# WSR 26-04-127
# PREPROPOSAL STATEMENT OF INQUIRY
# SUPERINTENDENT OF
# PUBLIC INSTRUCTION

[Filed February 4, 2026, 9:16 a.m.]

Subject of Possible Rule Making: Establishment of complaint process for limited and broad complaints under ESHB 1296 (2025). This process shall include investigations where appropriate, determinations of noncompliance with state law and whether such noncompliance is willful, and the actions and consequences that may result from such determinations.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESHB 1296 (2025), sections 303 (3)(a) and 306.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: With the passage of ESHB 1296 (2025), the office of superintendent of public instruction (OSPI) is required to establish a process to investigate and secure equitable resolutions for two types of complaints (limited and broad) alleging willful noncompliance with the state laws listed in section 302(4) of ESHB 1296 (2025).

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The professional educator standards board is tasked under section 309 of ESHB 1296 (2025) to adopt rules that make a local school district superintendent's or chief administrator's willful noncompliance with state law an act of unprofessional conduct and provide that a superintendent or chief administrator, whether certificated or not, may be held accountable for such conduct under rules established under section 309. OSPI has already begun communicating with the professional educator standards board in the interests of coordinating each respective agency's rules under ESHB 1296 (2025).

OSPI will consult with the state board of education to build a connection between the rules adopted under this subsection and the state board of education's rules on basic education compliance established under RCW 28A.150.220.

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 Monique Malson, OSPI, P.O. Box 47200, Olympia, WA 98504, TTY 360-664-3631, email monique.malson@k12.wa.us, website ospi.k12.wa.us.

February 4, 2026
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State Superintendent of Public Instruction