# RULE-MAKING ORDER
## EMERGENCY RULE ONLY

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

**Agency:** Office of Superintendent of Public Instruction

**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 rule revision is to (1) define student absence in the 2020-21 school year for school districts across the state to collect and use daily attendance data during the COVID-19 epidemic, and (2) establish the minimum criteria of the attendance system that each school district must implement as required under WAC 180-16200(4)(c). These rules continue to support the state and school districts in addressing the challenge of chronic absenteeism, improving learning outcomes and success in school for all students, and supporting the whole child.

**Citation of rules affected by this order:**
- **New:** Chapter 392-401A WAC
- **Repealed:**
- **Amended:**
- **Suspended:**

**Statutory authority for adoption:** RCW 28A.300.046

**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:** The COVID-19 pandemic has required that many school districts must provide instruction remotely in school year 2020-21, either completely or partially, in order to ensure the safety of their students, staff, and communities. The immediate adoption of this emergency rule is therefore necessary for the preservation of the public health, safety, and general welfare in order to support districts in defining absence for students participating in remote learning and supporting students to access learning.

**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:**

<table>
<thead>
<tr>
<th>Category</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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<tbody>
<tr>
<td>Federal statute</td>
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<tr>
<td>Federal rules or standards</td>
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<td>Recently enacted state statutes</td>
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<tr>
<td>Section Adoption Details</td>
<td>New</td>
<td>Amended</td>
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<td>The number of sections adopted at the request of a nongovernmental entity:</td>
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<td>The number of sections adopted on the agency’s own initiative:</td>
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<td>The number of sections adopted in order to clarify, streamline, or reform agency procedures:</td>
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<td>The number of sections adopted using:</td>
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<td>Negotiated rule making:</td>
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<td>Pilot rule making:</td>
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<td>Other alternative rule making:</td>
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**Date Adopted:** 8/13/20  
**Name:** Chris Reykdal I  
**Title:** State Superintendent of Public Instruction