

**WSR 21-13-128
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed June 22, 2021, 9:15 a.m., effective July 23, 2021]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The purpose of this rule change is to allow the office of the superintendent of public instruction flexibility to disburse state funding assistance for school district projects which are also receiving small district modernization grant funds. The rule change will assist school districts in minimizing project financing costs and provide additional time for a school district to secure sufficient local funding to meet its local funding obligations.

Citation of Rules Affected by this Order: Amending WAC 392-344-130.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 21-09-090 on April 21, 2021.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: June 22, 2021.

Chris P. S. Reykdal
State Superintendent
of Public Instruction

OTS-2841.1

AMENDATORY SECTION (Amending WSR 10-09-008, filed 4/8/10, effective 5/9/10)

WAC 392-344-130 Disbursement of moneys—Sequence of payments.

The order in which funds shall be disbursed for school facility construction shall be as follows:

(1) Prior to payment of state funding assistance, the school district shall make payments on all claims submitted until such time as the total amount of local funds obligated by the district have been expended.

(2) When local funds have been expended as in subsection (1) of this section, payments of state funding assistance shall then be made: Provided, That for projects authorized for state funding assistance pursuant to WAC 392-344-115(2) after June 30, 1993, payment shall be made after receipt of written certification by the school district

board of directors that the school facility project authorized for state funding assistance has been or will be completed according to the purposes for which the state funding assistance is being provided.

(3) Payment of state funding assistance for projects receiving small district modernization grant funds authorized under RCW 28A.525.159 may receive payment prior to the expenditure of local funds obligated by the district with the approval of the superintendent of public instruction. The maximum amount of state funding assistance a district may receive prior to the expenditure of local funds obligated by the district is ninety percent.

[Statutory Authority: RCW 28A.525.020. WSR 10-09-008, § 392-344-130, filed 4/8/10, effective 5/9/10; WSR 06-16-032, amended and recodified as § 392-344-130, filed 7/25/06, effective 8/25/06. Statutory Authority: RCW 28A.525.020 and 1994 c 6 sp.s. WSR 94-13-019, § 180-29-130, filed 6/3/94, effective 7/4/94. Statutory Authority: RCW 28A.47.830. WSR 83-21-067 (Order 12-83), § 180-29-130, filed 10/17/83.]