

Multiple Agency Fiscal Note Summary

Bill Number: 5179 SB	Title: Education complaint process
-----------------------------	-------------------------------------------

Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2025-27				2027-29				2029-31			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Superintendent of Public Instruction	3.2	1,031,000	1,031,000	1,031,000	3.1	962,000	962,000	962,000	3.1	962,000	962,000	962,000
Total \$	3.2	1,031,000	1,031,000	1,031,000	3.1	962,000	962,000	962,000	3.1	962,000	962,000	962,000

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2025-27			2027-29			2029-31		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2025-27			2027-29			2029-31		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Val Terre, OFM

Phone:
(360) 280-3073

Date Published:
Final 1/29/2025

Individual State Agency Fiscal Note

Bill Number: 5179 SB	Title: Education complaint process	Agency: 350-Superintendent of Public Instruction
-----------------------------	-------------------------------------------	---------------------------------------------------------

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	3.3	3.1	3.2	3.1	3.1
Account					
General Fund-State 001-1	550,000	481,000	1,031,000	962,000	962,000
Total \$	550,000	481,000	1,031,000	962,000	962,000

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.

Legislative Contact: Ailey Kato	Phone: 786-7434	Date: 01/11/2025
Agency Preparation: Robert Smith	Phone: (360)725-6420	Date: 01/26/2025
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 01/26/2025
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 01/28/2025

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.

New Section 2

2(1) Defines a broad complaint as a complaint that impacts the entire student body, an entire subgroup of students within a student body or an entire school or school district.

2(2) Defines limited complaint as a complaint that impacts one or more individual students.

2(4) Defines noncompliance with state law as action or inaction by a local school district superintendent, a local school district board of directors or a member of a board of directors that results in noncompliance with state laws concerning local, state & federal civil rights and nondiscrimination laws, harassment, intimidation or bullying as defined by RCW, curriculum requirements as described in RCW use of restraint or isolation as described in RCW, or student discipline law as defined by RCW.

2(5) Defines willful as nonaccidental action or inaction by a local school district superintendent, a local school district board of directors or a member of a board of directors that the actor knew or reasonably should have know would result in noncompliance with state law.

New section 3

3(1) July 1 2026 the Office of the Superintendent of Public Instruction (OSPI) must establish a process to investigate complaints of school district non-compliance with state law.

3(4)(a) The OSPI must adopt rules to ensure due process regarding complaint process, timelines, compliance action plans and consequences.

3(4)(b)(i) The OSPI must consult with The State Board of Education (SBE) to connect these rules with the SBE rules on basic education compliance.

3(4)(b)(ii) The OSPI must consult with The Office of the Education Ombuds (OEO) to include the complaints under this section into the “simple uniform access point for the receipt of complaints”

New Section 4

4(1) Upon receipt of complaints OSPI must conduct a prompt investigation into the allegations.

4(2)(a) If the OSPI finds non-compliance, the school district and school district board of directors must adopt and submit a compliance action plan to OSPI.

4(2)(b) A compliance action plan must be developed in collaboration with OSPI, administrators, teachers, other staff, parents, unions, students, and impacted community members.

4(2)(c) The OSPI must provide a school district with assistance in developing its compliance action plan and must develop guidelines for development of compliance action plans.

4(2)(d) before adopting a compliance action plan a school district board of directors must hold a public hearing to allow for public comment on the proposed compliance action plan.

New Section 5

5(1) If OSPI investigation of complaint finds willful non-compliance to state law the School districts found in willful noncompliance must hold two additional public hearings.

5(1)(a) One public hearing must take public comment on willful noncompliance and actions the public thinks are needed to come into compliance

5(1)(b) One public hearing must present progress with the compliance action plan.

5(1)(c) Additional public hearings with comment must be conducted every 6 months until the OSPI finds compliance with state law. The OSPI must provide written notice of the intent to withhold to the school district prior to any withholding or redirection of apportionment funding.

