

# HOUSE BILL REPORT

## ESHB 1449

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### As Amended by the Senate

**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:**

##### **Committee Activity:**

Education Appropriations & Oversight: 2/1/11, 2/17/11 [DPS];  
Ways & Means: 3/14/11, 3/30/11 [DPS(APPE)].

##### **Floor Activity:**

Passed House: 4/7/11, 50-42.

##### **First Special Session**

##### **Floor Activity:**

Passed House: 5/13/11, 52-36.

#### **Brief Summary of Engrossed Substitute Bill**

- Authorizes the Superintendent of Public Instruction to charge a fee for processing initial educator certificates and other certification-related activities, but only after a new electronic certification system is funded by the Legislature and implemented by the Office of Superintendent of Public Instruction, and not before September 1, 2013.
- Creates the Educator Certification Processing Account.

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### HOUSE COMMITTEE ON EDUCATION APPROPRIATIONS & OVERSIGHT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 14 members: Representatives Haigh, Chair; Probst, Vice Chair; Anderson, Ranking Minority Member; Dahlquist, Fagan, Frockt, Maxwell, Nealey, Orwall, Reykdal, Rolfes, Santos, Seaquist and Sells.

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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.*

**Minority Report:** Do not pass. Signed by 5 members: Representatives Dammeier, Assistant Ranking Minority Member; Hargrove, Hope, Short and Stanford.

**Staff:** Ben Rarick (786-7349).

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## HOUSE COMMITTEE ON WAYS & MEANS

**Majority Report:** The substitute bill by Committee on Education Appropriations & Oversight be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Hunter, Chair; Darneille, Vice Chair; Hasegawa, Vice Chair; Carlyle, Cody, Dickerson, Haigh, Hudgins, Hunt, Kagi, Kenney, Ormsby, Pettigrew, Seaquist, Springer and Sullivan.

**Minority Report:** Do not pass. Signed by 10 members: Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Chandler, Haler, Hinkle, Parker, Ross and Wilcox.

**Staff:** Ben Rarick (786-7349).

### **Background:**

The Office of the Superintendent of Public Instruction (OSPI) administers the certification process for educators in Washington. In 2008-09 the certification office within the OSPI processed approximately 38,753 certification actions. 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. Assuming a \$33 processing fee for each certification action, the OSPI would generate approximately \$1,287,849 each year.

The certification system at the OSPI is currently 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.

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 Engrossed Substitute Bill:**

The Superintendent of Public Instruction (Superintendent) may charge a fee for processing initial educator certificates and other certification-related activities after the Legislature has funded a new electronic certification (e-cert) and the agency has implemented the system, but not before September 1, 2013. The OSPI must set the fee amount through the rule-making process. The fee amount shall be set at a level sufficient "to defray the costs of administering

the educator certification program." The bill also creates the Educator Certification Processing Account (Account), into which all proceeds from the fee shall 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.

**EFFECT OF SENATE AMENDMENT(S):**

The House version of the bill prohibited the OSPI from charging fees for certification processing until September 1, 2013. The Senate amendment changes this date to July 1, 2012.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony (Education Appropriations & Oversight):**

(In support) The Superintendent supports this legislation. The current certification system is a microfiche-based system that involves a lot of manual entry of data and is not automated. The system needs to come into the modern age. A new e-certification system would offer policymakers more data on who holds certificates, in what subject, etc. The fee authority would also provide the added benefit of moving the cost of the certification system off of the General Fund. This assumption was reflected in the Governor's budget, which explains the \$855,000 savings reflected in fiscal year 2013. It may also result in additional efficiencies in the number of staff required, although that would be in the long-term. With this fee, the highest combined certification fee would be about \$100. This compares reasonably with other professions; in fact, this compared favorably to the low end of the range for similar professions, such as counselors. Also, most professions pay every year. That is not the case for teachers. Currently, the wait time for teacher certification applications can be as long as 12 weeks in very heavy parts of the year. The e-cert system could reduce this wait time. The PESB supports this proposal. Existing fee is split into two. Part of the fee goes to the educational service districts, and part goes to the PESB. By Revised Code of Washington, the Legislature transferred over the policy and programmatic oversight to the PESB, and this fee funds the staffing for those functions. As a policy board, it is critical for the PESB to know how many teachers are certified to teach math. Electronic certification provides teachers access to their information, and provides a communication tool from the PESB to teachers, as well.

(Opposed) The Washington Education Association (WEA) opposes the bill. The system is definitely antique, but the state has chosen not to invest in the system for 10 years. The fee does not come across as "small" to teachers right now. The Legislature has eliminated three lid days, suspended COLAs, and this is just another impact on teachers. They already pay fees of \$85 for their basic knowledge test during preservice time, then \$125 for their endorsement test. There are fees associated with the Pro-Teach system of about \$500, but it can cost more. Understanding the various fees that teachers pay during their career is not as

simple as it may seem. The WEA is concerned by the cuts to the OSPI budget, and wonder how long would it take to get this system up and going. It could be at least 3-4 years before teachers see the benefit of this system. A processing fee may also include address changes, etc., although this needs to be clarified. In general, it is a matter of timing as teacher pay is static and class sizes are increasing.

**Staff Summary of Public Testimony (Ways & Means):**

(In support) This bill was agency request legislation. Our hope is to take the system from paper-based to "click-of-a-button" technology. The microfiche technology currently used is outdated, and does not provide policymakers the information they need. It also is inconvenient for educators in the system.

(With concerns) We anticipate that the electronic certification system will produce staff efficiencies in the future, but the degree is unknown. It is unknown whether the educational service district fee can be abolished in the future. The Washington Education Association was previously opposed, but now testifies "with concerns." Teachers already pay a lot of fees.

(Opposed) None.

**Persons Testifying (Education Appropriations & Oversight):** (In support) Isabel Munoz-Colon, Office of the Superintendent of Public Instruction; and Jennifer Wallace, Professional Educators Standards Board.

(Opposed) Lucinda Young, Washington Education Association.

**Persons Testifying (Ways & Means):** (In support) Kelci Karl-Robinson, Office of Superintendent of Public Instruction.

(With concerns) Lucinda Young, Washington Education Association.

**Persons Signed In To Testify But Not Testifying (Education Appropriations & Oversight):** None.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** None.