



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: October 07, 2020

TIME: 8:48 AM

WSR 20-20-134

**Agency:** Office of Superintendent of Public Instruction (OSPI)

**Subject of possible rule making:** WAC 392-410-135 Physical education—Grade school and high school requirement.

**Statutes authorizing the agency to adopt rules on this subject:** 28A.230.040

**Reasons why rules on this subject may be needed and what they might accomplish:** OSPI is considering rulemaking that would suspend the requirement that all students in grades K-8 receive at least one hundred instructional minutes per week, per year of physical education for the 2020-21 school year. The proposed change is intended to offer flexibility in providing physical education as districts operate a hybrid or fully remote learning model due to public health concerns caused by the COVID-19 virus pandemic. This proposed change would not remove the requirement for all students in grades 1-8 to receive instruction in physical education.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

**Process for developing new rule (check all that apply):**

Negotiated rule making

Pilot rule making

Agency study

Other (describe) Early solicitation of feedback and recommendations respecting new or amended rules, and consideration of the comments and recommendations in the course of drafting rules.

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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(If necessary)

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Additional comments:

**Date:** 10/6/20

**Name:** Chris Reykdal

**Title:** State Superintendent of Public Instruction

**Signature:**