

**WSR 24-24-040
PROPOSED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed November 25, 2024, 2:39 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-17-040.

Title of Rule and Other Identifying Information: WAC 392-194-002
Fee for processing initial educator certificate applications and subsequent actions.

Hearing Location(s): On January 7, 2025, at 10:00 a.m., virtual public hearing via Zoom (call-in option also available). Participation link available on the office of superintendent of public instruction (OSPI) rules web page [Ospi.k12.wa.us/policy-funding/ospi-rulemaking-activity](https://ospi.k12.wa.us/policy-funding/ospi-rulemaking-activity). For participation questions, please email sirena.wu@k12.wa.us.

Date of Intended Adoption: January 9, 2025.

Submit Written Comments to: Timothy York, OSPI, P.O. Box 47200, Olympia, WA 98504, email timothy.york@k12.wa.us, beginning December 18, 2024, 8:00 a.m., by January 7, 2025, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Sirena Wu, OSPI rules coordinator, phone 360-480-9317, TTY 360-664-3631, email sirena.wu@k12.wa.us, by December 31, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: In an effort to improve the current processing system for educator certification applications in Washington state, OSPI is working with the professional educator standards board to implement a new application deadline system that requires renewal certification applications to be submitted six months in advance of the certification expiration date. To enforce this change, OSPI is proposing rule making to make effective starting in the 2030 renewal cycle a late fee for educators who submit applications after their respective certification application deadlines have passed.

Reasons Supporting Proposal: Requiring a late fee for educators who apply after their application deadline date would allow OSPI to enforce the new application deadline system, which is intended to ensure that all educators seeking to renew their certificates before the start of school are able to do so in a timely manner.

Statutory Authority for Adoption: RCW 28A.410.062.

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

Name of Agency Personnel Responsible for Drafting and Implementation: Timothy York, OSPI, 600 South Washington Street, Olympia, WA; Enforcement: OSPI, 600 South Washington Street, Olympia, WA.

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(4).

Is exempt under RCW 19.85.030.

Explanation of exemptions: No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendment does not have an impact on small business and therefore does not meet the requirements for a statement under RCW 19.85.030 (1) or (2).

Scope of exemption for rule proposal:
Is fully exempt.

November 25, 2024
Chris P.S. Reykdal
State Superintendent of Public Instruction

OTS-5997.1

AMENDATORY SECTION (Amending WSR 21-24-103, filed 12/1/21, effective 1/1/22)

WAC 392-194-002 Fee for processing initial educator certificate applications and subsequent actions. The superintendent of public instruction will charge a nonrefundable fee of \$51 for processing any certificate application or requests for administrative action which results in the issuance, renewal, or reissuance of a permit or 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. As of January 2, 2030, the superintendent of public instruction will charge a late fee of \$35 for any renewal application or request for administrative action submitted after the applicant's renewal application submission deadline. Applicants applying to reinstate a certificate will not be charged a late fee.

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