



PROPOSED RULE MAKING

CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: May 18, 2018

TIME: 2:58 PM

WSR 18-11-090

Agency: Department of Services for the Blind

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 17-03-015 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____ ; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Revisions to existing chapters of 67-10 Public records-Disclosure, 67-16 Department-General administration, and 67-25 Vocational rehabilitation and services for blind persons

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
June 26, 2018	5:30 PM – 7:30 PM	Dept of Services for the Blind Seattle; 3411 South Alaska Street, Seattle 98118	

Date of intended adoption: July 1, 2018 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Michael MacKillop

Address: 3411 South Alaska Street, Seattle, WA 98118

Email: michael.mackillop@dsb.wa.gov

Fax:

Other: info@dsb.wa.gov

By (date) June 26, 2018

Assistance for persons with disabilities:

Contact Michael MacKillop

Phone: 206-906-5520

Fax:

TTY:

Email: michael.mackillop@dsb.wa.gov

Other:

By (date) June 15th, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Proposed changes align agency policy with relevant changes to federal Rehabilitation Act as amended by Title IV of the Workforce Innovation and Opportunity Act (WIOA). Substantive changes include: additional defined terms; required coordination with other federally funded workforce development system partner agencies; clarity on concept of informed choice; required timeline and process changes for eligibility and planned services, including additional consideration of career advancement and deletion of extended evaluation; clarity on competitive and integrated employment concepts; categorization of significance of disability and order of selection criteria; addition of pre-employment transition services; items exempt or require comparable benefit consideration; expanded technical assistance for self-employment; added detail about state rehabilitation council; clarity on purpose of background checks for participants; and updated terminology and processes for the agency .

Reasons supporting proposal: The changes are required to align with changes in relevant federal laws and regulations

Statutory authority for adoption: The Workforce Innovation and Opportunity Act (H.R. 803; Pub.L. 113-128) (WIOA) is a United States public law that incorporates the Rehab Act of 1973 as amended and consolidates job training programs under the Workforce Investment Act of 1998 (WIA) into a single funding stream.

Statute being implemented:

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION: The Workforce Innovation and Opportunity Act (H.R. 803; Pub.L. 113-128) and Code of Federal Regulations Title 34, Subtitle B, Chapter III, Part 361

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: The agency believes these proposed WAC changes are necessary for alignment with federal legislation and regulatory changes

Name of proponent: (person or organization) Department of Services for the Blind Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Michael MacKillop	3411 S Alaska Street, Seattle, WA 98118	206-906-5520
Implementation:	Michael MacKillop	3411 S Alaska Street, Seattle, WA 98118	206-906-5520
Enforcement:	Michael MacKillop	3411 S Alaska Street, Seattle, WA 98118	206-906-5520

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain: proposed to align with federal statute and regulations

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- | | |
|---|--|
| <input type="checkbox"/> RCW 34.05.310 (4)(b)
(Internal government operations) | <input type="checkbox"/> RCW 34.05.310 (4)(e)
(Dictated by statute) |
| <input type="checkbox"/> RCW 34.05.310 (4)(c)
(Incorporation by reference) | <input type="checkbox"/> RCW 34.05.310 (4)(f)
(Set or adjust fees) |
| <input type="checkbox"/> RCW 34.05.310 (4)(d)
(Correct or clarify language) | <input type="checkbox"/> RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit) |

This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- No Briefly summarize the agency's analysis showing how costs were calculated.
- Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

Signature:



Date: May 18, 2018

Name: Michael MacKillop

Title: Deputy Director