5(3)(a) Consequences may require school districts to adopt policy, 5(3)(b) hold local superintendents responsible for unprofessional conduct, 5(3)(c) or withhold and redirect up to 20% of funds allocated to school district for basic education to support the compliance action plan.

5(6) Any party to a complaint may file a notice of appeal with OSPI within 30 days of final decision.

Section 6

6(3)(a)(ii) Requires OEO to link the complaint procedures established in section 3 of this bill into its simple and uniform access point for the receipt of complaints.

Section 7

7(1)(c) Requires OSPI to include information about the complaint process established under section 3 of this bill to its model student handbook.

New section 8

8(1) The Professional Educator Standards Board (PESB) must adopt rules that make a school district superintendent's willful noncompliance an act of unprofessional conduct and may be held accountable for such conduct under new rules.

Section 9

Amends the oath of office for appointed or elected school directors to include affirmation to support the laws of the State of Washington.

Section 10

10(1)(b)(ii) Requires the Charter Schools Commission to forward complaints alleging noncompliance with state law to the OSPI.

New section 14

Requires section 7 of the act to take affect August 1, 2025

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 to the OSPI

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 Fiscal Impact

OSPI needs to establish a process to investigate complaints of school district non-compliance with state law. 0.1 FTE is required for rulemaking in FY26 and 3.0 ongoing FTEs will be needed for investigative staff to support ongoing complaint, investigation, determination and compliance action plan activities.

EFFORT

Fiscal Year 2026

- 0.01 FTE Administrative Assistant 3 (\$54,204 salary per FTE)
- 0.01 FTE Executive Director (\$143,782 salary per FTE)
- 0.04 FTE Rules Coordinator (\$111,156 salary per FTE)
- 0.04 FTE Program Supervisor (\$96,990 salary per FTE) (rulemaking FY 26)
- 3.00 FTE Program Supervisor (\$96,990 salary per FTE) (ONGOING)

Fiscal year 2027 and ongoing

- 3.0 FTE Program Supervisor (\$96,990 salary per FTE)

PESB Fiscal Impact

To implement Section 8 of the bill, PESB will need to review and modify rules as necessary. Specifically, PESB would need to:

- Conduct stakeholder engagement and research activities to inform rule development and clarify when a superintendent will be held accountable, the nature of the investigation process, and consequences for superintendents. This engagement and research may include:
 - Listening sessions and follow up with various concerned stakeholders (promotion, developing agendas, preparing materials, arranging interpreters, etc.).
 - Surveys and related data analysis.
 - Review other states' procedures.
 - Draft rules.
 - Present rules to the board for feedback and approval.
 - Finalize rules.
 - Conduct rule-related communications.
 - Provide post-adoption communication and outreach.
 - Provide technical support, such as the development and periodic revision of guidance to support implementation of rule and other types of technical support.

This work would require the following one-time PESB effort and expenditures:

PESB FISCAL YEAR 2026

Effort

0.1 FTE Program Manager(\$96,000 per FTE)

That is a cost of \$14,000

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

SBE Fiscal Impact

To implement the bill, the SBE would need to consult with the OSPI as they develop a process to investigate and address complaints. In addition, the SBE would anticipate that ongoing consultation would be required regarding complaints that address issues under SBE authority.

This would require the following SBE effort and expenditures:

SBE FISCAL YEAR 2026 AND SUBSEQUENT FISCAL YEARS

Effort:

0.1 FTE Program Manager (\$92,000 per FTE)

That is a cost of \$14,000

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2026	FY 2027	2025-27	2027-29	2029-31
001-1	General Fund	State	550,000	481,000	1,031,000	962,000	962,000
Total \$			550,000	481,000	1,031,000	962,000	962,000

