



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 14, 2018

TIME: 8:32 AM

WSR 18-13-060

Agency: Office of Superintendent of Public Instruction

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: The purpose of these amendments is to reorganize and streamline Chapter 392-105 WAC and to revise the chapter to conform with Engrossed House Bill 1595 (65th Legislature, 2017, Regular Session).

The rules:

- Clarify the ways the public may make public records requests, and how the agency responds to and sends the requested records;
- Establish guidelines for inspection of public records;
- Remove current costs for copying public records and state the agency charges copies under the default fees in RCW 42.56.120;
- Provide that the agency must identify how specific exemptions cited apply to denial of public records;
- Specify that denial notices include information about the requestor's right to a review; and
- Provide that the agency must maintain a records index.

As part of its streamlining, some sections were repealed as the content was incorporated into other sections.

Citation of rules affected by this order:

New: 392-105-070, -080, -090, -100
Repealed: 392-105-001, -003, -005, -007, -015, -025, -035, -045, -055
Amended: 392-105-010, -020, -030, -040, -050, -060
Suspended:

Statutory authority for adoption: 28A.300.040

Other authority: Engrossed House Bill 1595 (2017)

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-10-098 on May 2, 2018 (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	___
-----	-----	---------	-----	----------	-----

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

New	<u>4</u>	Amended	<u>9</u>	Repealed	<u>6</u>
-----	----------	---------	----------	----------	----------

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

New	<u>4</u>	Amended	<u>9</u>	Repealed	<u>6</u>
-----	----------	---------	----------	----------	----------

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 13, 2018

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

