



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 10, 2022

TIME: 1:04 PM

WSR 22-13-080

Agency: Office of Superintendent of Public Instruction (OSPI)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

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

- Yes
 - No
- If Yes, explain:

Purpose: The purpose of this emergency rule-making order is to add language to the existing WAC 392-136A-030 that clearly articulates the changes made to the shared leave program eligibility for school district staff to include the permitted use of shared leave as a result of the 2019 novel coronavirus.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 392-136A-030
- Suspended:

Statutory authority for adoption: RCW 28A.400.380

Other authority: RCW 41.04.665

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: Due to the global pandemic caused by COVID-19, the RCW and WAC related to shared leave were amended by the legislature and the Office of Financial Management (OFM). This emergency rule change includes language regarding the permitted use of shared leave for this purpose which was not previously amended to the current WAC 392-136A-030 and is necessary for the preservation of public health, safety, and general welfare.

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____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	<u>1</u>	Repealed	_____

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

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:


New ____ Amended ____ Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

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: June 10, 2022	Signature: 
Name: Chris Reykdal	
Title: State Superintendent of Public Instruction	