



DEPARTMENT OF EARLY LEARNING
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TO: Interested Stakeholders

FROM: Saul Olivarez, Department of Early Learning Rules Coordinator

Date: November 25, 2015

SUBJECT: **Concise Explanatory Statement
Amending chapter WAC 170-03 to update, streamline, and improve
the department's hearing rules.**

RCW [34.05.325](#)(6) requires that when a state agency adopts a permanent rule (known as Washington Administrative Code or WAC), the agency must prepare a "Concise Explanatory Statement" (CES). This statement is a public document that summarizes:

- Comments, summarized by category, received at public hearings or in written form on the proposed version of the rule;
- Whether the final rule was changed as a result of the comments; and
- Changes from the proposed to the final version of the rule.

The Department of Early Learning (DEL) sends the Concise Explanatory Statement to everyone who testified at public hearings, sent a written comment, or asks to receive the CES. The CES is also posted on the DEL website (see <http://www.del.wa.gov/laws/development/Default.aspx>, *DEL Rules Under Development*).

This document also serves as the summary of public hearing comments to the agency head required under RCW [34.05.325](#)(4).

I. Background

On September 2, 2015, the DEL filed a CR-101 preproposal statement of inquiry as WSR 15-18-117 opening up WAC chapter 170-03 for rulemaking to revise the department's rules to update, streamline, and improve efficiencies to ensure proper correlation and alignment of the department's hearing process and procedures.

On October 19, 2015, the DEL filed a CR-102 proposed rulemaking to update, streamline, and improve efficiencies for the department's hearing process and procedures.

Public Comment. The DEL filed proposed rules on October 19, 2015 as WSR 15-21-061. Public hearings were held on November 24, 2015 in Spokane and Olympia, Washington. No one attended or testified at the hearing but one comment was received in writing before the November 24, 2015 comment deadline. The comments were taken directly from their source and were not edited for grammar, spelling or syntax. Multiple

comments related to a specific rule were combined and addressed together. If an individual provided recommended WAC edits/changes or additional information such as documentation that supports their comments, then those documents will become a part of the record for this rulemaking and will be made available upon request. The comments on the proposed rules are summarized in section II of this document.

II. Summary of Issues Raised in Public Comments, and DEL’s Responses, Noting if the Proposed Rule was Changed as a Result

A. Public Comments regarding WAC Chapters 170-03.	B. 1. DEL Response; and 2. Was the proposed rule changed as a result of the comment? If yes, how?
<p>Comment 1: Use “who” instead of “that” and remove “those” in WAC 170-03-0010(1)(b)</p>	<p>1. The department agrees with the comment, and has made the grammatical correction.</p> <p>2. WAC 170-03-0010 was corrected.</p>

III. Changes to the final rule compared to the proposed rule.

WAC 170-03-0010 was corrected as a result of the comment received. No other changes were made.