



PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: August 24, 2022

TIME: 9:28 AM

WSR 22-17-160

Agency: Office of Superintendent of Public Instruction (OSPI)

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 22-06-098 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Chapter 392-210 WAC – Washington State Honors Award Program

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
October 4, 2022	2:00 pm	Webinar via Zoom (call-in option also available). Participation link available on OSPI website: k12.wa.us/policy-funding/ospirulemaking-activity	Due to ongoing public health emergency related to the COVID-19 virus pandemic, this public hearing will be held by webinar via Zoom (with a call-in option). For information on participating, please visit OSPI's website at k12.wa.us/policy-funding/ospirulemaking-activity . For questions, please email: kristin.murphy@k12.wa.us

Date of intended adoption: October 10, 2022 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Tony May

Address: OSPI, PO Box 47200, Olympia, WA 98504

Email: tony.may@k12.wa.us

Fax:

Other:

By (date) October 4, 2022

Assistance for persons with disabilities:

Contact Kristin Murphy, OSPI Rules Coordinator

Phone: 360-725-6133

Fax:

TTY: 360-664-3631

Email: kristin.murphy@k12.wa.us

Other:

By (date) September 27, 2022

Purpose of the proposal and its anticipated effects, including any changes in existing rules: OSPI is proposing amendments to the process and procedures concerning the administration of the Washington State Honors Awards Program, including:

Updating the process by which students are identified as being eligible for the Award.

Expanding testing and assessment options to be considered for qualification of the Award.

Updating processes concerning notifications and award certificates.

Repealing sections in which requirements identified in those sections are already stated in RCW or WAC.

Reasons supporting proposal: Updating process and procedures are intended to streamline the administration of the Honors Awards program for school districts and OSPI. In addition, expanding testing and assessment options is needed to allow for assessments in addition to the SAT and ACT to be considered as part of the qualification process. Some students, who would otherwise be eligible for the Award, are not taking the SAT or ACT since some institutions of higher education are no longer requiring the tests as part of the admission consideration process. In addition, for some students, access and local availability of these tests have been challenging especially in recent years. Expanding options allows for a more equitable process, in particular for students with limited local access or financial resources.

Statutory authority for adoption: RCW 28A.600.070

Statute being implemented: RCW 28A.600.050 through .080

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Type of proponent: Private Public Governmental
Name of proponent: (person or organization)

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Tony May	OSPI, 600 S. Washington St, Olympia, WA	360-972-4047
Implementation:	Tony May	OSPI, 600 S. Washington St, Olympia, WA	360-972-4047
Enforcement:			

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)? Yes No
 If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

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

Is a cost-benefit analysis required under [RCW 34.05.328](#)?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:
 Name:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Other:

No: Please explain:

Regulatory Fairness Act and Small Business Economic Impact Statement
 Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.

(1) Identification of exemptions:
 This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.
 Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570\(2\)](#) because it was adopted by a referendum.

- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(3\)](#). Check all that apply:
- | | |
|---|---|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025\(4\)](#) (does not affect small businesses).
- This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.030](#).

Explanation of how the above exemption(s) applies to the proposed rule: No small business economic impact statement has been prepared under chapter 19.85 RCW. The proposed amendment does not have an impact on small business and therefore does not meet the requirements for a statement under RCW 19.85.030 (1) or (2).

(2) Scope of exemptions: *Check one.*

- The rule proposal is fully exempt (*skip section 3*). Exemptions identified above apply to all portions of the rule proposal.
- The rule proposal is partially exempt (*complete section 3*). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- The rule proposal is not exempt (*complete section 3*). No exemptions were identified above.

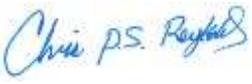
(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: August 15, 2022	Signature: 
Name: Chris Reykdal	
Title: State Superintendent of Public Instruction	