

WSR 21-24-103
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed December 1, 2021, 9:47 a.m., effective January 1, 2022]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Revising WAC 392-194-001 and 391-194-002 to adjust the processing fees for educator certificate applications and subsequent actions. The fee adjustment is needed to adequately support and maintain the operations of office of superintendent of public instruction's professional certification office. The existing fee was not sufficient to adequately run the operations and staffing to meet the needs of constituents, school districts, and educators in a timely manner. The fee is adjusted to \$51 for initial educator certificate applications and subsequent actions. The fee for paraeducator certificates and subsequent actions is \$39.

Citation of Rules Affected by this Order: Amending WAC 392-194-001 and 392-194-002.

Statutory Authority for Adoption: RCW 28A.410.062.

Adopted under notice filed as WSR 21-19-129 on September 21, 2021.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 2, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: December 1, 2021.

Chris P. S. Reykdal
State Superintendent
of Public Instruction

OTS-3337.1

AMENDATORY SECTION (Amending WSR 12-03-065, filed 1/12/12, effective 2/12/12)

WAC 392-194-001 Purpose and authority. The purpose of this chapter is to establish the fee for processing (~~initial~~) educator and paraeducator certificate applications and subsequent actions. The authority for this chapter is (~~chapter 23 (ESHB 1449), Laws of 2011~~) RCW 28A.410.062. OSPI will review every two years to assure the fee is 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.

[Statutory Authority: 2011 c 50 and 2011 c 23. WSR 12-03-065, § 392-194-001, filed 1/12/12, effective 2/12/12.]

AMENDATORY SECTION (Amending WSR 15-16-077, filed 7/31/15, effective 8/31/15)

WAC 392-194-002 Fee for processing initial educator certificate applications and subsequent actions. ((Effective October 1, 2011,)) The superintendent of public instruction will charge a nonrefundable fee of ((thirty-nine dollars)) \$51 for processing any certificate application or requests for administrative action which results in the issuance, renewal, or reissuance of a permit or certificate ((pursuant to RCW 28A.410.010, 28A.410.025, 28A.410.210, and chapters 181-85 and 181-77 WAC; for issuance of a letter authorizing internship/student teaching pursuant to WAC 181-78A-130; and any subsequent action upon any certificate or permit referred to within this chapter. Educator certificates governed under this chapter include:

(1) ~~Teacher. The teacher certificate, including teacher exchange permits as provided in WAC 181-79A-140, authorizes service as a classroom teacher.~~

(2) ~~Career and technical. The career and technical education certificate authorizes service in career and technical education programs in accordance with the provisions of chapter 181-77 WAC.~~

(3) ~~First people's language/culture. The first peoples' language, culture, and oral tribal traditions teacher certificate authorizes service as defined under WAC 181-78A-700(8).~~

(4) ~~Administrator.~~

(5) ~~Educational staff associate. The educational staff associate certificate authorizes service in the roles of school speech pathologists or audiologists, school counselors, school nurses, school occupational therapists, school physical therapists, school psychologists, and school social workers: Provided, That nothing within chapter 181-79A WAC authorizes professional practice by an educational staff associate which is otherwise prohibited or restricted by any other law, including licensure statutes and rules and regulations promulgated by the appropriate licensure board or agency.~~

(6) ~~Limited certificates. The following limited certificates are issued to individuals under specific circumstances set forth in WAC 181-79A-231:~~

(a) ~~Conditional certificate.~~

(b) ~~Substitute certificate.~~

(c) ~~Emergency certificate.~~

(d) ~~Emergency substitute certificate.~~

(e) ~~Nonimmigrant alien exchange teacher.~~

(f) ~~Intern substitute teacher certificate.~~

(g) ~~Transitional certificate.~~

(h) ~~Provisional alternative administrative certificate.)~~ in accordance with chapters 28A.410 and 28A.413 RCW.

(1) Educator certificates issued under chapter 181-79A WAC will be charged a fee of \$51 for processing educator certificates and subsequent actions.

(2) Paraeducator certificates issued under Title 179 WAC will be charged a fee of \$39 for processing paraeducator certificates and subsequent actions.

[Statutory Authority: RCW 28A.410.062. WSR 15-16-077, § 392-194-002, filed 7/31/15, effective 8/31/15. Statutory Authority: 2011 c 50 and 2011 c 23. WSR 12-03-065, § 392-194-002, filed 1/12/12, effective 2/12/12.]