 28A.410.251 Washington professional educator standards board—Residency certificate renewal for certain experienced teachers and principals—Rules. By September 1, 2017, the Washington professional educator standards board shall adopt rules allowing teachers and principals with at least two years of experience, who hold or have held a residency certificate and have not achieved the professional certificate, to renew their residency certificate in five-year intervals based on completion of ten credits or one hundred clock hours as defined in *RCW 28A.415.020 and 28A.415.023. [2017 3rd sp.s. c 26 s 1.]

***Reviser's note:** RCW 28A.415.020 and 28A.415.023 were repealed by 2018 c 266 s 411.

Effective date—2017 3rd sp.s. c 26: See note following RCW 28A.410.210.

RCW 28A.410.252 Expedited professional certification for out-of-state teachers. The agency responsible for educator certification shall adopt rules for professional certification that identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience, including a method to determine the comparability of rigor between the Washington professional certification process and any United States federally issued or state-issued advanced level teacher certification process that allows an individual to teach internationally. A professional certificate must be issued to these experienced out-of-

state teachers if the teacher holds a United States federally issued or state-issued advanced level teacher certificate that allows the individual to teach internationally and that has been determined to be comparable to the Washington professional certificate. [2016 c 233 s 5.]

RCW 28A.410.260 Washington professional educator standards board—Cultural competency, diversity, equity, and inclusion standards of practice. (1) The Washington professional educator standards board shall:

(a) Develop or update cultural competency, diversity, equity, and inclusion standards of practice for preparation, continuing education, and other training of school district staff;

(b) Collaborate with the Washington state school directors' association to compare and align the standards of practice developed under (a) of this subsection with the standards of governance developed under RCW 28A.345.115. The review must include the educational opportunity gap oversight and accountability committee and may include the office of equity established under RCW 43.06D.020; and

(c) Post on its public website the cultural competency, diversity, equity, and inclusion standards of practice for school district staff.

(2) The Washington professional educator standards board shall develop and periodically update rubrics to evaluate the alignment of training and professional development programs and related materials with the cultural competency, diversity, equity, and inclusion standards of practice for school district staff developed under subsection (1) of this section.

(3) By November 1, 2030, and every 10 years thereafter, the Washington professional educator standards board shall review the definitions in RCW 28A.415.443 and the cultural competency, diversity, equity, and inclusion standards of practice for school district staff developed under subsection (1) of this section and report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature any recommendations for revising the definitions in RCW 28A.415.443.

(4) For purposes of this section, "cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443. [2021 c 197 s 4; 2009 c 468 s 5.]

Finding—Intent—2021 c 197: See note following RCW 28A.415.443.

Findings—Intent—2009 c 468: See note following RCW 28A.300.136.

RCW 28A.410.265 Washington professional educator standards board—Certification—Cultural competency, diversity, equity, and inclusion standards of practice. (1) In establishing policies and requirements for the preparation and certification of educators under RCW 28A.410.210, the Washington professional educator standards board shall require that the programs of courses, requirements, and other activities leading to educator certification incorporate the cultural competency, diversity, equity, and inclusion standards of practice developed under RCW 28A.410.260 and include the foundational elements of cultural competence, focusing on multicultural education and

principles of English language acquisition, including information regarding best practices to implement the tribal history and culture curriculum.

(2) For purposes of this section, "cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443. [2021 c 197 s 6.]

Finding—Intent—2021 c 197: See note following RCW 28A.415.443.

RCW 28A.410.270 Washington professional educator standards board—Performance standards—Certification levels—Teacher effectiveness evaluations—Requirements for professional certificate and residency teaching certificate—Demonstration of educator preparation programs' outcomes *(as amended by 2021 c 197).* (1)(a) The Washington professional educator standards board shall adopt a set of articulated teacher knowledge, skill, and performance standards for effective teaching that are evidence-based, measurable, meaningful, and documented in high quality research as being associated with improved student learning. The standards shall be calibrated for each level along the entire career continuum.

