

**WSR 22-17-161
EXPEDITED RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION**

[Filed August 24, 2022, 9:34 a.m.]

Title of Rule and Other Identifying Information: Chapter 392-107 WAC, rules concerning the administration of elections for education service district boards of directors.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The office of superintendent of public instruction (OSPI) is proposing to repeal chapter 392-107 WAC since the rules are no longer applicable due to a change in statute.

Reasons Supporting Proposal: The Washington state legislature passed HB 1974 (2022) moving the administration of elections for educational service district (ESD) boards of directors to the Washington State School Directors' Association (WSSDA). As WSSDA is now responsible for the administration of these elections and establishing related procedures, the rules under chapter 392-107 WAC are no longer valid.

Statutory Authority for Adoption: RCW 28A.310.080.

Rule is not necessitated by federal law, federal or state court decision.

Name of Agency Personnel Responsible for Drafting and Implementation: Kristin Murphy, OSPI, 600 South Washington Street, Olympia, WA, 360-725-6133.

This notice meets the following criteria to use the expedited repeal process for these rules:

The statute on which the rule is based has been repealed and has not been replaced by another statute providing statutory authority for the rule; and

The rule is no longer necessary because of changed circumstances.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: RCW authorizing OSPI to administer elections for ESD boards of directors was amended in 2022. The amendment moved the responsibility to WSSDA. Therefore, OSPI no longer has the authority to administer these elections and the related rules are no longer applicable.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kristin Murphy, OSPI, P.O. Box 47200, Olympia, WA 98504-7200, phone 360-725-6133, email Kristin.murphy@k12.wa.us, AND RECEIVED BY October 25, 2022.

August 16, 2022
Chris P. S. Reykdal
State Superintendent of Public Instruction

OTS-3985.1

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 392-107-200	Purpose and authority.
WAC 392-107-201	Election of educational service district board members.
WAC 392-107-205	Electors.
WAC 392-107-210	Call of election.
WAC 392-107-215	Candidate qualifications—Forms—Filing—Withdrawal of candidacy.
WAC 392-107-220	Balloting.
WAC 392-107-225	Counting—Ineligible votes—Recount—Certification of election—Special election.