



**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: October 01, 2020

TIME: 3:56 PM

WSR 20-20-067

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 rule amendment is to address how student enrollment will be reported as schools reopen for the 2020-21 school year through both the remote continuous learning and hybrid models..

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 392-121-106, 392-121-107, 392-121-108, 392-121-119, 392-121-122, 392-121-138, 392-121-182, 392-121-187
- Suspended:

Statutory authority for adoption: RCW 28.150.290, 28A.150.305, 28A.710.220

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: Due to the coronavirus pandemic, the immediate adoption of this emergency rulemaking order is necessary in order to provide a method for school districts to claim remote learning for state funding as students learn from home or attend class in-person classes on a rotating schedule. To that end, these rules change the September count day; provide extended time for student participation from September 2020 until September 30 as schools reopen and students receive access to instruction; amend alternative learning experience (ALE) requirements for the October 2020 count; and provide that the Running Start count day for December can be the last school day in November if the fall 2020 quarter does not have a December count day.

**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 8 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: 10/1/20

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