(b) ((~~In developing the standards, the board shall, to the extent possible, incorporate standards for cultural competency along the entire continuum. For the purposes of this subsection, "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.~~)) The Washington professional educator standards board shall incorporate along the entire continuum the standards of practice developed under RCW 28A.410.260.

(c) By January 1, 2020, in order to ensure that teachers can recognize signs of emotional or behavioral distress in students and appropriately refer students for assistance and support, the Washington professional educator standards board shall incorporate along the entire continuum the social-emotional learning standards and benchmarks recommended by the social-emotional learning benchmarks work group in its October 1, 2016, final report titled, "addressing social emotional learning in Washington's K-12 public schools." In incorporating the social-emotional learning standards and benchmarks, the Washington professional educator standards board must include related competencies, such as trauma-informed practices, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, and culturally sustaining practices.

(2) The Washington professional educator standards board shall adopt a definition of master teacher, with a comparable level of increased competency between professional certification level and master level as between professional certification level and national board certification. Within the definition established by the Washington professional educator standards board, teachers certified through the national board for professional teaching standards shall be considered master teachers.

(3) The Washington professional educator standards board shall maintain a uniform, statewide, valid, and reliable classroom-based means of evaluating teacher effectiveness as a culminating measure at

the preservice level that is to be used during the student-teaching field experience. This assessment shall include multiple measures of teacher performance in classrooms, evidence of positive impact on student learning, and shall include review of artifacts, such as use of a variety of assessment and instructional strategies, and student work.

(4) Award of a professional certificate shall be based on a minimum of two years of successful teaching experience as defined by the board, and may not require candidates to enroll in a professional certification program.

(5) Educator preparation programs approved to offer the residency teaching certificate shall be required to demonstrate how the program produces effective teachers as evidenced by the measures established under this section and other criteria established by the Washington professional educator standards board. [2021 c 197 s 11; 2019 c 386 s 3; 2017 3rd sp.s. c 26 s 4; 2009 c 548 s 402.]

Finding—Intent—2021 c 197: See note following RCW 28A.415.443.

RCW 28A.410.270 Washington professional educator standards board—Performance standards—Certification levels—Requirements for professional certificate and residency teaching certificate—Demonstration of educator preparation programs' outcomes—Program completion requirements *(as amended by 2021 c 198).* (1)(a) The ((~~Washington professional educator standards~~)) board shall adopt a set of articulated teacher knowledge, skill, and performance standards for effective teaching that are evidence-based, measurable, meaningful, and documented in high quality research as being associated with improved student learning. The standards shall be calibrated for each level along the entire career continuum. For candidates recommended for residency teacher certification by a board-approved preparation program, the standards adopted by the board must be the most recent teaching standards published by a consortium of state and national education organizations dedicated to the reform of the preparation, licensing, and ongoing professional development of teachers since 1987.

(b) In developing the standards, the board shall, to the extent possible, incorporate standards for cultural competency, as defined in RCW 28A.410.260, along the entire continuum. ((~~For the purposes of this subsection, "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.~~))

(c) By January 1, 2020, in order to ensure that teachers can recognize signs of emotional or behavioral distress in students and appropriately refer students for assistance and support, the ((~~Washington professional educator standards~~)) board shall incorporate along the entire continuum the social-emotional learning standards and benchmarks recommended by the social-emotional learning benchmarks work group in its October 1, 2016, final report titled, "addressing social emotional learning in Washington's K-12 public schools." In incorporating the social-emotional learning standards and benchmarks, the ((~~Washington professional educator standards~~)) board must include

related competencies, such as trauma-informed practices, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, and culturally sustaining practices.

(2) The ((~~Washington professional educator standards~~)) board shall adopt a definition of master teacher, with a comparable level of increased competency between professional certification level and master level as between professional certification level and national board certification. Within the definition established by the ((~~Washington professional educator standards~~)) board, teachers certified through the national board for professional teaching standards shall be considered master teachers.

