

WSR 22-06-099
EMERGENCY RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed March 2, 2022, 11:15 a.m., effective March 2, 2022, 11:15 a.m.]

Effective Date of Rule: Immediately upon filing.

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 2021-22 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. Access and opportunities to take the Scholastic Aptitude Test (SAT) and the American College Test (ACT) have been limited since the pandemic began. 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 the office of the superintendent of public instruction.

Citation of Rules Affected by this Order: Repealing WAC 392-210-025, 392-210-030 and 392-210-040; and amending WAC 392-210-015, 392-210-020, 392-210-035, and 392-210-045.

Statutory Authority for Adoption: RCW 28A.600.070.

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.

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. Specifically, the accessibility to SAT and ACT test 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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 4, Repealed 3.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: March 2, 2022.

Chris P. S. Reykdal
State Superintendent
of Public Instruction

OTS-2985.2

AMENDATORY SECTION (Amending WSR 06-23-014, filed 11/3/06, effective 12/4/06)

WAC 392-210-015 Criteria for the selection of Washington state honors award students. The Washington state honors award program shall recognize the top ten percent of the students in the state in each year's public and private high school graduating class who have demonstrated outstanding academic achievement. Outstanding academic achievement shall be determined by the following criteria:

(1) ~~((An academic achievement index based upon a combination of the combined))~~ The office of superintendent of public instruction shall identify the top ten percent of students in the state using the cumulative high school grade point average (calculated as provided in WAC 180-57-055) ((in)) including, but not limited to, the academic core subjects of English, mathematics, science, social studies, the arts, and languages other than English which may include American Indian languages ((and the combined verbal and quantitative composite scores on));

(2) For students with a grade point average (GPA) in the top ten percent in the state, high schools shall use at least one of the assessments available for students, which can include the Scholastic Aptitude Test (SAT) ((or)), the American College Test (ACT), the state-wide English language arts and mathematics assessments, or local assessments to evaluate students' academic achievement;

~~((2) Credits (as defined in WAC 180-51-050) earned in grades nine through twelve in the academic core subjects of English, mathematics, science, social studies, the arts, and foreign language;))~~

(3) Completion of at least seventy-five percent of the graduation requirements for the high school in which the candidate is enrolled; and

(4) Enrollment in at least three academic core subjects in grade twelve.

~~((In order to be considered for a Washington honors award, students must have taken the Scholastic Aptitude Test (SAT) or the American College Test (ACT) prior to January 31 of the year of graduation and be enrolled in a participating high school as indicated by the principal on forms provided by the superintendent of public instruction.))~~

[Statutory Authority: RCW 28A.600.070. WSR 06-23-014, § 392-210-015, filed 11/3/06, effective 12/4/06. Statutory Authority: RCW 28A.150.220. WSR 93-23-038 (Order 93-24), § 392-210-015, filed 11/10/93, effective 12/11/93. Statutory Authority: Chapter 28A.03 RCW. WSR 86-01-018 (Order 85-13), § 392-210-015, filed 12/9/85.]

AMENDATORY SECTION (Amending WSR 06-23-014, filed 11/3/06, effective 12/4/06)

WAC 392-210-020 ((Determination of)) Identification of students for the Washington state honors award ((academic achievement index)). ~~((The superintendent of public instruction shall calculate the academic achievement index based upon an equivalent numeric weighting of the~~

~~combined high school grade point average in academic core subjects and the combined verbal and quantitative composite scores on the Scholastic Aptitude Test (SAT) or the American College Test (ACT). The superintendent of public instruction shall determine the top ten percent of each year's graduating class based upon a ranking of all participating students on the academic achievement index.)~~ All participating high schools shall use the eligibility criteria to identify the qualifying students for the award on or before the date provided by the superintendent of public instruction.

[Statutory Authority: RCW 28A.600.070. WSR 06-23-014, § 392-210-020, filed 11/3/06, effective 12/4/06. Statutory Authority: Chapter 28A.03 RCW. WSR 86-01-018 (Order 85-13), § 392-210-020, filed 12/9/85.]

AMENDATORY SECTION (Amending WSR 06-23-014, filed 11/3/06, effective 12/4/06)

WAC 392-210-035 Notification of students eligible for honors award. Commencing with the ninth grade, and each year thereafter, each participating high school shall provide each enrolled student with a copy of the eligibility criteria for the Washington state honors award. ~~((The superintendent of public instruction shall provide schools with a suggested format that may be used to notify students.))~~

[Statutory Authority: RCW 28A.600.070. WSR 06-23-014, § 392-210-035, filed 11/3/06, effective 12/4/06. Statutory Authority: Chapter 28A.03 RCW. WSR 86-01-018 (Order 85-13), § 392-210-035, filed 12/9/85.]

AMENDATORY SECTION (Amending WSR 06-23-014, filed 11/3/06, effective 12/4/06)

WAC 392-210-045 Washington honors award certificate. The superintendent of public instruction shall prepare annually for each honors award recipient a suitable ~~((printed))~~ certificate which shall describe the purposes of the award, indicate the year in which the award was given, and be signed by the superintendent of public instruction. The certificate for each honors award recipient shall be delivered to the participating high school principal on or before May 30 of each school year. ~~((Each participating principal shall provide for issuing the certificate to each recipient at the regular high school commencement or other appropriate time prior to high school commencement.))~~

[Statutory Authority: RCW 28A.600.070. WSR 06-23-014, § 392-210-045, filed 11/3/06, effective 12/4/06. Statutory Authority: Chapter 28A.03 RCW. WSR 86-01-018 (Order 85-13), § 392-210-045, filed 12/9/85.]

REPEALER

The following sections of the Washington Administrative Code are repealed:

- WAC 392-210-025 Credits earned in academic core subjects.
- WAC 392-210-030 Enrollment in academic core subjects during grade twelve required.
- WAC 392-210-040 Notification of Washington honors award recipients.