



Strengthening Investigator Capacity to Ensure Student Safety and Wellbeing

2027-29 Biennium Operating Budget Decision Package

Agency: 350 Office of Superintendent of Public Instruction

Budget period: 202-29

Budget level: PL

RECOMMENDATION SUMMARY

The Office of Superintendent of Public Instruction (OSPI) is charged with investigating professional misconduct to ensure students are safe in our schools. Funding is not keeping pace with demand, and as a result, OSPI cannot investigate all cases referred by school districts in a timely manner. Additionally, new requirements under House Bill 1296 (2025) to process and investigate willful noncompliance of superintendents and school board members is further straining the capacity of the investigations team. OSPI requests \$1.2 million over the 2027-29 biennium to address the staffing shortage and to ensure timely investigations into potential misconduct.

FISCAL DETAIL

Operating Expenditures	FY 2028	FY 2029	FY 2030	FY 2031
Fund 001 (Program 010)	\$651,000	\$605,000	\$605,000	\$605,000
Total Expenditures	\$651,000	\$605,000	\$605,000	\$605,000
Biennial Totals	\$1,256,000		\$1,210,000	
Staffing	FY 2028	FY 2029	FY 2030	FY 2031
FTEs	4.0	4.0	4.0	4.0
Average Annual	4.0		4.0	
Object of Expenditure	FY 2028	FY 2029	FY 2030	FY 2031
Obj. A	\$362,000	\$362,000	\$362,000	\$362,000

Obj. B	\$187,000	\$187,000	\$187,000	\$187,000
Obj. G	\$28,000	\$28,000	\$28,000	\$28,000
Obj. E	\$28,000	\$28,000	\$28,000	\$28,000
Obj. J	\$46,000	\$0	\$0	\$0
Revenue	FY 2028	FY 2029	FY 2030	FY 2031
Total Revenue	\$0	\$0	\$0	\$0
Biennial Totals	\$0	\$0		

PACKAGE DESCRIPTION

Under [RCW 28A.410.090](#), OSPI is authorized and directed to undertake investigations of educator misconduct. While serious educator misconduct is rare, the health and safety of the system and Washington’s students depend on the state’s ability to investigate these cases, and OSPI relies on sufficient staffing to perform its role in an effective and efficient manner. Recent laws passed by Washington lawmakers have increased the responsibility and the current and future workload anticipated by this team.

What is the problem, opportunity, or priority you are addressing with the request?

In the last six years, the number of professional misconduct allegation cases that school districts have referred to OSPI has significantly outweighed current staffing capacity to investigate these offenses, resulting in situations that could present grounds to issue reprimands going uninvestigated. An ongoing lack of funding to hire new investigators has led OSPI to decline opening 343 low-level offense cases, cases that district officials may already have poured their own resources into investigating before referring them to OSPI. The number of declined cases is nearly as high as the 375 cases that OSPI has been able to accept and open during the same time period. Without additional staffing resources to evaluate and process cases, the number of unaddressed cases will likely increase, eroding confidence in the system and negatively impacting students and their learning environments. Additionally, the requested funding is critical for OSPI to carry out its legislatively mandated duties under [2025 House Bill 1296](#), where the legislature articulated new standards for district superintendents, local school board members, and individual school board members regarding possible “noncompliance with state law.” Effective July 1, 2026, OSPI is charged with investigating and securing equitable resolutions for complaints alleging “willful” noncompliance with certain state laws, and additional staffing is critical to being able to carry out these new legislative directives.

Public attention on these matters in recent years further highlights the importance of prioritizing

and directing additional funding toward protecting Washington students and schools, providing adequate support to an insufficiently resourced agency in order to investigate misconduct allegation matters so that potentially serious safety issues in schools can be addressed with the speed that Washington students and families deserve.

What is your proposal?

OSPI proposes the State fund a minimum of four new 1.0 full-time equivalent (FTE) staff positions to address the ongoing staffing shortage in the Office of Professional Practices (OPP) and Legal Services departments at OSPI, resources directed toward investigating educator misconduct cases. OSPI proposes these new positions to include two Investigator III roles and at least two additional positions at the Investigator II, Administrative Program Specialist, Program Specialist 3, or Legal Assistant 3 levels.

How is your proposal impacting equity in the state?