(3) ((~~The Washington professional educator standards board shall maintain a uniform, statewide, valid, and reliable classroom-based means of evaluating teacher effectiveness as a culminating measure at the preservice level that is to be used during the student-teaching field experience. This assessment shall include multiple measures of teacher performance in classrooms, evidence of positive impact on student learning, and shall include review of artifacts, such as use of a variety of assessment and instructional strategies, and student work.~~

~~(4)~~)) Award of a professional certificate shall be based on a minimum of two years of successful teaching experience as defined by the board, and may not require candidates to enroll in a professional certification program.

((~~(5)~~)) (4) Educator preparation programs approved to offer the residency teaching certificate shall be required to demonstrate how the program produces effective teachers as evidenced by ((~~the~~)) multiple measures ((~~established under this section~~)) of the knowledge, skills, performance, and competencies described in subsection (1) of this section and other criteria established by the ((~~Washington professional educator standards~~)) board.

(5) Each board-approved teacher preparation program must publish, and provide to candidates prior to admission, a list of program completion requirements.

(6) Before a board-approved teacher preparation program may recommend a candidate for residency teacher certification, the candidate must meet or exceed the knowledge, skill, performance, and competency standards described in subsection (1) of this section.

(7) For the purpose of this section, "board" means the Washington professional educator standards board. [2021 c 198 s 4; 2019 c 386 s 3; 2017 3rd sp.s. c 26 s 4; 2009 c 548 s 402.]

Reviser's note: RCW 28A.410.270 was amended twice during the 2021 legislative session, each without reference to the other. For rule of construction concerning sections amended more than once during the same legislative session, see RCW 1.12.025.

Finding—Intent—Effective date—2021 c 198: See notes following RCW 28A.410.283.

Effective date—2017 3rd sp.s. c 26: See note following RCW 28A.410.210.

Finding—2009 c 548: "The legislature recognizes that the key to providing all students the opportunity to achieve the basic education goal is effective teaching and leadership. Teachers, principals, and administrators must be provided with access to the opportunities they

need to gain the knowledge and skills that will enable them to be increasingly successful in their classroom and schools. A system that clearly defines, supports, measures, and recognizes effective teaching and leadership is one of the most important investments to be made." [2009 c 548 s 401.]

Intent—2009 c 548: See RCW 28A.150.1981.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

RCW 28A.410.271 Washington professional educator standards board—Performance standards for educational interpreters—Limited and full certificates—Deaf and deaf-blind certification. (1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Educational interpreter" means a person, whether certificated or classified, providing sign language interpretation, transliteration, or both, and further explanation of concepts introduced by the teacher for students who are deaf, deaf-blind, or hard of hearing.

(b) "Educational interpreter assessment" means an assessment that includes both written assessment and performance assessment that is offered by a national organization of professional sign language interpreters and transliterators, and is designed to assess performance in more than one sign system or sign language.

(c) "Interpretation" means conveying one language in the form of another language.

(d) "Transliteration" means conveying one language in a different modality of the same language.

(2) The professional educator standards board shall:

(a) Adopt standards for educational interpreters including, as necessary, separate standards for deaf and deaf-blind educational interpreters;

(b) Identify and publicize educational interpreter assessments that are available and meet the requirements in this section;

(c) Establish a full performance standard and a limited performance standard for each educational interpreter assessment for the purposes of this section, defining what constitutes a minimum assessment result; and

(d) Establish criteria for educational interpreter certifications based on meeting the standards established under this subsection.

(3)(a) The professional educator standards board shall establish certificates for deaf and deaf-blind educational interpreters based on criteria established under subsection (2) of this section.

(b)(i) Each category of certificates established under (a) of this subsection must be categorized as follows:

(A) A certificate granted to an individual who has met the limited performance standard but has not met the full performance standard for an educational interpreter assessment under subsection (2)(c) of this section is considered a limited certificate and may only have a period of validity of up to five years from the date of the issuance of the certificate; and

(B) A certificate granted to an individual who has met the full performance standard for an educational interpreter assessment under subsection (2)(c) of this section is considered a full certificate and

has a period of validity as determined by the professional educator standards board.