III. B - Expenditures by Object Or Purpose

	FY 2026	FY 2027	2025-27	2027-29	2029-31
FTE Staff Years	3.3	3.1	3.2	3.1	3.1
A-Salaries and Wages	320,000	300,000	620,000	600,000	600,000
B-Employee Benefits	154,000	141,000	295,000	282,000	282,000
C-Professional Service Contracts					
E-Goods and Other Services	21,000	20,000	41,000	40,000	40,000
G-Travel	21,000	20,000	41,000	40,000	40,000
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 \$	550,000	481,000	1,031,000	962,000	962,000

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 2026	FY 2027	2025-27	2027-29	2029-31
Administrative Assistant 3	54,204	0.0		0.0		
Executive Director	143,782	0.0		0.0		
Program Manager - Professional Educator Standards	96,000	0.1		0.1		
Program Manager - State Board of Education	92,000	0.1	0.1	0.1	0.1	0.1
Program Supervisor	96,990	3.0	3.0	3.0	3.0	3.0
Rules Coordinator	111,156	0.0		0.0		
Total FTEs		3.3	3.1	3.2	3.1	3.1

III. D - Expenditures By Program (optional)

Program	FY 2026	FY 2027	2025-27	2027-29	2029-31
State office administration (010)	522,000	467,000	989,000	934,000	934,000
State Board of Education (01X)	14,000	14,000	28,000	28,000	28,000
Professional Educator Standards Board (01Y)	14,000		14,000		
Total \$	550,000	481,000	1,031,000	962,000	962,000

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 impact to capital budget.

Part V: New Rule Making Required

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

Section 3(4)(a) -The OSPI must adopt rules to ensure due process regarding complaint process, timelines, compliance action plans and consequences.

Section 3(4)(b)(i) The OSPI must consult with the SBE to connect these rules with SBE's rules on basic education compliance.

Section 8(1) The PESB must adopt rules that make a school district superintendent's willful noncompliance an act of unprofessional conduct and may be held accountable for such conduct under new rules.

Individual State Agency Fiscal Note

Bill Number: 5179 SB	Title: Education complaint process	Agency: SDF-School District Fiscal Note - SPI
-----------------------------	-------------------------------------------	------------------------------------------------------

Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

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.

Legislative Contact: Ailey Kato	Phone: 786-7434	Date: 01/11/2025
Agency Preparation: Robert Smith	Phone: (360)725-6420	Date: 01/27/2025
Agency Approval: Mike Woods	Phone: (360) 725-6283	Date: 01/27/2025
OFM Review: Val Terre	Phone: (360) 280-3073	Date: 01/28/2025

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.

New Section 1

1(2) Legislature is aware some school districts are intentionally not complying with certain requirements of state law.

1(3) Legislature intends to establish a complaint process.

New Section 2

2(1) Defines a broad complaint as a complaint that impacts the entire student body, an entire subgroup of students within a student body or an entire school or school district.

2(2) Defines limited complaint as a complaint that impacts one or more individual students.

2(3) Defines negligent as failure to exercise ordinary care by a local school district superintendent, a local school district board of directors or a member of a board of directors and actor knew or reasonably should have known that failure to exercise ordinary care would result in noncompliance with state law.

2(4) Defines noncompliance with state law as action or inaction by a local school district superintendent, a local school district board of directors or a member of a board of directors that results in noncompliance with state laws concerning local, state & federal civil rights and nondiscrimination laws as described in RCW 28A.640.010, sexual harassment as defined in RCW 28A.640.020, harassment, intimidation or bullying as defined in RCW 28A.600.477, curriculum requirements as described in RCW 28A.150.230, 28A.300.475 and 28A.320.170, policies and procedures related to selection or deletion of materials required in RCW 28A.320.230, review and removal of supplemental instruction materials required in 28A.320.235, use of restraint or isolation as described in RCW 28A.600.485, and student discipline as defined by 28A.600 RCW.

2(5) Defines willful as nonaccidental action or inaction by a local school district superintendent, a local school district board of directors or a member of a board of directors that the actor knew or reasonably should have know would result in noncompliance with state law.

New section 3

3(1) By July 1 2026 the Office of the Superintendent of Public Instruction (OSPI) must establish a process to investigate complaints of school district non-compliance with state law.

