

WSR 10-21-002**PREPROPOSAL STATEMENT OF INQUIRY
GAMBLING COMMISSION**

[Filed October 6, 2010, 3:50 p.m.]

Subject of Possible Rule Making: Card rooms.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 9.46.070, 9.46.0282.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: We have received a petition for rule change from Monty Harmon requesting that card rooms be allowed to operate twenty-four hours a day, seven days a week. Currently, card rooms must observe a four hour period of closure at the end of at least two business days a week before beginning the next period of operation.

Process for Developing New Rule: Interested parties can participate in the discussion of this proposed change by attending a commission meeting, or contacting the agency rules coordinator at the contact information below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Susan Arland, Rules Coordinator, P.O. Box 42400, Olympia, WA 98504-2400, (360) 486-3466, e-mail Susana@wsgc.wa.gov, fax (360) 486-3625.

[Meeting on] November 18 or 19, 2010, at the Lacey Community Center, 6729 Pacific Avenue S.E., Lacey, WA 98503, (360) 491-0857.

October 6, 2010
Susan Arland
Rules Coordinator

WSR 10-21-056**PREPROPOSAL STATEMENT OF INQUIRY
SECRETARY OF STATE**

(Corporations and Charities Division)

[Filed October 14, 2010, 2:36 p.m.]

Subject of Possible Rule Making: Limited liability partnerships.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.07.120, 25.05.903.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Current rules are outdated and conflict with other rules.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Pamela Floyd, Corporations and Charities Division, Office of the Secretary of State, P.O. Box 40234, Olympia, WA 98504, phone (360) 725-0310, e-mail Pam.Floyd@sos.wa.gov, fax (360) 586-4989.

October 14, 2010
Steve Excell
Assistant Secretary of State

WSR 10-21-061**PREPROPOSAL STATEMENT OF INQUIRY
UTILITIES AND TRANSPORTATION
COMMISSION**

[Docket No. T-101661—Filed October 15, 2010, 10:56 a.m.]

Subject of Possible Rule Making: The Washington utilities and transportation commission (commission) is initiating this inquiry to examine whether the commission should consider adopting rules to address methods for determining the circumstances under which it will permit solid waste, auto transportation and ferry companies to impose a surcharge for fuel costs and the methods of calculating any such fuel surcharge. This proceeding is in Docket No. T-101661.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 80.01.040, 81.04.160, 81.68.030, 81.77.030, and 81.70.270.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The current fuel surcharge methodologies for solid waste, auto transportation and ferry companies expire on January 31, 2011. In the absence of these methodologies, solid waste, auto transportation and ferry companies that want to increase rates due to fuel cost changes must show that the proposed rates are fair, just, reasonable, and sufficient, as required by RCW 81.28.010, either in a general rate case or through a petition for a single item adjustment to rates and fares.

This inquiry will focus on the need for rules to provide simplified methods for companies to offset temporary spikes in fuel costs given certain conditions and parameters.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Agency study; and the commission will ask for initial written comments (see below for specific questions), and will provide the opportunity for participation at one or more workshops as well as opportunities for additional comments.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. Interested persons may file comments with the Executive Director and Secretary, Washington Utilities and Transportation Commission, 1300 South Evergreen Park Drive S.W., P.O. Box 47250, Olympia, WA 98504-7250, phone (360) 664-1174, fax (360) 586-1150, by 5:00 p.m., Friday, November 19, 2010. An initial workshop is scheduled for Tuesday, December 7, 2010, 9:00 a.m. to 3:00 p.m., in Room 206 at the commission's headquarters.

WRITTEN COMMENTS AND STAKEHOLDER WORKSHOP: Written comments may be submitted to the commission at the address given above and should be filed with the commission no later than **November 19, 2010**, for consideration at the **December 7, 2010**, stakeholder workshop. The commission also invites comments on whether it should adopt, by rule, methods for determining the circumstances under which it will permit a company to impose a surcharge for fuel costs and the methods of calculating a fuel surcharge.

Comments addressing fuel surcharges should include, but are not limited to, the following:

- The specific methodology or mechanism the commission should use to determine the fuel surcharge amount (illustrate and provide examples);
- Whether the commission should adjust a company's base charge established in its last rate case based on certain operational or market conditions (list conditions and explain);
- Whether the commission should consider the company's current level of revenues, profits or some other overall financial measure or threshold in considering any request for a fuel surcharge;
- How to calculate fuel expense changes;
- Whether the commission or companies should use fuel expense indices, benchmarks or actual company costs to determine the need for a fuel surcharge;
- Whether the commission should consider changes in a company's operations (e.g., expenses; age, composition and efficiency of a company's fleet; and increases or decreases in customer or passenger counts) in determining a company's eligibility to claim a fuel surcharge;
- Whether a company should have had a general rate case within a specified time period to be eligible to file for fuel surcharges;
- Whether the commission should require companies to meet an additional needs test or threshold to become eligible for a fuel surcharge (if so, identify and describe that test or threshold); and
- Any other issues or suggestions relating to fuel surcharges.

