

WSR 20-20-005**PREPROPOSAL STATEMENT OF INQUIRY
EMPLOYMENT SECURITY DEPARTMENT**

[Filed September 24, 2020, 9:43 a.m.]

Subject of Possible Rule Making: The employment security department is engaging in rule making regarding whether certain emergency rules adopted during the COVID-19 response should be made permanent. The emergency rules cover waiting week charging, benefit charging, suitable work for extended benefits, and overpayment waivers.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 50.12.010 and 50.12.040 provide general rule-making authority to the employment security department.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: In February, Governor Inslee proclaimed a State of Emergency in Washington regarding COVID-19. The department filed a series of emergency rules in order to support the state's emergency response. The department is now seeking input from the public regarding which of those emergency rules should be made permanent.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The United States Department of Labor (USDOL) reviews the state's administration of the unemployment insurance program to ensure conformity to federal statutes and regulations. The state has broad flexibility in the implementation of the unemployment insurance laws so long as conformity is maintained. The proposed regulations will be shared with USDOL prior to adoption.

Process for Developing New Rule: Draft rules will be shared with the public and stakeholders. The department will solicit input from all parties and consider all comments in the development of final rules.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Josh Dye, P.O. Box 9046, phone 360-890-3472, fax 844-652-7096, TTY relay 711, email Rules@esd.wa.gov, website <https://esd.wa.gov/newsroom/rule-making/benefits>.

September 24, 2020
Dan Zeitlin
Policy Director

WSR 20-20-065**PREPROPOSAL STATEMENT OF INQUIRY
PUBLIC DISCLOSURE COMMISSION**

[Filed October 1, 2020, 3:13 p.m.]

Subject of Possible Rule Making: Amend chapter 390-24 WAC and the filing requirements for the statement of financial affairs (F-1). Amend chapter 390-28 WAC regarding the process and standards for requesting reporting modifications.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 42.17A.110, 42.17A.120, and 42.17A.710.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: To address recent statutory changes and implementation of the new reporting system

regarding the filing deadlines and requirements of the F-1 report. To update and clarify the process and standards for requesting a modification of reporting requirements.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: Collaborate process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Sean Flynn, 711 Capitol Way South, phone 360-753-1111, fax 360-753-1112, email pd@pdc.wa.gov, website www.pdc.wa.gov.

October 1, 2020
Sean Flynn
General Counsel

WSR 20-20-090**PREPROPOSAL STATEMENT OF INQUIRY
GRAYS HARBOR COLLEGE**

[Filed October 5, 2020, 9:53 a.m.]

Subject of Possible Rule Making: Repeal chapter 132B-120 WAC. Revising student conduct code and making emergency rules for new Title IX regulations into permanent rules. Adding new chapter to Title 132B WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Updating the student conduct code and complying with Title IX regulations.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Education with relation to Title IX.

Process for Developing New Rule: Permanent rule making.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Richard Arquette, 1620 Edward P. Smith Drive, Aberdeen, WA 98520, phone 360-538-4078, email Richard.arquette@ghc.edu, website www.ghc.edu; or Darin Jones, 1620 Edward P. Smith Drive, Aberdeen, WA 98520, phone 360-538-4234, email darin.jones@ghc.edu, website www.ghc.edu.

October 2, 2020
Jennifer Alt
Vice President for
Student Services

WSR 20-20-095
PREPROPOSAL STATEMENT OF INQUIRY
SKAGIT VALLEY COLLEGE

[Filed October 5, 2020, 12:57 p.m.]

Subject of Possible Rule Making: Skagit Valley College intends to revise chapter 132D-150 WAC, Code of student conduct.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.50.140.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On May 19, 2020, the Federal Register printed amendments to Title IX regulations (85 F.R. 30575). The new regulations address the grievance process for formal complaints of sexual harassment and became effective August 14, 2020. This required emergency updates to the college's code of student conduct to be compliant with federal regulations and Skagit Valley College is now beginning the permanent rule change process.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: United States Department of Education.

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 Lisa Radeleff, 2405 East College Way, Mount Vernon, WA 98273, phone 360-416-7995, fax 360-416-7773, TTY 360-416-7718, email lisa.radeleff@skagit.edu, website www.skagit.edu.

October 5, 2020
 Lisa Radeleff
 Executive Assistant
 and Rules Coordinator

WSR 20-20-096
WITHDRAWAL OF
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 5, 2020, 1:01 p.m.]