3(4)(a) The OSPI must adopt rules to ensure due process regarding complaint process, timelines, compliance action plans and consequences.

3(4)(b)(i) The OSPI must consult with The State Board of Education (SBE) to connect these rules with the SBE rules on basic education compliance.

3(4)(b)(ii) The OSPI must consult with The Office of the Education Ombuds (OEO) to include the complaints under this section into the “simple uniform access point for the receipt of complaints”

New Section 4

4(1) Upon receipt of complaints OSPI must conduct a prompt investigation into the allegations.

4(2)(a) If the OSPI finds non-compliance, the school district and school district board of directors must adopt and submit a compliance action plan to OSPI.

4(2)(b) A compliance action plan must be developed in collaboration with the OSPI, administrators, teacher, other staff, parents, union representing any employees within the school district, students, impacted communities and other representatives of the local community.

4(2)(c) The OSPI must provide a school district with assistance in developing its compliance action plan and must develop and publish guidelines for development of compliance action plans.

4(2)(d) Before adopting and submitting a compliance action plan to the OSPI a school district board of directors must hold a public hearing to allow for public comment on the proposed compliance action plan.

New Section 5

5(1) If OSPI investigation of complaint finds willful non-compliance to state law the school districts found in willful noncompliance must hold two additional public hearings.

5(1)(a) One public hearing must take public comment on willful noncompliance and actions the public thinks are needed to come into compliance.

5(1)(b) One public hearing must present progress with the compliance action plan.

5(1)(c) Additional public hearings with comment must be conducted every 6 months until the OSPI finds compliance with state law. The OSPI must provide written notice of the intent to withhold to the school district prior to any withholding or redirection of apportionment funding.

5(3)(a) Consequences may require school districts to adopt policy, 5(3)(b) hold local superintendents responsible for unprofessional conduct, 5(3)(c) or withhold and redirect up to 20% of funds allocated to school district for basic education to support the compliance action plan.

5(6) Any party to a complaint may file a notice of appeal with the OSPI within 30 days of final decision.

Section 6

6(3)(a)(ii) Requires OEO to link the complaint procedures established in section 3 of this bill into its simple and uniform access point for the receipt of complaints.

Section 7

7(1)(c) Requires OSPI to include information about the complaint process established under section 3 of this bill to its model student handbook.

New section 8

8(1) The Professional Educator Standards Board (PESB) must adopt rules that make a school district superintendent's willful noncompliance an act of unprofessional conduct and may be held accountable for such conduct under new rules.

Section 9

Amends the oath of office for appointed or elected school directors to include affirmation to support the laws of the State of Washington.

Section 10

10(1)(b)(ii) Requires the Charter Schools Commission to forward complaints alleging noncompliance with state law to the OSPI.

New section 14

Requires section 7 of the act to take affect August 1, 2025

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.

The OSPI assumes that school districts and their employees are compliant with state law. Therefore, we cannot project the extent to which districts would be subject to the 20% re-direction of apportionment. Since annual apportionment allocations are recalculated on a monthly basis, January through August, OSPI cannot reasonably project the amount of the 20% re-direction.

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.

School districts fiscal impact

This bill develops a complaint and investigation process, timelines, and corrective action procedures to allow for schools which are found out of compliance with state education law to develop a compliance action plan to gain compliance. It is the Office of the Superintendent of Public Instruction's (OSPI) assumption that school districts within Washington state adhere to state education law and/or gain prompt compliance if found out of compliance. It is assumed that school districts are already responding to complaints and that any collaboration with OSPI during their investigative activities would be a part of already established processes. It is unclear to what extent any new public hearings could be incorporated into the agendas of pre-existing schedules of school board meetings. It is also unclear how districts that are willfully non-complaint may potentially be impacted by cash flow strain with a redirection of apportionment funds if funds are directed to support of a compliance action plan

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

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

NONE

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

there is no capital budget impact from this bill.

Part V: New Rule Making Required

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