

# SENATE BILL REPORT

## ESHB 1449

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As Reported by Senate Committee On:  
Ways & Means, May 18, 2011

**Title:** An act relating to establishing a processing fee for educator certificates and subsequent actions.

**Brief Description:** Establishing a processing fee for educator certificates.

**Sponsors:** House Committee on Education Appropriations & Oversight (originally sponsored by Representatives Hunter, Haigh, Anderson, Maxwell, Sullivan and Dammeier; by request of Superintendent of Public Instruction).

**Brief History:** Passed House: 4/07/11, 50-42; 5/13/11, 52-36.

**Committee Activity:** Ways & Means: 5/16/11, 5/18/11 [DPA].

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended.

Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli, Ranking Minority Member; Parlette, Ranking Minority Member Capital; Baxter, Brown, Conway, Fraser, Hatfield, Hewitt, Honeyford, Kastama, Keiser, Kohl-Welles, Pflug, Pridemore, Regala, Rockefeller, Schoesler and Tom.

**Staff:** Elise Greef (786-7708)

**Background:** The Office of Superintendent of Public Instruction (OSPI) administers the certification process for educators in Washington. Over the past three years, the average annual number of certification actions processed by the certification office within the OSPI was approximately 38,753. Total certification actions have remained relatively stable over recent years, staying in the range of 38,000 to 40,000. Certification actions include the following types of processing: processing new certificates, issuing emergency substitute certifications, issuing certification renewals, and processing address changes.

The certification system at the OSPI is a paper-based system, and relies on hand coding of data and use of microfiche to store data. The OSPI currently spends approximately \$855,437 to administer educator certifications.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

An initial certification fee of \$35, as well as other fees for a variety of actions, are levied by the Professional Educator Standards Board (PESB) under RCW 28A.410.060. By statute, those funds support precertification training programs, program evaluation, and other professional in-service activities. Proceeds from this fee are split between the PESB and the college of education or educational service district from which the action was initiated.

**Summary of Bill (Recommended Amendments):** The Superintendent of Public Instruction (Superintendent) may charge a fee for processing initial educator certificates and other certification-related activities. Certain certification actions, such as change-of-address updates, would not be charged a fee.

The OSPI must set the fee amount through the rule-making process. The fee amount must be set at a level sufficient to defray the costs of administering the educator certification program, which is estimated to be \$33.

The act also creates the Educator Certification Processing Account (Account), into which all proceeds from the fee must be deposited. Disbursements from the Account may only be made by the Superintendent or a designee, and the Account does not require appropriation from the Legislature for expenditure.

Of the 38,753 average number of certification actions, about 35,000 would have been subject to the new fee. Assuming a \$33 processing fee for each certification action, the fee would generate approximately \$1.2 million each year.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Amendments):** The bill as referred to committee stipulated that the processing fee would be imposed after the Legislature has funded a new electronic certification (e-cert) system and the agency has implemented it. The bill as referred to committee did not have an emergency clause or July 1, 2011, effective date.

**Appropriation:** None.

**Fiscal Note:** Available.

[OFM requested ten-year cost projection pursuant to I-960.]

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2011.

**Staff Summary of Public Testimony on Engrossed Substitute Bill:** PRO: The original bill would allow for collection of the revenue to pay for the new system and to pay for the staff within OSPI who are currently funded through state dollars. In addition to transferring the certification office from state funding to revenue-supported, other benefits of the bill include an update to a very antiquated system that is currently paper- and microfiche-based. This will also lead to better data for decision makers.

OTHER: We appreciate that the bill proposes giving OSPI additional funding to pay for the new system before adding additional certification fees to teachers. Teachers do currently pay

certification fees. In addition to their college educations, they must pay to take required tests, plus fees to the State Patrol, the Educational Service Districts, and to the Professional Educator Standards Board. The original tests plus the tests required to move from residency to the professional certificate both cost up to \$500 or \$600 each. We have an antique system. Currently, a teacher can go online to check pension balances and conduct all sorts of other business but cannot go online to check certificate and ensure credits and data are all in order.

**Persons Testifying:** PRO: Kelci Karl-Robinson, OSPI.

OTHER: Lucinda Young, Washington Education Association.