



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: April 29, 2020

TIME: 9:03 AM

WSR 20-10-044

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: The purpose of this emergency rulemaking is to establish the terms and conditions governing local education agencies' entitlement to receive state basic education apportionment allocations during the 2019-2020 school year when the local education agencies could not offer the statutory minimum number of school days or annual average total instructional hour offerings due to emergency closures caused by the COVID-19 pandemic and other unforeseen events. The emergency rulemaking also addresses standards for continuous learning for the remainder of the 2019-2020 school year.

Citation of rules affected by this order:

New: 392-901
 Repealed:
 Amended:
 Suspended:

Statutory authority for adoption: 28A.150.290

Other authority: 28A.230.100, 28A.230.125, 28A.710.040(5)

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: On March 13, 2020, the Governor ordered the statewide closure of public school facilities beginning March 17, 2020, to curtail the spread of the COVID-19 virus. On April 7, 2020, the Governor extended the school closure order to the end of the school year. Given the unprecedented effects of the COVID-19 pandemic and the closure of school facilities for the remainder of the 2019-2020 school year, the immediate adoption of this rule is necessary for the preservation of public health, safety, and the general welfare.

**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:

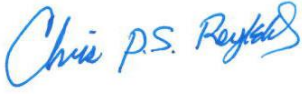
New 8 Amended ____ Repealed ____

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: 4/29/2020	Signature: 
Name: Chris Reykdal	
Title: State Superintendent of Public Instruction	