

WSR 21-19-134
PROPOSED RULES
PROFESSIONAL EDUCATOR
STANDARDS BOARD

[Filed September 21, 2021, 2:33 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 21-15-083.

Title of Rule and Other Identifying Information: WAC 181-79A-130

Fees for certificates.

Hearing Location(s): On October 26, 2021, at 1 p.m. This hearing will be virtual. The link will become available several weeks prior to the meeting. More information regarding this can be found on our website <https://www.pesb.wa.gov/about-us/board-meetings>.

Date of Intended Adoption: November 18, 2021.

Submit Written Comments to: Professional Educator Standards Board (PESB), P.O. Box 47236, 600 Washington Street S.E., Olympia, WA 98504-7236, email pesb@k12.wa.us, by 8 a.m., November 15, 2021.

Assistance for Persons with Disabilities: Contact PESB, phone 360-725-6275, email pesb@k12.wa.us, by October 12, 2021.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The certificate fee of \$5 for each year of validity has remained the same since PESB began setting certificate fees in 2005. This rule change would increase the certificate fee by one dollar to \$6 for each year of validity.

Reasons Supporting Proposal: In the past sixteen years while certificate fees have remained the same, all other costs have increased. This includes increased costs for work of the board, board meetings, staff, internal and external meetings, travel, and goods and services.

Statutory Authority for Adoption: Chapter 28A.410 RCW.

Statute Being Implemented: Chapter 28A.410 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: PESB, governmental.

Name of Agency Personnel Responsible for Drafting: Sophia Keskey, P.O. Box 47236, 600 Washington Street S.E., Olympia, WA 98504-7236, 360-890-5814; Implementation and Enforcement: Alexandra Manuel, P.O. Box 47236, 600 Washington Street S.E., Olympia, WA 98504-7236, 360-725-6275.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

September 21, 2021
Sophia Keskey
Rules Coordinator

OTS-3274.1

AMENDATORY SECTION (Amending WSR 21-15-085, filed 7/16/21, effective 8/16/21)

WAC 181-79A-130 ((Fees for certificates.)) Certificate fees.

(1) Under provisions of RCW 28A.410.060, ~~28A.410.062~~, and 28A.415.010, the fee for certificates that are valid for more than one year, issued ~~((by))~~ under the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be as follows:

(a) For the purposes of this section only, the first issue of the residency certificate shall be calculated as if it had seven years of validity, with a ~~((five-dollar))~~ six-dollar certificate fee for each year of validity;

(b) The continuing certificate, ~~((seventy-dollars))~~ \$70.00;

(c) Renewal of a continuing certificate, one dollar;

(d) The reinstatement, additional endorsement, or substitute certificate, ~~((fifteen-dollars))~~ \$30.00;

(e) The first peoples' language, culture, and oral tribal traditions teacher certificate, ~~((twenty-five-dollars))~~ six dollars for each year of validity;

(f) All career and technical education certificates, one dollar;

(g) Any other certificate or credential or any renewal or reissuance thereof, ~~((five))~~ six dollars for each year of validity; and

(h) ~~((A))~~ The one-time late fee for ~~((a))~~ the renewed initial or continuing certificate issued under the provisions of WAC 181-79A-123 (7), (8), or (9), for those whose initial certificate ((had)) have already expired, shall be ~~((one-hundred-dollars))~~ \$100.00.

(2) The fee for any other certificate or credential, with a validity period of one year or less, or for any renewal or reissuance thereof, issued ~~((by))~~ under the authority of the state of Washington and authorizing the holder to serve in the common schools of the state, shall be ~~((five))~~ six dollars.

(3) Officials authorized to collect certificate fees are educational service district superintendents, deans and directors of education at colleges and universities, or their designees. Sovereign tribal governments may collect certificate fees for first peoples' language, culture, and oral tribal traditions certificates. The fee must accompany the application for a certificate and shall be transmitted by the receiving district, college or university, sovereign tribal government, or program unit designee at least quarterly to the educational service district within which the application is filed for disposition in accordance with provisions of RCW 28A.410.060 or to the office of the superintendent of public instruction.

(4) Beginning September 1, 2013, the office of the superintendent of public instruction may collect certificate fees.

(5) The fee shall not be refunded unless the application is withdrawn before it is finally considered (i.e., the issuance of a certificate or a written communication denying such issuance) by the superintendent of public instruction or their designee.

(6) The professional educator standards board will review certificate fees every two years to assure the fee is set at a sufficient level for the use of certificate fees under WAC 181-79A-131.

[Statutory Authority: Chapter 28A.410 RCW. WSR 21-15-085, § 181-79A-130, filed 7/16/21, effective 8/16/21; WSR 20-12-064, § 181-79A-130, filed 6/1/20, effective 7/2/20. Statutory Authority: RCW 28A.410.210. WSR 14-11-076, § 181-79A-130, filed 5/20/14, effective

6/20/14; WSR 13-20-027, § 181-79A-130, filed 9/23/13, effective 10/24/13; WSR 08-12-055, § 181-79A-130, filed 6/2/08, effective 7/3/08; WSR 08-03-100, § 181-79A-130, filed 1/20/08, effective 2/20/08; WSR 07-12-006, § 181-79A-130, filed 5/24/07, effective 6/24/07; WSR 06-14-010, § 181-79A-130, filed 6/22/06, effective 7/23/06. WSR 06-02-051, recodified as § 181-79A-130, filed 12/29/05, effective 1/1/06. Statutory Authority: RCW 28A.410.010. WSR 05-23-043, § 180-79A-130, filed 11/9/05, effective 12/10/05. Statutory Authority: RCW 28A.410.010 and 28A.305.130. WSR 05-15-024, § 180-79A-130, filed 7/7/05, effective 8/7/05. Statutory Authority: RCW 28A.410.010 and 28A.305.130 (1) through (4). WSR 02-04-018, § 180-79A-130, filed 1/24/02, effective 2/24/02. Statutory Authority: RCW 28A.410.010. WSR 01-09-005, § 180-79A-130, filed 4/5/01, effective 5/6/01; WSR 00-03-048, § 180-79A-130, filed 1/14/00, effective 2/14/00; WSR 97-04-088, § 180-79A-130, filed 2/5/97, effective 3/8/97.]