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STATE OF WASHINGTON
FILED

DATE: November 12, 2026
TIME: 8:12 AM

WSR 26-23-026

RULE-MAKING ORDER
EMERGENCY RULE ONLY

CR-103E (December 2017)
(Implements RCW 34.05.350 and 34.05.360)

Agency: Office of Superintendent of Public Instruction (OSPI)

Effective date of rule:

Emergency Rules

☐ Immediately upon filing.

☒ Later (specify) Effective starting November 14, 2026

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

☐ Yes ☒ No If Yes, explain:

Purpose: The purpose of this emergency rulemaking is to reflect changes to running start eligibility and enrollment in alignment with SSHB 1316 (2023), ESSSB 5670 (2024), and ESSB 5998 (2026); expand state funding for students receiving special education funding who turn twenty-one (21) in alignment with SSB 5253 (2025); and clarify which students can be claimed for Running Start funding for the first count of a college term. Additionally, the rules provide for funding, reporting, and administration of participating student's enrollment in running start courses.

OSPI will also conduct permanent rulemaking concerning these rules.

Citation of rules affected by this order:

New:

Repealed:

Amended: WAC 392-121-119, 392-121-123, 392-121-136, 392-169-015, 392-169-020, 392-169-022, 392-169-025, 392-169-055, 392-169-100, 392-169-105, 392-169-115, 392-169-120

Suspended:

Statutory authority for adoption: Second Substitute House Bill 1316 (Chapter 350, Laws of 2023); Engrossed Second Substitute Senate Bill 5670 (Chapter 159, Laws of 2024); Substitute Senate Bill 5253 (Chapter 256, Laws of 2025); Engrossed Substitute Senate Bill 5998 (Section 504, Section 16(a), Laws of 2026); RCW 28A.600.390; RCW 28A.150.290

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 ensure eligible students can participate in running start at enrollment levels provided for in ESSB 5998 (2026), SSHB 1316 (2023), and ESSSB 5670 (2024), and to ensure the Running Start requirements for student enrollment calculations, reporting, and program administration are effective by the beginning of the 2026-27 school year. Additionally, the emergency rules are necessary to ensure that students who are age twenty-one (21) and receiving special education services can be claimed for state funding as provided for in SSB 5253 (2025) by the beginning of the 2025-26 school year. Finally, after several SAO audits, it was determined that emergency rules are required to change the first count day for a college's term to the fourth school day of the first full month.

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	____	Amended	12	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: November 12, 2026	**Signature:** Chris P.S. Reykdal
Name: Chris Reykdal	
Title: State Superintendent of Public Instruction	