



# 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: February 06, 2026

TIME: 8:44 AM

WSR 26-05-012

**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 Washington State Legislature enacted Substitute Senate Bill 5933 in 2022, which requires the Office of Superintendent of Public Instruction (OSPI) to implement the School Seismic Safety Program to allow districts to receive seismic funds and be eligible to receive funding from the School Construction Assistance Program (SCAP). In alignment with SSB 5933 (2022), the emergency rules establish grant funding procedures concerning the School Seismic Safety Program. OSPI's current school construction rules do not provide a process that would allow OSPI to timely or effectively award these grant funds during the biennium.

OSPI will also conduct permanent rulemaking concerning the School Seismic Safety Program.

**Citation of rules affected by this order:**

New: WAC 392-341-013, 392-343-013, 392-344-013, and 392-347-011; Chapter 392-902 WAC  
Repealed:  
Amended: WAC 392-341-020, 392-341-025, 392-343-030, 392-343-080, and 392-344-155  
Suspended:

**Statutory authority for adoption:** RCW 28A.525.020; RCW 28A.525.320

**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:** The emergency rules are necessary to allow the timely use of funds for the School Seismic Safety Program under SSB 5933 (2022). New grant funding procedures are necessary to preserve the general welfare by allowing OSPI to proceed with the grants and distribution of funding to school districts in accordance with legislative intent.

**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	<u>15</u>	Amended	<u>5</u>	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 \_\_\_\_\_ 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:** February 6, 2026

**Name:** Chris Reykdal

**Title:** State Superintendent of Public Instruction

**Signature:**

