



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 22, 2021

TIME: 10:07 AM

WSR 21-19-145

Agency: Office of Superintendent of Public Instruction (OSPI)

Subject of possible rule making: Add sections to chapter 392-117 WAC concerning Apportionment – health and safety and vaccination requirements. The purpose of this rulemaking is to establish the terms and conditions governing local education agencies' entitlement to receive state basic education apportionment allocations during the 2021-2022 school year when local education agencies willfully fail to meet the requirements of Proclamation 20-09, et seq. or Proclamation 21-14, et seq.

Statutes authorizing the agency to adopt rules on this subject: RCW 28A.150.290, RCW 28A.300.040

Reasons why rules on this subject may be needed and what they might accomplish: On August 25, 2021, OSPI filed emergency rules (WSR 21-18-052) on this subject that, based on ongoing conditions related to the COVID-19 pandemic, will be necessary beyond the initial 120-day period provided to emergency rules. The basis for these rules continue: Board actions that violate the law will jeopardize the opening of school, risk cases and outbreaks in school that will warrant quarantines, school building closures, and disruptions in high-quality in-person learning. Given the unprecedented situation caused by the COVID-19 virus and its effect on students and schools in Washington State, rulemaking is necessary to address local education agencies that willfully do not comply with health and safety requirements contained within Proclamation 20-09, et seq., or vaccination requirements contained within Proclamation 21-14, et seq.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

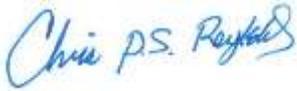
Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Katherine Mahoney
 Address: OSPI, PO Box 47200, Olympia, WA 98504
 Phone: 360-764-0780
 Fax:
 TTY: 360-664-3631
 Email: katherine.mahoney@k12.wa.us
 Web site: k12.wa.us
 Other:

(If necessary)

Name: Matt Schultz
 Address: OSPI, PO Box 47200, Olympia, WA 98504
 Phone: 360-764-6025
 Fax:
 TTY: 360-664-3631
 Email: matt.schultz@k12.wa.us
 Web site: k12.wa.us
 Other:

Additional comments:

Date: September 22, 2021	Signature: 
Name: Chris Reykdal	
Title: State Superintendent of Public Instruction	