Electronic copies. The commission requests that comments be provided in electronic format to enhance public access, for ease of providing comments, to reduce the need for paper copies, and to facilitate quotations from the comments. Comments may be submitted via the commission's web portal at www.utc.wa.gov/e-filing or by electronic mail to the commission's records center at records@utc.wa.gov. Please include:

- The docket number of this proceeding (T-101661).
- The commenting party's name.
- The title and date of the comment or comments.

An alternative method for submitting comments is by mailing/delivering an electronic copy on a 3 1/2 inch, IBM-formatted, high-density disk, in .pdf Adobe Acrobat format or in Word 97 or later. Include all of the information requested above. The commission will post on the commission's web site all comments that are provided in electronic format. The web site is located at <http://www.utc.wa.gov/101661>. If you are unable to file your comments electronically or to submit them on a disk, the commission will always accept a paper document.

The commission anticipates that there will be an opportunity for further comment. Information about the schedule and other aspects of the rule making, including comments, will be posted on the commission's web site as it becomes available. If you would like to receive further information on this rule making you may (1) call the commission's records center at (360) 664-1234, (2) e-mail the commission at

records@utc.wa.gov, or (3) mail written comments to the address above to the attention of David W. Danner, executive director and secretary. When contacting the commission, please refer to Docket T-101661 to ensure that you are placed on the appropriate service list. Questions may be addressed to David Gomez (360) 664-1240 or e-mail at dgomez@utc.wa.gov.

NOTICES

TO CONTINUE RECEIVING NOTICES AND INFORMATION ABOUT THIS RULE MAKING — The commission wants to ensure its mailings are sent to persons who are interested in the topic and want to receive that information. ANY PERSON WHO COMMENTS will continue to receive notices and information. If you do not submit comments but want to remain on the mailing list for this rule making, please advise the records center by any one of the following methods: (1) Send a note with your name, address (or a copy of your mailing label), and telephone and fax numbers referencing Docket T-101661, and the words "Please keep me on the mailing list"; or (2) e-mail your name, address, telephone and fax numbers, referencing Docket T-101661, and the words "Please keep me on the mailing list" to records@utc.wa.gov. Please note that all information in the mailings will be accessible through the commission's internet web site at <http://www.utc.wa.gov/101661>. **PERSONS WHO DO NOT RESPOND MAY NOT RECEIVE FURTHER MAILINGS OR INFORMATION ON THE RULE MAKING.**

October 15, 2010
David W. Danner
Executive Director
and Secretary

WSR 10-21-075

PREPROPOSAL STATEMENT OF INQUIRY BOARD FOR VOLUNTEER FIREFIGHTERS AND RESERVE OFFICERS

[Filed October 18, 2010, 11:56 a.m.]

Subject of Possible Rule Making: Adding a new chapter to Title 491 WAC to clarify the procedures for filing an appeal for benefits under RCW 41.24.290.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.24.290(2).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: This rule is necessary to lay out a procedure for filing an appeal of a local board or staff decision denying benefits to a participant. Having a written procedure to follow would make filing appeals easier for both represented and nonrepresented participants, cut down on the cost of such appeals, and bring consistency to the process.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other state or federal agencies that regulate this subject. There are different agencies that have appeals processes and there are some similarities between them. It is our desire to incorporate many [of] those similarities into our process.

Process for Developing New Rule: Negotiated rule making; and the board for volunteer firefighters and reserve officers.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Brigette K. Smith, Executive Secretary, P.O. Box 114, Olympia, WA 98507, (877) 753-7318, e-mail bridgettes@bvff.wa.gov.

Regular board meeting notifications are posted on our web site at <http://www.bvff.wa.gov>.

A comment period is built into the beginning and the end of all our board meetings, the dates of which are published both with the code reviser's office and at our web site at <http://www.bvff.wa.gov>.

October 18, 2010
Brigette K. Smith
Executive Secretary

WSR 10-21-082

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed October 19, 2010, 10:39 a.m.]

Subject of Possible Rule Making: Chapter 181-78A WAC, Teacher preparation programs—Higher education programs standards, criteria, infrastructure and timelines for approval.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.305.130, 28A.410.010, and 28A.150.220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The professional educator standards board (PESB) is responsible for teacher certification and preparation programs. The legislature continually directs the activities of teacher preparation and qualifications. Rule-making authority is granted to the PESB for Title 181 WAC.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site at www.PESB.wa.gov.

