



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 10, 2025

TIME: 1:14 PM

WSR 25-13-037

Agency: Office of Superintendent of Public Instruction (OSPI)

Effective date of rule:

Permanent Rules

- ☒ 31 days after filing.
☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- ☐ Yes ☒ No If Yes, explain:

Purpose: OSPI is adopting 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.

Citation of rules affected by this order:

New:

Repealed: WAC 392-400-445

Amended: WAC 392-190-048, 392-400-010, 392-400-020, 392-400-025, 392-400-110, 392-400-330, 392-400-335, 392-400-435, 392-400-440, 392-400-455, 392-400-460, 392-400-510, 392-400-515, 392-400-520, 392-400-525, 392-400-530, 392-400-610, 392-401-020, 392-401-040

Suspended:

Statutory authority for adoption: RCW 28A.300.046; RCW 28A.600.010; RCW 28A.600.015; RCW 28A.600.020

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 25-06-029 on February 25, 2025 (date).

Describe any changes other than editing from proposed to adopted version: Subsection 392-400-025(4) was edited to reference RCW 28A.415.443, in place of RCW 28A.410.270. Subsection 392-400-330(2) was edited to include a subject heading called "Conditions," and was revised to reference RCW 28A.600.460, in place of WAC 392-400-110. Subsection 392-400-330(2)(b) was edited to include a reference to RCW 28A.150.240. Subsection 392-400-330(3) was edited to change the subject heading from "Duration of classroom exclusion" to "Duration." Subsection 392-400-330(3)(b) was edited to include a reference to RCW 28A.600.460. Formatting changes under section 392-400-330 include revising subsection (3)(c) to subsection (4), subsection (4) to (5), and subsection (5) to (6). New language was added to section 392-400-335 under subsection (3): "When a classroom exclusion occurs, it must be recorded in a manner consistent with RCW 28A.600.460."

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**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	_____
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The number of sections adopted on the agency's own initiative:

New	_____	Amended	<u>19</u>	Repealed	<u>1</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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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: June 10, 2025

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