Please describe in detail how this proposal is likely to benefit communities and populations who have historically been excluded by governmental decisions. Include both demographic and geographic information about communities.

At the forefront of every program, policy, and decision, OSPI actively focuses on ensuring all students have access to the instruction and support they need to succeed in our schools.

Describe how your agency engaged with communities and populations, particularly those who have been historically excluded and marginalized by governmental decisions?

At the forefront of every program, policy, and decision, OSPI actively focuses on ensuring all students have access to the instruction and support they need to succeed in our schools.

What input did your agency receive and how was it incorporated into your proposal?

At the forefront of every program, policy, and decision, OSPI actively focuses on ensuring all students have access to the instruction and support they need to succeed in our schools.

Explain why and how these equity impacts will be addressed, i.e., consider communities or populations excluded or disproportionately impacted by the proposal.

At the forefront of every program, policy, and decision, OSPI actively focuses on ensuring all students have access to the instruction and support they need to succeed in our schools.

What are you purchasing and how does it solve the problem?

OSPI requests that funding be approved for a minimum of four new 1.0 full-time equivalent (FTE) staff positions to address the ongoing staffing shortage in the OPP and Legal Services departments at OSPI for investigating educator misconduct cases and willful noncompliance matters under ESHB 1296 (2025). Of these staffing roles, OSPI proposes these new positions to

include two Investigator III roles and at least two additional positions at the Investigator II, Administrative Program Specialist, Program Specialist 3, or Legal Assistant 3 levels.

These new dollars add capacity to the OSPI investigative team, currently funded at levels insufficient to meet the staffing needs of the investigatory workload. As a result of this staffing shortage, OSPI's ability to investigate alleged unprofessional conduct cases has fallen short of the number of cases referred over the last six years. In recent years, OSPI has been unable to take action on various matters that school districts have referred, cases which are often of a less serious nature but may still result in findings of offenses that could present grounds to issue reprimands under WAC 181-86-065(2).

Additionally, new staff positions are critical to handling increased caseloads from willful noncompliance matters that will be filed and processed as a result of ESHB 1296 (2025) and to handle technical assistance requests from school districts, educators, and educator training programs.

What alternatives did you explore and why was this option chosen?

If lawmakers do not provide additional resources, OSPI will either continue to turn down cases due to insufficient staffing, or redirect resources from other work, resulting in fewer services in the areas impacted by these decisions. Failure to fund this request will result in an increasing backlog of unopened educator misconduct and willful noncompliance cases. Additionally, the broader consequences of an under-resourced investigative arm of the state education agency could include negative impacts to safety in the K-12 educational system and deteriorating confidence in the state's ability to hold professional educators accountable for their misconduct.

What resources does the agency already have that are dedicated to this purpose?

Currently, there are three Investigator III positions staffed and dedicated to investigating educator misconduct cases. On top of managing opened misconduct investigations, the investigators also have to find in their very limited capacity the time to evaluate, follow up on, and determine complaints related to low-level offenses that can be dismissed due to severe lack of resources. Adding a minimum of four additional 1.0 FTE positions would allow complaints to be processed in a timelier manner, reduce case backlog, and address low-level offenses that may require reprimands or other actions.

ASSUMPTIONS AND CALCULATIONS

This proposal does not represent an expansion, reduction, or elimination of a current program but does expand funding for OSPI's existing Office of Professional Practice and its duties.

Expansion, reduction, elimination or alteration of a current program or service:

This proposal reflects an expansion of staffing resources currently allocated under [House Bill 1296](#). No funding was provided in the 2021-23 or 2023-25 biennial budgets. [House Bill 1296](#) began in the 2025-27 biennium, with funding of \$747,000 in FY26 and \$611,000 in FY27.

Detailed assumptions and calculations:

OSPI requests \$651,000 in fiscal year 2028 and \$605,000 in fiscal year 2029 and ongoing funding to support 2.0 FTE Investigator 3 positions, and 2.0 FTE Administrative Program Specialist 2 positions.

