



RULE-MAKING ORDER EMERGENCY RULE ONLY

CR-103E (December 2017) (Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 20, 2019

TIME: 11:55 AM

WSR 19-14-007

Agency: Office of Superintendent of Public Instruction (OSPI)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: Districts received a one-time legislative salary and benefit increase included in the transportation operations allocation for the 2018-19 school year to reflect the compensation increase with the passage of E2SSB 6362 (2018). Districts will likely not have time to utilize the increase in funds in the current school year and will therefore face recovery of transportation funds not expended. A new subsection to WAC 392-141-410 will allow a one-year only carryover of unspent funds for the 2019-20 school year to prevent the recovery of 2018-19 allocation.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: 392-141-410
- Suspended:

Statutory authority for adoption: RCW 28A.150.290

Other authority:

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: Immediate adoption of this rule is necessary to preserve general welfare. If this one-year only amendment to WAC 392-141-410 does not go into effect before the beginning of the next school year, school districts will likely be subject to the recovery of unexpended transportation funds that districts received to reflect compensation increases under E2SSB 6362. OSPI filed a preproposal statement of inquiry, 19-11-112, on May 21, 2019, indicating the agency's intent to initiate rule making to adopt this amendment in a permanent rule.

**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 ____ Amended 1 Repealed ____

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

New ____ Amended ____ 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: 6/20/2019	Signature: 
Name: Chris Reykdal	
Title: State Superintendent of Public Instruction	