



# 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: June 27, 2022

TIME: 11:03 AM

WSR 22-14-036

**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 revised chapter 392-162 WAC concerning the Learning Assistance Program (LAP) to (1) align the rules with the amended requirements under chapter 28A.165 RCW through the passage of HB 1208; (2) clarify requirements in HB 1208, including specific guidance on the timeline and use of the Washington integrated student supports protocol (WISSP) for determining LAP services; and (3) provide regulatory guidelines to districts who choose to use learning assistance program funds to implement the K-2 literacy screening and intervention requirements under RCW 28A.320.260.

**Citation of rules affected by this order:**

New: WAC 392-162-016, WAC 392-162-120

Repealed: WAC 392-162-020, WAC 392-162-023, WAC 392-162-025, WAC 392-162-032, WAC 392-162-033, WAC 392-162-036, WAC 392-162-041, WAC 392-162-080,

Amended: WAC 392-162-005, WAC 392-162-010, WAC 392-162-015, WAC 392-162-054, WAC 392-162-110, WAC 392-162-112

Suspended:

**Statutory authority for adoption:** RCW 28A.165.075

**Other authority:**

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 22-09-081 on 4/20/22 (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 | <u>2</u> | Amended | <u>6</u> | Repealed | <u>8</u> |

**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 | <u>1</u> | 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 27, 2022

**Name:** Chris Reykdal

**Title:** State Superintendent of Public Instruction

**Signature:**