(ii) The professional educator standards board may adopt rules that add additional requirements for educational interpreters who have not previously worked in a role as an educational interpreter prior to September 1, 2026.

(c) By December 1, 2026, and annually thereafter, the professional educator standards board shall make data publicly available relating to educational interpreter certification including, but not limited to, the number of each type of certificate granted, demographic information of certificate recipients, and the geographic distribution of certificate grantees.

(4)(a) Through the end of the 2026-27 school year, educational interpreters must have successfully achieved the performance standard established by the professional educator standards board on one of the educational interpreter assessments identified by the board. An educational interpreter who has not successfully achieved such a performance standard may provide or continue providing educational interpreter services to students subject to the requirements of (c) of this subsection.

(b) Except as otherwise provided by this section, by the beginning of the 2027-28 school year, educational interpreters must have successfully obtained a certificate established by the professional educator standards board under subsection (3) of this section. Evaluations and assessments for educational interpreters for which the board has not established a performance standard or certificate may be obtained as supplemental demonstrations of professional proficiency but may not be used as evidence of compliance with this subsection (4)(b).

(c) Beginning in the 2027-28 school year, an educational interpreter who has not successfully obtained a limited certificate may provide or continue providing educational interpreter services to students for one calendar year after receipt of his or her most recent educational interpreter assessment results, or 18 months after completing his or her most recent educational interpreter assessment, whichever period is longer, if he or she can demonstrate to the satisfaction of the employing school or school district, ongoing efforts to successfully achieve the full certificate established under subsection (3) of this section. In making a determination under this subsection (4)(c), the employing school or school district may consult with the professional educator standards board. For purposes of this subsection (4)(c), "educational interpreter" includes persons employed as educational interpreters before the 2016-17 school year.

(d) The professional educator standards board may adopt rules to limit the number of times an educational interpreter may take an educational interpreter assessment for the purposes of qualifying for a certificate under this section.

(5) When conducting the activities required under subsection (2) of this section and drafting any rules to implement this section, the professional educator standards board must consult with a college or university that provides interpreter training in Washington and that is accredited by an accrediting association recognized by the student achievement council under its rules.

(6) The provisions of this section do not apply to educational interpreters employed to interpret a sign system or sign language, including nonsigning interpretation such as oral interpreting, computer-assisted real time captioning, and cued speech

transliteration, for which an educational interpreter assessment either does not exist or, as determined by the professional educator standards board, is not capable of being evaluated by the board for suitability as a performance standard in Washington. [2025 c 255 s 1; 2017 c 34 s 1; 2013 c 151 s 2.]

Effective date—2017 c 34: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 17, 2017]." [2017 c 34 s 3.]

Finding—Intent—2013 c 151: "The legislature finds that although the professional educator standards board has begun work on standards and assessments for educational interpreters as directed by the 2012 supplemental operating budget, there is a need formally to codify this as an ongoing responsibility. The legislature also intends to specify how the standards and assessments will be used to improve learning opportunities for students who are deaf, deaf-blind, or hearing impaired." [2013 c 151 s 1.]

RCW 28A.410.273 Washington professional educator standards board—Social-emotional learning. By January 1, 2020, in order to ensure that principals can recognize signs of emotional or behavioral distress in students and appropriately refer students for assistance and support, the Washington professional educator standards board shall incorporate into principal knowledge, skill, and performance standards the social-emotional learning standards, benchmarks, and related competencies described in RCW 28A.410.270. [2019 c 386 s 4.]

RCW 28A.410.275 Washington professional educator standards board—Preparation program review—Components. (1) The Washington professional educator standards board must periodically review approved preparation programs to assess whether and to what extent the programs are meeting knowledge, skill, and performance standards, and publish on its website the results of the review in a format that facilitates program comparison.