The health care authority requests withdrawal of the pre-proposal statement of inquiry filed as WSR 20-17-113 on August 17, 2020, and distributed in the 20-17 State Register.

Wendy Barcus
 Rules Coordinator

WSR 20-20-100
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Developmental Disabilities Administration)

[Filed October 5, 2020, 1:46 p.m.]

Subject of Possible Rule Making: Chapter 388-845 WAC, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 71A.12.030, 71A.12.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The developmental disabilities administration (DDA) is planning to amend chapter 388-845 WAC in order to align the rules with amendments recently approved by the Centers for Medicare and Medicaid Services. The amendments affect all five of DDA's home and community-based services waivers. During the course of this review, the department may make additional changes that are necessary to improve clarity or update policy.

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

Process for Developing New Rule: The department of social and health services (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 Chantelle Diaz, DDA, P.O. Box 45310, Olympia, WA 98504-5310, phone 360-407-1589, fax 360-407-0955, TTY 1-800-833-6388, email chantelle.diaz@dshs.wa.gov.

October 5, 2020
 Katherine I. Vasquez
 Rules Coordinator

WSR 20-20-102
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES

(Economic Services Administration)

[Filed October 5, 2020, 2:37 p.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-450-0185 What income deductions does the department allow when determining if I am eligible for food benefits and the amount of my monthly benefits?, 388-450-0190 How does the department figure my shelter cost income deduction for basic food?, 388-450-0195 Does the department use my utility costs when calculating my basic food or WASHCAP benefits?, 388-478-0060 What are the income limits and maximum benefit amounts for basic food?, and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.005, 74.04.050, 74.04.055, 74.04.057, 74.04.500, 74.04.510, 74.08.090, 74.08A.120.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Under federal Supplemental Nutrition Assistance Program (SNAP) law (7 C.F.R. §§ 273.9), the department is required to use federally prescribed income eligibility standards, as revised October 1st of each

year; and make annual adjustments to standard utility allowances reflecting changes in costs.

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) enforces the provisions of the federal SNAP as enacted in the 2008 Food and Nutrition Act. The department will amend rules that are consistent with federal statutes, regulations, and guidance. Where appropriate, the department may seek waivers of federal requirements.

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

The department of social and health services (DSHS) incorporates regulations from the federal agencies, exercises state options, and implements approved waivers of federal regulatory requirements by adopting administrative rules for food assistance programs administered under 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 Christina Barras, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4640, fax 360-725-4905, email BarraCM@dshs.wa.gov; or Carolyn Horlor, Economic Services Administration, Community Services Division, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4610, fax 360-725-4905, email HorloCB@dshs.wa.gov.

October 5, 2020
Katherine I. Vasquez
Rules Coordinator

WSR 20-20-105
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 5, 2020, 3:37 p.m.]

Subject of Possible Rule Making: Chapter 182-557 WAC, Health homes; other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency intends to conduct rule making regarding the disenrollment of health home enrollees for cause to align with agency policy. During the course of this review, the agency may identify additional related changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Melinda Froud (Rulemaking Questions), P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1408, fax 360-586-9727, telecommunication[s] relay service (TRS) 711, email melinda.froud@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Glenda Crump (Program Questions), P.O. Box 45502, Olympia, WA 98504-5502, phone 360-725-1338, fax 360-586-9727, TRS 711, email glenda.crump@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

October 5, 2020
Wendy Barcus
Rules Coordinator

WSR 20-20-107
PREPROPOSAL STATEMENT OF INQUIRY
HEALTH CARE AUTHORITY

[Filed October 6, 2020, 8:50 a.m.]

Subject of Possible Rule Making: WAC 182-513-1105 Personal needs allowance (PNA) and room and board standards in a medical institution and alternate living facility (ALF); other related rules as appropriate.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 41.05.021, 41.05.160, 74.09.340.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The agency is amending these rules to increase the personal needs allowance from \$70.00 to \$71.12 effective January 1, 2021. Funding is approved for this increase which affects those receiving long-term services and supports in medical institutions and alternate living facilities. During the course of this review, the agency may identify additional related changes that are required in order to improve clarity or update policy.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Department of social and health services.

