



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: December 28, 2018

TIME: 11:00 AM

WSR 19-02-067

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 the amendment to WAC 392-140-973 is to allow schools that participate in the Community Eligibility Provision (CEP) meal service option and have historically been high-poverty schools (“challenging schools”) for purposes of the National Board Certified Teacher (NBCT) bonus to continue to qualify as challenging schools for the duration of their CEP eligibility. Under this rule, OSPI will use historical data for CEP schools going back two years prior to CEP participation to determine if the school is an NBCT bonus challenging school. If the school met challenging school eligibility in either of the two years prior to CEP, it will be considered a challenging school for the current year.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 392-140-973(3)
- Suspended:

Statutory authority for adoption: RCW 28A.150.290(1) and RCW 28A.405.415

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-21-186 on October 24, 2018 (date).
Describe any changes other than editing from proposed to adopted version:

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___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	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	<u>1</u>	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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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: 12/28/18

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

