



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 07, 2022

TIME: 6:32 PM

WSR 22-05-033

Agency: Office of Superintendent of Public Instruction (OSPI)

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: OSPI changed rules regarding earning the Seal of Biliteracy to expand options for demonstrating English language proficiency to be consistent with HB 1599, Section 201 (4b)(i-v) (2019). Further, OSPI updated and clarified the rule to ensure Tribal languages, American Sign Language, and languages that may only be communicated orally (not through writing or reading) can be included in the criteria for awarding the Seal of Biliteracy. The rule revision also clarifies that Tribal language proficiency is determined by the Tribe.

Citation of rules affected by this order:

New:
 Repealed:
 Amended: WAC 392-410-350
 Suspended:

Statutory authority for adoption: RCW 28A.300.575

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 21-17-106 on August 16, 2021 (date).
 Describe any changes other than editing from proposed to adopted version: none

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Web site:
 Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: February 2, 2022

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