Process for Developing New Rule: The agency welcomes the public to take part in developing this rule. If interested, contact the person identified below to receive an early rule draft to review. After the early review, the agency will send a notice of proposed rule making (CR-102) to everyone receiving this notice and 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 Valerie Freudenstein (Rulemaking Questions), P.O. Box 42716, Olympia, WA 98504-2716, phone 360-725-1344, fax 360-586-9727, telecommunication[s]

tion[s] relay service (TRS) 711, email valerie.freudenstein@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking; or Mark Westenhaver (Program Questions), P.O. Box 45534, Olympia, WA 98504-5534, phone 360-725-1324, fax 360-586-9727, TRS 711, email mark.westenhaver@hca.wa.gov, website www.hca.wa.gov/about-hca/rulemaking.

October 6, 2020
Wendy Barcus
Rules Coordinator

WSR 20-20-110
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed October 6, 2020, 9:10 a.m.]

Subject of Possible Rule Making: Boiler rules and fee increases, chapter 296-104 WAC, Board of boiler rules—Substantive. Specifically WAC 296-104-010 Administration—What are the definitions of terms used in this chapter?, 296-104-700 What are the inspection fees—Examination fees—Certificate fees—Expenses?, and 296-104-701 What are the civil penalties?

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 70.79 RCW, Boilers and unfired pressure vessels.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The purpose of this rule making is to consider changes that will update and clarify existing rules, and increase fees in the boiler rules.

The changes under consideration include:

- Increasing fees by the fiscal growth factor of 5.91 percent for fiscal year 2021, to support operating expenses for inspections;
- Modifying the civil penalties for repairs and alterations to improve public safety by:
 - Making repair organizations of boilers and pressure vessels liable for civil penalties for violations of the boiler laws and rules;
 - Making a welded repair or alteration to a boiler or pressure vessel without meeting the procedure and filing requirements a violation; and
 - Clarifying when a violation of the procedure and filing requirements for welded repairs or alterations is a second or additional offense.
- Adding a new definition for "repair organization" to clarify its meaning; and
- Correcting a reference in the definition of "historical boilers and unfired pressure vessels" to align with SB 6240 (chapter 259, Laws of 2018) that passed the legislature in 2018.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: There are no other federal and/or state agencies regulating this subject that requires coordination of the rules.

Process for Developing New Rule: The board of boiler rules reviews and approves all rule changes. Interested parties

can participate in the adoption process for the new rules and formulation of the proposed rules before publication by contacting the individual listed below. The public can also participate, after amendments are proposed, by providing written comments and/or testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Alicia Curry, P.O. Box 44400, Olympia, WA 98504-4400, phone 360-902-6244, fax 360-902-5292, email Alicia.Curry@Lni.wa.gov, website <https://www.lni.wa.gov/rulemaking-activity/?query=boiler>.

October 6, 2020
Terry Chapin, Chair
Board of Boiler Rules

WSR 20-20-111
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed October 6, 2020, 9:11 a.m.]

Subject of Possible Rule Making: Independent medical examinations (IMEs), chapter 296-23 WAC, Radiology, radiation therapy, nuclear medicine, pathology, hospital, chiropractic, physical therapy, drugless therapeutics and nursing—Drugless therapeutics, etc.

The department of labor and industries (L&I) is considering adding a new section to chapter 296-23 WAC. The rule will address how to accommodate the injured worker if no approved independent medical examiner in the specialty needed is available in a reasonably convenient location as well as how telemedicine IMEs may be used.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.32.110, 51.36.070, 51.04.020, 51.04.030; ESSB 6440, section 5.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Recently passed legislation, ESSB 6440, mandates that independent medical examinations must be performed in a place reasonably convenient to the injured worker, or alternatively utilize telemedicine if appropriate for the examination. The legislation requires the department to address in rule how to accommodate the worker when no approved examiner in the specialty needed is available in the worker's community. The legislation also requires the department to adopt rules, policies, and processes governing the use of telemedicine for independent medical exams.

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

Process for Developing New Rule: Parties interested in participating in the development of these rules may contact the individual listed below. Interested parties may also participate during the public comment period by submitting written comments or giving oral testimony at the public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before pub-

lication by contacting Kristen Baldwin-Boe, Health Services Analysis, L&I, P.O. Box 44322, Olympia, WA 98504-4322, phone 360-902-6815, fax 360-902-4249, email Kristen.Baldwin-Boe@Lni.wa.gov, website <https://www.lni.wa.gov/rulemaking-activity/>.