(2) Ongoing review of fully approved teacher and principal preparation programs must include the following components as established by the Washington professional educator standards board:

(a) Program standards;

(b) Educator role standards;

(c) Evidence submitted by programs; and

(d) Input from community constituents and prekindergarten and K-12 partners including, but not limited to, input from educators in the classroom and administrators within school districts that may have direct experience with the program being reviewed.

(3) The Washington professional educator standards board shall regularly update the components established in subsection (2) of this section to reflect the changing needs of the modern classroom as identified by educators in the classroom and as identified through a review of changes to state and federal requirements. This regular update is intended to promote better continuity, communication, consistency, and coherence across the educator preparation system and the prekindergarten and K-12 community it serves, and enable educator

preparation programs to better respond and adapt in a timely manner to the changing needs of the prekindergarten and K-12 system.

(4) Following a review using the components established in subsection (2) of this section, the Washington professional educator standards board will determine a response to any areas of practice where the program's performance is out of alignment with standards and requirements, provide the program notice of that response, and require the program to identify actions that will be taken to come into alignment with the standards and requirements. [2026 c 49 s 2; 2019 c 386 s 8.]

Intent—2026 c 49: "The legislature intends to ensure that Washington teacher preparation programs engage in meaningful review processes that strengthen the programs' abilities to prepare educators for the modern classroom. It is critical that Washington's teacher preparation system integrates the knowledge and skills that educators need to effectively serve each and every student and is responsive to the changing needs of the communities being served by the teacher preparation system. This act seeks to streamline existing accountability measures of teacher preparation programs to support meaningful review of and self-reflection by programs, include input from those within the education system that are being served by teacher preparation programs, and facilitate the continuous improvement of Washington's teacher preparation system." [2026 c 49 s 1.]

RCW 28A.410.277 Washington professional educator standards board—Continuing education requirements for administrator and teacher certificate renewals—Approved clock hour providers. (1) The Washington professional educator standards board must adopt rules for renewal of administrator certificates and teacher certificates that meet the continuing education requirements of this section.

(2) To renew an administrator certificate on or after July 1, 2023, continuing education must meet the following requirements: 10 percent must focus on equity-based school practices, 10 percent must focus on the national professional standards for education leaders, and five percent must focus on government-to-government relationships with federally recognized tribes.

(3) To renew a teacher certificate on or after July 1, 2023, 15 percent of continuing education must focus on equity-based school practices. This subsection (3) does not apply to a person renewing both a teacher certificate and an administrator certificate.

(4)(a) Except as provided under (c) of this subsection (4), continuing education must be provided by one or more of the following entities, if they are an approved clock hour provider:

(i) The office of the superintendent of public instruction;

(ii) A school district;

(iii) An educational service district;

(iv) A Washington professional educator standards board-approved administrator or teacher preparation program;

(v) The association of Washington school principals;

(vi) The Washington education association; or

(vii) Other organizations approved by the Washington professional educator standards board.

(b) Beginning with the 2025-26 school year, the professional educator standards board must approve clock hour providers under this section through a revised application process. As part of the revised application process, entities must submit an application to the professional educator standards board that, at a minimum, includes the following:

(i) The entity's mission and vision;

(ii) The entity's experience and expertise in providing professional development to educators generally, as well as specific experience and expertise in equity-based practices;

(iii) Possible subject matter topics of continuing education to be provided by the entity;

(iv) Information on clock hour pricing;

(v) Transcript processes; and

(vi) Other application elements deemed appropriate by the professional educator standards board.

(c) To meet the requirements of subsection (2) of this section, continuing education related to government-to-government relationships with federally recognized tribes must be provided by one or more subject matter experts approved by the governor's office on Indian affairs in collaboration with the tribal leaders congress on education and the office of Native education in the office of the superintendent of public instruction.

(d) The office of the superintendent of public instruction and the Washington professional educator standards board must maintain a list of subject matter experts approved under (c) of this subsection on their respective websites.

