



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: December 19, 2018

TIME: 8:29 AM

WSR 19-01-112

Agency: Office of Superintendent of Public Instruction (OSPI)

Subject of possible rule making: WAC 392-172A-05085 – Due Process hearing request filing and response; WAC 392-137-190 through -200 – Student transfers appeals; and Chapter 392-101 WAC – Superintendent of Public Instruction– Administrative Practices and Procedures

Statutes authorizing the agency to adopt rules on this subject: RCW 34.05.220, 28A.225.230, 28A.155.090

Reasons why rules on this subject may be needed and what they might accomplish: Certain appeals submitted to OSPI, including special education due process hearing requests and nonresident student transfer appeals, are assigned to the Office of Administrative Hearings (OAH) for adjudication. Currently, these appeals are filed with OSPI and transmitted to OAH. OSPI is considering rulemaking that would simplify the filing and transmittal process by allowing these appeals to be submitted directly to OAH from the filing party. The proposed change would simplify the filing process and reduce staff time and resource use for both OSPI and OAH staff. The impact on filing parties would be the initial change of filing address and email.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Early solicitation of public comments and recommendations respecting new, amended, or repealed rules, and consideration of the comments and recommendations in the course of drafting rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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Other:	Other:

Additional comments:

Date: 12/19/18

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature: