



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: May 30, 2024

TIME: 11:01 AM

WSR 24-12-038

Agency: Office of Superintendent of Public Instruction (OSPI)

Subject of possible rule making: WAC 392-121-436 – Emergency advance payments – School district application; WAC 392-121-438 – Emergency advance payments – Approval criteria; WAC 392-121-443 – Emergency advance payments – Repayment of advances

Statutes authorizing the agency to adopt rules on this subject: RCW 28A.150.290; RCW 28A.710.220; RCW 28A.510.250

Reasons why rules on this subject may be needed and what they might accomplish: OSPI is considering rulemaking to extend the apportionment advance request and payout periods for school districts and charter schools, and to establish requirements for repayment assurance and apportionment advance repayment schedules for funds received. As a result of enrollment declines, expiring access to federal COVID relief, unanticipated rise in uncontrollable costs, and other unforeseen events, many districts have experienced unprecedented financial difficulties. Extending the apportionment request, payout, and repayment periods would allow districts to access funds that are essential for the continuity of operations, maintenance, and other education services.

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 concerning new or amended rules, and consideration of comments and recommendations in the course of drafting rule language.

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

	(If necessary)
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Other:	Other:

Additional comments:

Date: May 30, 2024

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature: