



# 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: May 08, 2020

TIME: 4:39 PM

WSR 20-11-008

**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 current rule for high school reengagement programs, WAC 392-700-015, requires a minimum two hours a month of “face to face” program staff interaction with each student. The purpose of this emergency rule amendment is to provide necessary clarification regarding acceptable “face to face” engagements in the context of COVID 19-related school facilities closures, the Governor’s Stay Home, Stay Healthy orders, and social distancing. This rule amendment is effective only through the end of the 2019-20 school year.

**Citation of rules affected by this order:**

- New:
- Repealed:
- Amended: 392-700-015
- Suspended:

**Statutory authority for adoption:** RCW 28A.175.100

**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:** Students being served through high school reengagement programs must still be able to receive appropriate educational services, including the face to face interaction time required under WAC 392-700-015. Because in-person face to face interaction is not possible due to current COVID 19-related school facilities closures and the Governor’s Stay Home, Stay Healthy orders, this emergency rule amendment is necessary to ensure students can still access services through different means of contact during the remainder of the 2019-20 school year.

**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:** May 8, 2020

**Name:** Chris Reykdal

**Title:** State Superintendent of Public Instruction

**Signature:**