(5) An entity providing an administrator or teacher continuing education program focused on equity-based school practices or the national professional standards for education leaders must publicly post the learning objectives of the program on its website. If the entity does not have a website, it must post the learning objectives of the program in a conspicuous place in the entity's main office and submit a copy of the learning objectives to the Washington professional educator standards board.

(6) Continuing education focused on equity-based school practices must be aligned with the standards of practice developed by the Washington professional educator standards board under RCW 28A.410.260. [2024 c 221 s 1; 2021 c 77 s 1.]

RCW 28A.410.278 Residency principal certificates—Principal preparation program requirements. (1) After August 31, 2013, candidates for a residency principal certificate must have demonstrated knowledge of teacher evaluation research and Washington's evaluation requirements and successfully completed opportunities to practice teacher evaluation skills.

(2) At a minimum, principal preparation programs must address the following knowledge and skills related to evaluations under RCW 28A.405.100:

(a) Examination of teacher and principal evaluation criteria, and four-level rating evaluation system, and the preferred instructional and leadership frameworks used to describe the evaluation criteria;

(b) Classroom observations;

(c) The use of student growth data and multiple measures of performance;

(d) Evaluation conferencing;

(e) Development of classroom teacher and principal support plans resulting from an evaluation; and

(f) Use of an online tool to manage the collection of observation notes, teacher and principal-submitted materials, and other information related to the conduct of the evaluation. [2019 c 295 s 304; 2012 c 35 s 4.]

Effective date—Findings—Intent—2019 c 295: See notes following RCW 28A.310.235.

Findings—Intent—2019 c 295: See notes following RCW 28B.10.033.

Intent—2019 c 295: See note following RCW 28B.102.030.

Findings—Intent—2019 c 295: See note following RCW 28A.415.265.

Findings—Intent—2019 c 295: See note following RCW 28A.180.120.

RCW 28A.410.283 Uniform, statewide performance assessment of teaching effectiveness—Prohibited as requirement. The Washington professional educator standards board may not adopt rules requiring that candidates for residency teacher certification take or pass a uniform, statewide performance assessment of teaching effectiveness. [2021 c 198 s 3.]

Finding—Intent—2021 c 198: "(1) The legislature acknowledges that passing the evidence-based assessment of teaching effectiveness, known as the edTPA, may be a barrier to some candidates becoming fully certificated teachers in Washington. The legislature seeks to promote academic success and reduce barriers for all students, particularly candidates of color, candidates for whom English is a second language, and candidates from low-income households. The legislature is also concerned that candidates from low-income households have difficulty paying for the edTPA, which is administered by a third party.

(2) The legislature finds that the state approval process requires each teacher preparation program to ensure that teacher candidates demonstrate the most recently published interstate teacher assessment and support consortium standards, the state-adopted cultural competency standards, and the state-adopted social-emotional learning standards. The legislature recognizes that teacher candidates may demonstrate their knowledge, skills, and competencies in a variety of ways and settings. The legislature trusts that teacher preparation programs can use multiple measures to evaluate whether teacher candidates meet or exceed the standards, without relying on a statewide assessment. Therefore, the legislature intends to eliminate taking or passing the edTPA as a prerequisite for residency teacher state certification. Nothing in this legislation prohibits a teacher preparation program from using the edTPA as a formative tool so long as notification is included in all program descriptions." [2021 c 198 s 1.]

Effective date—2021 c 198: "This act is necessary for the immediate preservation of the public peace, health, or safety, or

support of the state government and its existing public institutions, and takes effect immediately [May 5, 2021]." [2021 c 198 s 7.]

RCW 28A.410.286 Teacher residency model—Definitions. (1) A teacher residency is a teacher preparation model that integrates a full year of collaborative hands-on classroom teaching with an experienced preservice mentor with concurrent, targeted academic coursework, designed to develop effective, community-focused teachers. This collaborative model is offered by a public elementary or secondary school and a board-approved teacher preparation program.

