

**WSR 24-12-038**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**SUPERINTENDENT OF**  
**PUBLIC INSTRUCTION**

[Filed May 30, 2024, 11:01 a.m.]

Subject of Possible Rule Making: WAC 392-121-436 Emergency advance payments—School district application, 392-121-438 Emergency advance payments—Approval criteria, and 392-121-443 Emergency advance payments—Repayment of advances.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.150.290, 28A.710.220, 28A.510.250.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The office of superintendent of public instruction (OSPI) is considering rule making to extend the apportionment advance request and payout periods for school districts and charter schools, and to establish requirements for repayment assurance and apportionment advance repayment schedules for funds received. As a result of enrollment declines, expiring access to federal COVID[-19] relief, unanticipated rises in uncontrollable costs, and other unforeseen events, many districts have experienced unprecedented financial difficulties. Extending the apportionment request, payout, and repayment periods would allow districts to access funds that are essential for the continuity of operations, maintenance, and other education services.

Process for Developing New Rule: Early solicitation of feedback and recommendations concerning new or amended rules, and consideration of comments and recommendations in the course of drafting rule language.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting T.J. Kelly, OSPI, P.O. Box 47200, Olympia, WA 98504, TTY 360-664-3631, email Thomas.kelly@k12.wa.us, website ospi.k12.wa.us.

May 30, 2024

Chris P. S. Reykdal

State Superintendent of Public Instruction