October 19, 2010
David Brenna
Legislative and
Policy Coordinator

WSR 10-21-083

PREPROPOSAL STATEMENT OF INQUIRY PROFESSIONAL EDUCATOR STANDARDS BOARD

[Filed October 19, 2010, 10:42 a.m.]

Subject of Possible Rule Making: Chapter 181-79A WAC, Standards for teacher, administrator, and educational staff associate certification—Certification requirements related to professional certification.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.410, 28A.410.010, and 28A.150-220.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Amending rules for teacher, administrator, education staff associates certification. Addresses requirements for teachers.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Negotiated rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication. PESB meeting[s] are open to the public and regularly scheduled. The calendar of meetings is announced on the web site at www.PESB.wa.gov.

October 19, 2010
David Brenna
Legislative and
Policy Coordinator

WSR 10-21-092

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed October 20, 2010, 8:33 a.m.]

Subject of Possible Rule Making: Amending chapter 388-106 WAC, Long-term care services.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.08.090, 74.09.520.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: DSHS is amending WAC 388-106-1300 What rights do I have as a client of the department? and 388-106-1303 What responsibilities do I have as a client of the department?, in order to make rules consistent with the revised DSHS Form 16-172 "Your Rights and Responsibilities when you receive services from ADSA."

Other policy changes that arise during this rule making may be incorporated. Other WAC chapters may need to be updated as a result of this rule making.

Process for Developing New Rule: DSHS welcomes the public to take part in developing these rules. Draft material and information about how to participate may be obtained from the department representative listed below. At a later date, DSHS will file the proposed rules with the office of the code reviser with a notice of proposed rule making and send

the proposal to everyone currently on the mailing list and anyone else who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Tiffany Sevruck, P.O. Box 45600, Olympia, WA 98504, phone (360) 725-2538, fax (360) 407-7582, TTY (360) 493-2637, e-mail tiffany.sevruck@dshs.wa.gov.

October 20, 2010
Katherine I. Vasquez
Rules Coordinator

WSR 10-21-093

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)
(Division of Developmental Disabilities)

[Filed October 20, 2010, 8:35 a.m.]

Subject of Possible Rule Making: The department is amending chapter 388-828 WAC, The division of developmental disabilities assessment, for housekeeping purposes to ensure that existing rule language is consistent with other division of developmental disabilities (DDD) chapters that have been recently approved.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.010, 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department wants to add clarifying language to ensure that existing rule language is clear and easy to understand. DDD also wants to ensure that there is consistency in rule expectations and terminology across DDD chapters.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mark R. Eliason, Division of Developmental Disabilities, P.O. Box 45310, phone (360) 725-2517, fax (360) 407-095 [407-0955], e-mail mark.eliason@dshs.wa.gov.

October 20, 2010
Katherine I. Vasquez
Rules Coordinator

WSR 10-21-094

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Aging and Disability Services Administration)

[Filed October 20, 2010, 8:36 a.m.]

Subject of Possible Rule Making: The department is amending chapter 388-828 WAC, The division of developmental disabilities assessment, to include the algorithm the division of developmental disabilities (DDD) will use in determining an individual's employment support level.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.010, 71A.12.030.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department is proposing amendments to chapter 388-828 WAC to include the algorithm governing the determination of an employment support level for clients approved to receive employment services from DDD.

Other changes, clarifications and corrections that arise during this rule-making process may be incorporated, and other WAC chapters may need to be updated because of this rule making.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Mark R. Eliason, Division of Developmental Disabilities, P.O. Box 45310, phone (360) 725-2517, fax (360) 407-095 [407-0955], e-mail mark.eliason@dshs.wa.gov.

October 20, 2010
Katherine I. Vasquez
Rules Coordinator

WSR 10-21-095

PREPROPOSAL STATEMENT OF INQUIRY DEPARTMENT OF SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed October 20, 2010, 8:38 a.m.]

Subject of Possible Rule Making: The department plans to amend WAC 388-416-0005 How long can I get Basic Food?, and any other related WACs.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: WAC 388-416-0005 cur-

rently allows the department to certify a Basic Food assistance unit (AU) for up to six months if someone in the AU is a nonexempt able-bodied adult without dependents, receive services under the Alcohol and Drug Addiction Treatment and Support Act, is homeless, or is a migrant or seasonal farmworker. The department is proposing to extend the certification period for AUs in this category to up to twelve months. This will reduce recertification requirements and result in a more efficient administration of the program.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Agriculture, Food and Nutrition Service (FNS) publish federal regulations for the supplemental nutrition assistance program in the Federal Register. Rules published in the federal register are incorporated into the United States Code of Federal Regulations. FNS also issues administrative notices and interim guidance to inform states of new program requirements that are not yet in the United States Code of Federal Regulations.