(2) At a minimum, a teacher residency model must meet the following requirements:

(a) It must be operated as a formal partnership between a school district, charter school, or state-tribal education compact school and a board-approved teacher preparation program;

(b) The partners must collaboratively design the coursework to align with the unique context of each resident's classroom and to the context and priorities of the elementary or secondary school, and school district if applicable;

(c) Each resident must be assigned to at least one preservice mentor, who must co-teach with the resident, throughout the resident's preservice clinical practice;

(d) Each resident must receive at least 900 hours of preservice clinical practice over the course of one school year;

(e) Each resident must be grouped into a cohort based on geography, specialty, or other relevant criteria determined by the board;

(f) Funding must be provided to each resident;

(g) A stipend must be provided to each preservice mentor; and

(h) Any state funds provided for the support of teacher residencies must be used in conformance with RCW 42.17A.550 and 29B.40.250 and be provided solely for the exclusive support and operations of the teacher residency model.

(3) For purposes of this section, the following definitions apply:

(a) "Board" means the Washington professional educator standards board.

(b) "Cohort" means a group of residents enrolled in the same board-approved teacher preparation program who begin their residencies at the same time and have the same anticipated completion date.

(c) "Preservice mentor" means a teacher qualified to be a mentor for the beginning educator support team program under RCW 28A.415.265.

(d) "Resident" means a person enrolled in a board-approved teacher preparation program who is participating in a teacher residency model. [2025 c 309 s 1.]

RCW 28A.410.288 Teacher apprenticeship model. (1) A teacher apprenticeship model is a teacher preparation program approved by both the Washington state apprenticeship and training council under chapter 49.04 RCW and the Washington professional educator standards board under RCW 28A.410.210. In addition to meeting other requirements, the program must provide the apprentice with 2,000 hours of on-the-job mentored teaching experience under a gradual release method. Up to 540 hours working as a paraeducator may count towards the minimum on-the-

job requirement. Any state funds provided for the support of teacher apprenticeships must be used in conformance with RCW 42.17A.550 and 29B.40.250 and be provided solely for the exclusive support and operations of the registered apprenticeship program.

(2) Beginning September 1, 2025, before applying to the Washington state apprenticeship and training council to operate a teacher apprenticeship model, an entity must be approved by the Washington professional educator standards board as a teacher preparation program.

(3) Beginning September 1, 2025, before an entity approved under subsection (1) of this section may add or change a school district, charter school, or state-tribal education compact school partner, the entity must receive approval for the change or addition from the Washington professional educator standards board. [2025 c 309 s 2.]

RCW 28A.410.290 Teacher and administrator preparation program approval standards—Community college and nonhigher education provider programs—Alternative route program inclusion. (1) By September 30, 2010, the professional educator standards board shall review and revise teacher and administrator preparation program approval standards and proposal review procedures at the residency certificate level to ensure they are rigorous and appropriate standards for an expanded range of potential providers, including community college and nonhigher education providers. All approved providers must adhere to the same standards and comply with the same requirements.

(2) Beginning September 30, 2010, the professional educator standards board must accept proposals for community college and nonhigher education providers of educator preparation programs. Proposals must be processed and considered by the board as expeditiously as possible.

(3) By September 1, 2011, all professional educator standards board-approved residency teacher preparation programs at institutions of higher education as defined in RCW 28B.10.016 not currently a partner in an alternative route program approved by the professional educator standards board must submit to the board a proposal to offer one or more of the alternative route programs that meet the requirements of RCW 28A.660.020 and *28A.660.040. [2010 c 235 s 502.]

***Reviser's note:** RCW 28A.660.040 was repealed by 2017 c 14 s 3.

Finding—2010 c 235: See note following RCW 28A.405.245.

RCW 28A.410.292 Articulated pathway for teacher preparation and certification—Program approval. The professional educator standards board and the state board for community and technical colleges may exercise their respective authorities regarding program approval to implement the articulated pathway for teacher preparation and certification recommended pursuant to section 2, chapter 136, Laws of 2014 in approved teacher certification programs and certificate and degree programs offered by community and technical colleges. [2014 c 136 s 3.]

