Individual State Agency Fiscal Note

Revised

Bill Number: 1113 HB	Title: Prof. educator reprimands	Agency: 350-Superintendent of Public Instruction

Part I: Estimates

☐ **No Fiscal Impact**

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	3.1	1.6	1.0	0.0
Account					
General Fund-State 001-1	15,000	503,000	518,000	306,000	0
Total $	15,000	503,000	518,000	306,000	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

☒ If fiscal impact is greater than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐ If fiscal impact is less than $50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐ Capital budget impact, complete Part IV.

☐ Requires new rule making, complete Part V.

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Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Section 1 (New Section):
By December 1, 2024, requires PESB to adopt rules providing for reviewing and vacating reprimands issued to persons with certificates or permits authorized under chapter 28A.410 RCW or chapter 28A.405 RCW.

Section 2 (New Section)
Section 2(1): Within 90 days of the adoption of the rules, requires OSPI to make reasonable efforts to contact each person with a certificate or permit authorized under chapter 28A.410 and chapter 28A.405 RCW, who was issued a reprimand between January 1, 2007, and the date of adoption of rules, and whose reprimand is eligible for vacating under the rules.

Section 2(2): By July 1, 2026, requires OSPI, to report to the appropriate committees of the legislature with an update on the progress made towards meeting the requirement in subsection (1) and on the number of people with a certificate or permit authorized under chapter 28A.410 and chapter 28A.405 RCW who have had a reprimand vacated under the rules.

Section 2(3): Defines “rules” for purposes of the section.

Section 2(4): Informs that the section expires on June 30, 2027.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

No cash receipts impact anticipated.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

OSPI Expenditure Impact:
Section 2 of the bill requires the following:
• Within 90 days of the adoption of the PESB rules, to make reasonable efforts to contact each person with a certificate or permit authorized under chapter 28A.410 and chapter 28A.405 RCW, who was issued a reprimand between January 1, 2007, and the date of adoption of rules, and whose reprimand is eligible for vacating under the rules.
• By July 1, 2026, requires OSPI, to report to the appropriate committees of the legislature with an update on the progress made towards meeting the requirement in subsection (1) and on the number of people with a certificate or permit authorized under chapter 28A.410 and chapter 28A.405 RCW who have had a reprimand vacated under the rules.

Since January 1, 2007, there have been 341 reprimands received by teachers and over 800 reprimands given out since reprimands first became an authorized disciplinary action. The Office of Professional Practices (OPP) and the Equity and Civil Rights Office is unsure how many teachers would apply to have their reprimand reviewed and vacated based on rules established and adopted by PESB.

OSPI estimates that in order to meet the requirements of section 2, 3 FTE Program Supervisors will be needed. The Program Supervisors would be responsible for the following:
• Development and implementation of an application process that would apply statewide for those teachers who have received reprimands and could apply to have their reprimand vacated.

• Review the circumstances that led to their reprimand, review records to ensure no disciplinary action was issued since the reprimand, and potentially conduct a background check to verify no criminal action has taken place.
• Analyze and make recommendations to the OPP Director and the Chief Legal and Civil Rights Officer that a reprimand should be removed from the individual's record.
• Conduct legal analysis on the circumstances of the original reprimands and compare those to the standards that will be in place to allow for a reprimand to be vacated.
• Make reasonable efforts to contact all 341 individuals who have received a reprimand since 2007.

Beginning in FY26, OSPI estimates that a 1.0 FTE Program Supervisor will be required to complete the necessary report to the legislature and maintain the ongoing process and applications for people who receive reprimands. The cost of staffing is estimated at $490,000 in FY25, $153,000 in FY26, and $153,000 in FY27.

PESB Expenditure Impact:
Section 1 of this bill states that by December 1, 2024, requires PESB to adopt rules providing for reviewing and vacating reprimands issued to persons with certificates or permits authorized under chapter 28A.410 RCW or chapter 28A.405 RCW.

The issue addressed in this bill is outside the current scope of PESB's ongoing work related to educator conduct and would require additional staff time to address within the timeline required in the bill. Ample stakeholder and partner input (e.g. from educators, administrators, human resource personnel, and other interested parties) will be essential to ensure that the rules do not have unintended consequences that could be harmful to students.

Specifically, PESB would need to:
1. Conduct stakeholder engagement and research activities to inform rule development in a topic that involves varied interests and has the potential to affect students. This engagement and research may include:
    a. Listening sessions and follow up with various concerned stakeholders (promotion, developing agendas, preparing materials, arranging interpreters, etc.)
    b. Surveys and related data analysis
    c. Review other states' procedures for vacating reprimands
2. Draft rules
3. Collect, analyze, and respond to stakeholder community input and feedback on rules
4. Present rules to the board for feedback and approval
5. Finalize rules
6. Conduct rule-related communications (including internal and external, such as Code Reviser paperwork)
7. Provide post-adoption communication and outreach to those impacted
8. Provide technical support, such as the development and periodic revision of guidance to support implementation of rule and other types of technical support

FY24 Costs:
• Object A (Salaries) = $9,000
  o .05 FTE Program Manager
  o .05 FTE Program Specialist
  o .04 FTE Program Assistant
• Object B (Benefits) = $3,000
• Object E (Goods/Services) = $3,000
TOTAL: $15,000

FY25 Costs:
• Object A (Salaries) = $8,000
  o .05 FTE Program Manager
  o .03 FTE Program Specialist

o .02 FTE Program Assistant
• Object B (Benefits) = $3,000
• Object E (Goods/Services) = $2,000
TOTAL: $13,000

For subsequent years, ongoing activities such as revising rules, ensuring fidelity of rule implementation, and communication and outreach would fall within PESB's regular scope of work and would not require additional resources.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	15,000	503,000	518,000	306,000	0
		Total $	15,000	503,000	518,000	306,000	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	3.1	1.6	1.0	
A-Salaries and Wages	9,000	281,000	290,000	182,000	
B-Employee Benefits	3,000	148,000	151,000	96,000	
C-Professional Service Contracts					
E-Goods and Other Services	3,000	20,000	23,000	14,000	
G-Travel		20,000	20,000	14,000	
J-Capital Outlays		34,000	34,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total $	15,000	503,000	518,000	306,000	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
OSPI Program Supervisor	90,544		3.0	1.5	1.0	
PESB Program Assistant	50,592	0.0	0.0	0.0		
PESB Program Manager	88,540	0.1	0.1	0.1		
PESB Program Specialist	73,260	0.1	0.0	0.0		
Total FTEs		0.1	3.1	1.6	1.0	0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital budget impact is anticipated.

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.