Agency: Office of Superintendent of Public Instruction (OSPI)

Subject of possible rule making: Chapters 392-172A and 392-173 WAC; WAC 392-140-601 through -685.

Statutes authorizing the agency to adopt rules on this subject: RCW 28A.155.090; 20 USC §1400 et seq.

Reasons why rules on this subject may be needed and what they might accomplish: OSPI has the authority under state statute to develop administrative rules to implement federal statutes and state regulations governing special education services to students. OSPI is considering amending and/or adding new sections to current special education rules to: (1) address changes to federal law and requirements; (2) clarify existing requirements under current state law that impact the free appropriate public education (FAPE) of students eligible for special education services, including new requirements under ESHB 1130 (2019); and (3) make housekeeping changes to correct typographical errors, reorganize WACs for ease of reference, and make other rule changes that are technical in nature.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: US Department of Education, Office of Special Education Programs (OSEP).

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

☐ Negotiated rule making
☐ Pilot rule making
☐ Agency study
☒ Other (describe) OSPI will hold at least two public hearings for comment and seek written input from stakeholders throughout the process.

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:

Date: January 21, 2020
Signature: Chris Reykdal

(Official signature)

Other: