



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 22, 2024

TIME: 1:29 PM

WSR 24-21-142

Agency: Office of Superintendent of Public Instruction (OSPI)

Subject of possible rule making:

- WAC 392-190-048 – Access to course offerings—Student discipline and corrective action
- WAC 392-400-010 – Purpose
- WAC 392-400-020 – Application
- WAC 392-400-025 – Definitions
- WAC 392-400-110 – Discipline policies and procedures—Development, review, and distribution
- WAC 392-400-330 – Classroom exclusions—Conditions and limitations
- WAC 392-400-335 – Classroom exclusion—Notice and procedure
- WAC 392-400-435 – Short-term and in-school suspensions—Additional conditions and limitations
- WAC 392-400-440 – Long-term suspensions—Additional conditions and limitations
- WAC 392-400-445 – Expulsions—Additional conditions and limitations
- WAC 392-400-455 – Suspensions and expulsions—Notice to student and parents
- WAC 392-400-460 – Suspensions and expulsions—Optional conference with principal
- WAC 392-400-510 – Emergency expulsions—Conditions and limitations
- WAC 392-400-515 – Emergency expulsions—Notice to student and parents
- WAC 392-400-520 – Emergency expulsions—Optional conference with principal
- WAC 392-400-525 – Emergency expulsions—Appeal
- WAC 392-400-530 – Emergency expulsions—Review and reconsideration
- WAC 392-400-610 – Educational services during suspension, expulsion, or emergency expulsion
- WAC 392-401-020 – Excused absences
- WAC 392-401-040 – Student absences—General requirements

Statutes authorizing the agency to adopt rules on this subject: RCW 28A.300.046; RCW 28A.600.010; RCW 28A.600.015; RCW 28A.600.020

Reasons why rules on this subject may be needed and what they might accomplish: OSPI is considering rulemaking in the area of student discipline to include changes made in the emergency rules and any other sections that need to be clarified or updated to ensure definitions and requirements relevant to student discipline are in alignment with current law. Revisions are intended to ensure required data and reporting requirements are manageable for each level of the system (i.e., classroom, school, district, state, etc.) and discipline guidance is consistent with professional standards for maintaining safe, optimal learning environments for all students that further OSPI's commitment to reducing disproportionate exclusionary practices.

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)

Name: Briana Kelly
Address: OSPI, PO Box 47200, Olympia, WA 98504
Phone: 360-725-6068
Fax:
TTY: 360-664-3631
Email: Briana.kelly@k12.wa.us
Web site: ospi.k12.wa.us
Other:

Name: Anna Marie Dufault
Address: OSPI, PO Box 47200, Olympia, WA 98504
Phone: 360-725-6175
Fax:
TTY: 360-664-3631
Email: Annamarie.dufault@k12.wa.us
Web site: ospi.k12.wa.us
Other:

Additional comments:

Date: October 22, 2024

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