The state legislature authorizes the department to administer the food stamp program and food assistance program for legal immigrants under RCW 74.04.500, 74.04.510, and 74.08A.120 [74.08A.120].

DSHS incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administration rules for food assistance programs administered under the Washington state combined application program (WASHCAP) and the Washington Basic Food program.

Process for Developing New Rule: DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Kim Chea, Program Manager, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone (360) 725-4653, fax (360) 725-4905, e-mail kimberly.chea@dshs.wa.gov.

October 20, 2010

Katherine I. Vasquez
Rules Coordinator

WSR 10-21-101
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed October 20, 2010, 9:59 a.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry rule (CR-101), WSR 10-10-046, filed on April 28, 2010.

Contact Douglas L. Moore if you have any questions.

Douglas L. Moore
Deputy Secretary

WSR 10-21-106
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed October 20, 2010, 10:07 a.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry rule (CR-101), WSR 08-21-063, filed on October 10, 2008.

Contact Douglas L. Moore if you have any questions.

Douglas L. Moore
Deputy Secretary

WSR 10-21-107
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed October 20, 2010, 10:11 a.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry rule (CR-101), WSR 09-05-021, filed on February 9, 2009.

Contact Douglas L. Moore if you have any questions.

Douglas L. Moore
Deputy Secretary

WSR 10-21-109
PREPROPOSAL STATEMENT OF INQUIRY
LIQUOR CONTROL BOARD

[Filed October 20, 2010, 10:11 a.m.]

Subject of Possible Rule Making: Chapter 314-38 WAC, Permits.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 66.20.010.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: As part of the liquor control board's ongoing rules review process, chapter 314-38 WAC is being reviewed for relevance, clarity, and accuracy.

Process for Developing New Rule: Interested parties can participate in the discussions formulating this rule change by contacting or sending written comments to the agency staff listed below.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Karen McCall, Agency Rules Coordi-

nator, P.O. Box 43080, Olympia, WA 98504-3080, (360) 664-1631, fax (360) 664-9689, e-mail rules@liq.wa.gov.

October 20, 2010
Sharon Foster
Chairman

WSR 10-21-110
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed October 20, 2010, 10:12 a.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry rule (CR-101), WSR 09-15-092, filed on July 14, 2009.

Contact Douglas L. Moore if you have any questions.
Douglas L. Moore
Deputy Secretary

WSR 10-21-111
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed October 20, 2010, 10:14 a.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry rule (CR-101), WSR 09-15-099, filed on July 15, 2009.

Contact Douglas L. Moore if you have any questions.
Douglas L. Moore
Deputy Secretary

WSR 10-21-112
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed October 20, 2010, 10:15 a.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry rule (CR-101), WSR 09-23-092, filed on November 17, 2009.

Contact Douglas L. Moore if you have any questions.
Douglas L. Moore
Deputy Secretary

WSR 10-21-113
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HORSE RACING COMMISSION

[Filed October 20, 2010, 10:17 a.m.]

The Washington horse racing commission would like to withdraw from publication our preproposal statement of inquiry rule (CR-101), WSR 10-13-061, filed on June 10, 2010.

Contact Douglas L. Moore if you have any questions.
Douglas L. Moore
Deputy Secretary

WSR 10-21-114
PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed October 20, 2010, 10:57 a.m.]

Subject of Possible Rule Making: Amending sections of or adding new sections to chapter 392-190 RCW [WAC] to implement E2SHB 3026, K-12 Education-prohibition of discrimination. Section 3 of E2SHB 3026 states that the superintendent of public instruction (OSPI) shall develop rules and guidelines to eliminate discrimination as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings and in textbooks and instructional materials used by students. Existing sections of chapter 392-190 RCW [WAC] pertaining to sex equity may also be amended to conform with the new sections.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.642.020 and 28A.640.020.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 3026, codified as chapter 28A.642 RCW, specifically authorizes OSPI to take affirmative steps to ensure that school districts comply with all civil rights laws, similar to what has already been authorized in chapter 28A.640 RCW with respect to discrimination on the basis of sex. OSPI is seeking input on rules addressing OSPI's duty to eliminate discrimination on the basis of race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability as it applies to public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings and in textbooks and instructional materials used by students.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Education-Office of Civil Rights, Washington state human rights commission.

Process for Developing New Rule: Receiving input from public town hall meetings, electronic surveys, constituent meetings, and interested groups and individuals.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Yvonne Ryans, Ed.D., Director of Equity and Civil Rights, OSPI, yvonne.ryans@k12.wa.us, (360) 725-6162, OSPI web site <http://www.k12.wa.us/Equity/default.aspx> and public hearing to be scheduled.

October 20, 2010

Randy Dorn
Superintendent of
Public Instruction