Workforce assumptions:

Fiscal Year 2028 – (Total: \$651,000)

Investigator 3: 2.0 FTE

- Salary: \$174,000
- Benefits: \$91,000
- Goods/Services: \$14,000
- Travel: \$14,000
- Equipment: \$23,000 (one-time)

Administrative Program Specialist 2: 2.0 FTE

- Salary: \$188,000
- Benefits: \$96,000
- Goods/Services: \$14,000
- Travel: \$14,000
- Equipment: \$23,000 (one-time)

Fiscal Year 2029 and Ongoing – (Total:\$605,000 Annually)

Investigator 3: 2.0 FTE

- Salary: \$174,000
- Benefits: \$91,000
- Goods/Services: \$14,000
- Travel: \$14,000

Administrative Program Specialist 2: 2.0 FTE

- Salary: \$188,000
- Benefits: \$96,000
- Goods/Services: \$14,000
- Travel: \$14,000

Historical funding:

Fiscal Year 2028

- FTE = 3.2 FTE
- Total Funds = \$611,000
- Near General Fund = \$611,000
- Other Funds = \$0

Fiscal Year 2029

- FTE = 3.2 FTE
- Total Funds = \$611,000
- Near General Fund = \$611,000
- Other Funds = \$0

STRATEGIC AND PERFORMANCE OUTCOMES

Strategic framework:

Governor Ferguson's Priorities

This request supports two of the Governor's current priorities.

Goal 1 – Education

Strengthening K-12 education in the state of Washington, which includes plans to invest a higher percentage of the total budget in K-12 education to ensure a strong start for Washington's younger residents. This priority references the Washington State Constitution, which declares that "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, colors, caste, or sex."

Goal 2 – Public Safety

One of the Governor's focused strategies is to invest in upstream solutions, including youth engagement and outreach, behavioral health interventions, and non-armed response personnel that de-escalate situations, provide needed support to vulnerable people, and allow law enforcement to focus on crime prevention and response. While the cornerstone of this priority relates more broadly to increasing law enforcement presence in Washington as a response to crime and drug incidents, ensuring that students within the K-12 education system have access to a safe learning environment through sufficiently resourced systems for investigating educator misconduct cases aligns with the Governor's goal to support students and those who are vulnerable.

OSPI Strategic Goals

This proposal directly supports two of [OSPI's four strategic goals](#).

Goal 1 – Equitable Access to Strong Foundations

Increase student access to and participation in high-quality early learning and elementary by amplifying and building on inclusive, asset-based policies.

Goal 4 – A Committed, Unified, and Customer-Focused OSPI

Support school districts through consistent, timely, and meaningful funding and supports that center the needs of students. Agency operations are unified in facilitating services and resources in alignment with the commitments in our strategic goals.

Prior Legislative Commitments

2025 House Bill 1296

This proposal supports legislative intent and implementation of [2025 House Bill 1296](#).

Performance outcomes:

Funding addresses OSPI's current lack of resources to investigate a backlog of cases related to educator conduct violation allegations by adding more staff members to evaluate and process potential misconduct matters in a timelier manner so that OSPI can better serve students and districts.

OTHER COLLATERAL CONNECTIONS

Intergovernmental:

None.

Stakeholder impacts:

None.

Legal or administrative mandates:

This request supports implementation of House Bill 1296, Chapter 369, Laws of 2025.

Enforcement of PESB Rules

- [RCW 28A.410.090](#) - Outlines revocation or suspension of certificate or permit to teach, criminal basis, complaints, investigations, and processes.
- [RCW 26.44.030](#) - References abuse of children, reports, duty and authority to make, duty of receiving agency, duty to notify, case planning and consultation, penalty for unauthorized exchange of information, filing dependency petitions, investigations, interviews of children, records, and the risk assessment process.
- [RCW 28A.400.317](#) - Discusses physical abuse or sexual misconduct by school employees, duty to report, and trainings.
- [Chapter 181-87 WAC](#) - Acts of unprofessional conduct.
- [Chapter 181-86 WAC](#) - Policies and procedures for administration of certification proceedings.
 - Professional Practices can investigate allegations that an educator lacks the good

moral character and personal fitness required of educators.

- "Good moral character and personal fitness" is defined within [WAC 181-86-013](#).
- [WAC 181-86-014](#) - Good moral character and personal fitness-Continuing requirement.

Changes from current law:

None.

State workforce impacts:

None.

State facilities impacts:

None.

Puget Sound recovery:

N/A

Governor's salmon strategy:

N/A

OTHER SUPPORTING MATERIALS

Information technology (IT):

N/A