



# 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: April 07, 2021

TIME: 9:05 AM

WSR 21-08-084

**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 purpose of this emergency rule revision to chapter 392-210 WAC is to allow for the continuation of the Washington Honors Award program for the 2020-21 school year by adjusting the criteria and process. Due to the ongoing COVID-19 pandemic, high school students have had limited to no opportunities to satisfy the testing criteria currently outlined in the rule as the Scholastic Aptitude Test (SAT) and the American College Test (ACT). The emergency amendment allows for additional assessment options. The emergency amendment also revises the selection of students to allow more flexibility for schools and streamline the process for OSPI.

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

New:  
 Repealed: 392-210-025, -030, -040  
 Amended: 392-210-015, -020, -035, -045  
 Suspended:

**Statutory authority for adoption:** 28A.600.070 and 28A.600.080

**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 COVID-19 pandemic and related emergency public health safety measures created inequities for students to meet the eligibility requirements specified in the rules for the Washington Honors Award related. Specifically, the accessibility to SAT and ACT tests sites and locations has been very limited or not available at all. In addition, some institutions of higher education have eliminated testing requirements for admissions, which makes these tests less relevant for college applications. These factors have reduced the number of graduating seniors taking these tests and therefore fewer students eligible for the Washington Honors Award.

**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 \_\_\_\_

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

New \_\_\_\_ Amended 4 Repealed 3

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New \_\_\_\_ Amended 4 Repealed 3

**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:** April 7, 2021

**Name:** Chris Reykdal

**Title:** State Superintendent of Public Instruction

**Signature:**