October 6, 2020
Joel Sacks
Director

WSR 20-20-112
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed October 6, 2020, 9:12 a.m.]

Subject of Possible Rule Making: Chapter 296-15 WAC, Workers' compensation self-insurance rules and regulations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 51.04.020, 51.32.190; chapter 277, Laws of 2020 (SHB 2409).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: SHB 2409 creates a new requirement that any third-party administrators hired to manage claims for a self-insured employer must be licensed by the department of labor and industries (L&I). It also requires all claims administrators managing claims for self-insured employers to be certified.

Rule making is necessary to align existing rule language with these new requirements, and to provide clarity regarding the new licensing requirement.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: No other state, local, or federal agency regulates this subject.

Process for Developing New Rule: L&I will work collaboratively with representatives from the self-insured employer and labor communities throughout this rule-making process. A public hearing will be held after the proposal is filed.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting James Nylander, 310 Israel Road S.E., Tumwater, WA 98501, phone 360-902-6907, fax 360-902-6900, email James.Nylander@Lni.wa.gov, website <https://www.Lni.wa.gov/rulemaking-activity/>.

October 6, 2020
Joel Sacks
Director

WSR 20-20-113
PREPROPOSAL STATEMENT OF INQUIRY
SECRETARY OF STATE

[Filed October 6, 2020, 9:32 a.m.]

Subject of Possible Rule Making: Update to filing information and procedures for corporate filing found in Title 434

WAC. Including but not limited to WAC 434-112-023, 434-112-050, 434-112-075, 434-112-080, 434-112-085, 434-112-090, 434-120-035, 434-120-042, and others.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 11.110, 18.100, 19.77, 19.09, 23.86, 23.90, 23B.01, 24.03, 24.06, 25.10, 25.15, 43.07, 46.64 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Update rules to reflect changes in filing processes.

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 Patrick Reed, Office of the Secretary of State, P.O. Box 40234, Olympia, WA 98504, phone 360-725-0358, email Patrick.reed@sos.wa.gov, website www.sos.wa.gov/corps.

October 6, 2020
Mark Neary
Assistant Secretary of State

WSR 20-20-132
PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE UNIVERSITY

[Filed October 7, 2020, 8:20 a.m.]

Subject of Possible Rule Making: The university is updating the rules regarding standards of conduct for students, chapter 504-26 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28B.30.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed amendments modify, clarify, and update the university's standards of conduct for students.

Process for Developing New Rule: Reviewed internally at many levels before proposal.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Deborah L. Bartlett, Director, Office of Procedures, Records, and Forms and University Rules Coordinator, P.O. Box 641225, Pullman, WA 99164-1225, phone 509-335-2005, fax 509-335-3969, email prf.forms@wsu.edu, website <http://policies.wsu.edu/prf/index/wac/>.

Additional comments: A public hearing will be held to permit comment to all proposed rules and revisions. There will also be an opportunity to provide written comments to the proposed rules.

October 7, 2020
Deborah L. Bartlett
Director, Office of Procedures, Records,
and Forms and University Rules Coordinator

WSR 20-20-134**PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed October 7, 2020, 8:48 a.m.]

Subject of Possible Rule Making: WAC 392-410-135 Physical education—Grade school and high school requirement.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.230.040.

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 that would suspend the requirement that all students in grades K-8 receive at least one hundred instructional minutes per week, per year of physical education for the 2020-21 school year. The proposed change is intended to offer flexibility in providing physical education as districts operate a hybrid or fully remote learning model due to public health concerns caused by the COVID-19 virus pandemic. This proposed change would not remove the requirement for all students in grades 1-8 to receive instruction in physical education.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Ken Turner, Health and P.E. Program Supervisor, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-4977, TTY 360-664-3631, email ken.turner@k12.wa.us, website k12.wa.us.

October 6, 2020
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 20-20-135**PREPROPOSAL STATEMENT OF INQUIRY
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed October 7, 2020, 8:48 a.m.]

Subject of Possible Rule Making: Chapter 392-380 WAC, Public school pupils—Immunization requirement and life-threatening health condition.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.210.160 and 28A.210.320(3).

