



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: June 18, 2026

TIME: 10:42 AM

WSR 26-14-010

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: In accordance with Engrossed Substitute Senate Bill 6260 (2026) and RCW 28A.300.072, OSPI is amending chapter 392-425 WAC to adopt emergency rules authorizing local education agencies to charge sliding scale fees for enrollment in the transition to kindergarten (TK) program and to establish rules related to the allocation of state funding for TK programs. Emergency rule adoption is necessary to implement statutory changes enacted by the Washington State Legislature, and to ensure school districts, charter schools, and state-tribal education compact schools have the rules and guidance necessary for implementation during the 2026-27 school year, including enrollment, budgeting, and program planning timelines.

OSPI will also conduct permanent rulemaking concerning these rules.

Citation of rules affected by this order:

New: WAC 392-425-065
Repealed:
Amended: WAC 392-425-040
Suspended:

Statutory authority for adoption: Engrossed Substitute Senate Bill 6260 (2026); RCW 28A.150.290; RCW 28A.300.072

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: Immediate adoption of emergency rules is necessary to implement ESSB 6260 (2026) in time for the 2026-2027 school year. Local education agencies require timely rules regarding sliding scale fees and state funding allocation criteria in order to conduct enrollment, staffing, budgeting, and program planning activities prior to the start of the school year. Delayed adoption would create uncertainty regarding program administration and funding distribution and could impair implementation of legislatively enacted requirements.

OSPI will also conduct permanent rulemaking concerning these rules.

**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>1</u>	Amended	<u>1</u>	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	___	Repealed	___
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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 18, 2026

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