RCW 28A.410.294 Teacher and administrator preparation—Working with paraeducators. The professional educator standards board, in

consultation with the paraeducator board created in RCW 28A.413.020 and the office of the superintendent of public instruction, shall incorporate into the content required to complete a professional educator standards board-approved teacher or administrator preparation program the following:

(1) For teachers, information on how to direct a paraeducator working with students in the paraeducators' classroom; and

(2) For administrators, information on how to supervise and evaluate paraeducators. [2017 c 237 s 14.]

RCW 28A.410.296 Continuing education provider status—Criteria to revoke—Report. (1) By September 1, 2024, the Washington professional educator standards board must develop a process for the temporary or permanent revocation of continuing education provider status.

(a) Continuing education provider status may be revoked for providers that meet any of the following criteria:

(i) Providers that receive a substantial number of complaints filed against the provider, as determined by the board;

(ii) Providers found to not be in substantial compliance with RCW 28A.410.277; or

(iii) Providers found to offer course material that is not in substantial alignment with the cultural competency, diversity, equity, and inclusion standards of practice adopted in RCW 28A.410.260, as determined by the board.

(b) Entities authorized to submit a complaint under this section are limited to the following:

(i) Educators;

(ii) Local education agencies;

(iii) The office of the superintendent of public instruction;

(iv) Organizations representing principals;

(v) Organizations representing school board members;

(vi) Organizations representing school administrators;

(vii) Labor organizations representing classified instructional staff; and

(viii) Labor organizations representing teachers.

(2) By December 1, 2024, the professional educator standards board in consultation with the office of the superintendent of public instruction must submit to the relevant committees of the legislature a report on how to implement an auditing system of continuing education providers and other recommendations for improving the clock hour system.

(3) For the purposes of this section, "approved provider" and "provider" have the same meaning as "approved in-service education agency" in WAC 181-85-045, but apply only to providers of administrator or teacher continuing education programs focused on either equity-based school practices or the national professional standards for education leaders. [2024 c 221 s 2.]

RCW 28A.410.300 Review of district and educator workforce data. Beginning with the 2010 school year and annually thereafter, each educational service district, in cooperation with the professional educator standards board, must convene representatives from school districts within that region and professional educator standards

board-approved educator preparation programs to review district and regional educator workforce data, make biennial projections of certificate staffing needs, and identify how recruitment and enrollment plans in educator preparation programs reflect projected need. [2010 c 235 s 506.]

Finding—2010 c 235: See note following RCW 28A.405.245.

RCW 28A.410.310 Condensed compliance reports—Second-class districts. Any compliance reporting requirements as a result of laws in this chapter that apply to second-class districts may be submitted in accordance with RCW 28A.330.250. [2011 c 45 s 32.]

Conflict with federal requirements—2011 c 45: See note following RCW 28A.330.250.

RCW 28A.410.330 Microcredentials. The Washington professional educator standards board is prohibited from expanding the use of microcredentials beyond the microcredential pilot grant programs in existence on May 8, 2019, unless and until the legislature directs the board to do so. [2019 c 295 s 306.]

Effective date—Findings—Intent—2019 c 295: See notes following RCW 28A.310.235.

Findings—Intent—2019 c 295: See notes following RCW 28B.10.033.

Intent—2019 c 295: See note following RCW 28B.102.030.

Findings—Intent—2019 c 295: See note following RCW 28A.415.265.

Findings—Intent—2019 c 295: See note following RCW 28A.180.120.

RCW 28A.410.340 Military spouses—Agency responsibilities. The agency responsible for educator certification shall, as set forth in chapter 18.340 RCW:

(1) Adopt rules for expedited professional certification for military spouses;

(2) Identify a contact or coordinator to assist military spouse applicants and licensees;

(3) Provide training to each board member on the culture of military spouses, the military spouse experience, and issues related to military spouse career paths; and

(4) Maintain a military spouse assistance web page. [2023 c 165 s 7.]

Short title—Finding—Intent—2023 c 165: See notes following RCW 18.340.020.