

Chapter 180-19 WAC

CHARTER SCHOOLS

NEW SECTION

WAC 180-19-060 Authorizer oversight fee. (1) The statewide formula for the authorizer oversight fee transmitted to an authorizer by the superintendent of public instruction, as provided for in RCW 28A.710.110, shall be calculated at four percent of the state operating funding allocated under RCW 28A.710.220, with the fee decreasing to three percent of the state operating funding after an authorizer has authorized ten charter schools.

(2) The board shall periodically review the adequacy and efficiency of the authorizer oversight fee for the purpose of determining whether the formula should be adjusted in order to ensure fulfilling the purposes of chapter 28A.710 RCW. In conducting the review, the board shall utilize the information on authorizers' operating costs and expenses included in the annual report submitted to the board by each authorizer as set forth in RCW 28A.710.100(4).

NEW SECTION

WAC 180-19-070 Charter school--Request for proposals. Each authorizer shall annually issue requests for proposals for charter schools. For the year 2013, a request for proposal must be issued by no later than September 22, 2013. Requests for proposals in all subsequent years must be issued no later than April 15th.

NEW SECTION

WAC 180-19-080 Charter school applications--Submission, approval, or denial. (1) An applicant, as defined in RCW 28A.710.010, seeking approval must:

(a) Submit a nonbinding notice of intent to be approved as a proposed charter school not less than thirty days before the last date for submission of an application to an authorizer as provided in this section. An applicant may not file a charter school application in a calendar year unless it has filed timely notice of intent as provided herein; and

(b) Submit an application for a proposed charter school to an authorizer by no later than July 15th of the year in which the applicant seeks approval. Provided, however, that an applicant seeking approval to operate a charter school in 2014 must submit an application to an authorizer by no later than November 22, 2013.

(2) An authorizer receiving an application for a proposed charter school must either approve or deny the proposal by no later than October 15th of the year in which the application is received; Provided, however, that for applications received in 2013, the authorizer must approve or deny the proposal by no later than February 24, 2014.

(3) The authorizer must provide the state board of education with a written report of the approval or denial of an applicant's proposal for a charter school within ten days of such action, but no later than October 25th, whichever is sooner. Provided, however, that for proposals for charter schools received in 2013, the report must be received within ten days of the action, but no later than March 6, 2014, whichever is sooner. The notice must comply with the requirements set forth in RCW 28A.710.150(2). The report shall be sent to the board via electronic mail to sbe@k-12.wa.us.

NEW SECTION

WAC 180-19-090 Board certification of charter schools-- Lottery. (1) Upon receipt of notice from an authorizer that a charter school has been approved, the chair of the state board of education shall certify whether the approval is in compliance with the limits on the maximum number of charters in RCW 28A.710.150. Certification from the state board of education must be obtained before final authorization of a charter school. The certification of a charter school shall be posted on the board's web site.

(2) If the board receives notification of charter approvals under this section on the same day, and the total number of approvals exceeds the limits in RCW 28A.710.150(1), the board will select approved charters for certification through a lottery process as follows:

(a) The board shall notify the authorizer that the approved charter school has not been certified by the board for operation and must be selected for certification through a lottery.

(b) Within thirty days after determining that the limit for charter schools has been exceeded, the board shall conduct a

lottery, as required by RCW 28A.710.150(3), at a publicly noticed meeting to select and certify approved charters for implementation. The board shall randomly draw the names of charter schools from the available pool of approved charter schools that have not been certified until the maximum allowable total number of charter schools has been selected.

(i) A charter school shall be certified by the board for operation commencing in the following school year so long as the total number of charter schools that may be established in any single year under RCW 28A.710.150 is not exceeded.

(ii) Once the total number of charter schools that may be established in any single year under RCW 28A.710.150 is exceeded, the board shall certify a charter school for operation in a subsequent year based upon the charter's selection in the lottery.

NEW SECTION

WAC 180-19-200 Computation of time. (1) "Days" means calendar day whenever used in this chapter, unless otherwise specified. The period of time for performing an act governed by this chapter is determined by excluding the first day and including the last day, unless the last day is an official state holiday, Saturday, or Sunday, in which event the period runs until the end of the next business day.

(2) If a specific due date is established under this chapter, and that date falls on a Saturday, Sunday, or official state holiday, such period is automatically extended to the end of the next business day.