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 clarify the procedural and substantive due process requirements governing the exclusion of children from schools pursuant to RCW 28A.210.120 and 28A.210.320 for the 2020-21 school year. Recently adopted rules by the Washington state board of health regarding school immunization require-

ments increase the possibility that students may be excluded from school due to non-compliance with these requirements.

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

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Camille Goldy, OSPI, P.O. Box 47200, Olympia, WA 98504, phone 360-725-6050, TTY 360-664-3631, email Camille.goldy@k12.wa.us, website k12.wa.us.

October 6, 2020
Chris P. S. Reykdal
State Superintendent
of Public Instruction

WSR 20-20-136**PREPROPOSAL STATEMENT OF INQUIRY
WASHINGTON STATE PATROL**

[Filed October 7, 2020, 8:53 a.m.]

Subject of Possible Rule Making: Chapter 446-20 WAC, Employment—Conviction records.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapters 10.97 and 43.43 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The proposed changes will provide clean-up and clarification to the existing language to ensure the rules reference and comply with current laws in the state of Washington.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Federal Bureau of Investigations and Criminal Justice Agencies.

Process for Developing New Rule: The Washington state patrol (WSP) welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, WSP will file a Proposed rule making (CR-102) with the office of the code reviser with a notice of proposed rule making. A copy of the proposal will be sent 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 Kimberly Mathis, Agency Rules Coordinator, 106 11th Avenue S.W., Olympia, WA 98504, phone 360-596-4017, email wsprules@wsp.wa.gov, website www.wsp.wa.gov/rules-development.

October 7, 2020
John R. Batiste
Chief

WSR 20-20-138
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
SOCIAL AND HEALTH SERVICES
 (Economic Services Administration)

[Filed October 7, 2020, 10:32 a.m.]

Subject of Possible Rule Making: The department is planning to amend WAC 388-310-1600 WorkFirst—Sanctions; and other related rules as may be required.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 74.04.050, 74.04.055, 74.04.057, 74.08.025, 74.08.090, 74.09.035, 74.09.530, 74.62.030; chapters 74.08A and 74.12 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Planned amendments to WAC 388-310-1600 will support implementation of SHB 2441 (chapter 338, Laws of 2020).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The community services division will notify its Work-First partner agencies who assist with providing services to TANF Work-First families to ensure they are informed of this policy change and any impacts it may have on cross-agency processes.

Process for Developing New Rule: The department of social and health services (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 Jake Deskins, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-725-4589, fax 360-480-3411, email Jake.Deskins@dshs.wa.gov; or Melissa Kenney, P.O. Box 45470, Olympia, WA 98504-5470, phone 360-764-3272, fax 360-725-4905, email Melissa.Kenney@dshs.wa.gov.

October 7, 2020
 Katherine I. Vasquez
 Rules Coordinator

WSR 20-20-139
PREPROPOSAL STATEMENT OF INQUIRY
BIG BEND
COMMUNITY COLLEGE

[Filed October 7, 2020, 11:10 a.m.]

Subject of Possible Rule Making: Student code of conduct violations, WAC 132R-04-057, Supplemental Title IX Student Conduct Procedures; WAC 132R-04-300, 132R-04-305, 132R-04-310, 132R-04-315, 132R-04-320, 132R-04-325, 132R-04-330, 132R-04-335, and 132R-04-340.

Statutes Authorizing the Agency to Adopt Rules on this Subject: Chapter 34.05 RCW; RCW 28B.50.140(13).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: On May 19, 2020, the Federal Register printed amendments to Title IX regulations (85 F.R. 30575). The new regulations address the grievance process for formal complaints of sexual harassment and are scheduled to take effect on August 14, 2020. This required emergency updates to the college's student conduct code to be compliant with federal regulations. This filing follows up with a permanent filing. In addition, on August 4, 2020, the Washington Court of Appeals Division III filed an opinion regarding academic misconduct in the *Daniel Nelson v. Spokane Community College* case (No. 36556-5-III). Big Bend will provide clarification regarding its treatment of academic misconduct to ensure compliance with the decision of the Court of Appeals.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Big Bend Community College is required by the United States Department of Education to comply with the recently adopted Title IX regulations, which take effect on August 14, 2020. This is the permanent filing to follow up the emergency CR-103E filing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Andre Guzman, 7662 Chanute Street N.E., phone 509-793-2077, email andreg@bigbend.edu, website www.bigbend.edu.

October 7, 2020
 Melinda Owens Dourte
 President's Executive Assistant