



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: April 01, 2020

TIME: 11:57 AM

WSR 20-08-135

Agency: Office of Superintendent of Public Instruction (OSPI)

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: This rulemaking simplifies the filing and transmittal process by allowing certain appeals, including nonresident student transfer appeals, to be submitted directly to OAH from the filing party. The adopted rule 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. There are also technical changes made to clarify cited authorities.

Citation of rules affected by this order:

New:
 Repealed: WAC 392-137-200
 Amended: WAC 392-101-001; WAC 392-101-005; WAC 392-101-010; WAC 392-101-015; WAC 392-137-190; WAC 392-137-195
 Suspended:

Statutory authority for adoption: RCW 34.05.220, 28A.225.230

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 19-24-077 on 12/2/19 (date).
 Describe any changes other than editing from proposed to adopted version: The adopted version does not contain changes proposed in OTS 1911.1 to the following sections: WAC 392-172A-05085 – Due process hearing request filing and response; WAC 392-172A-05090 – Resolution process; WAC 392-172A-05100 – Hearing rights; WAC 392-172A-05160 – Appeal of placement decisions and manifestation determinations;

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Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___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>6</u>	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	<u>6</u>	Repealed	<u>1</u>
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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: 4/1/20

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

