



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: State Board of Education

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 12-24-053 ; or	<input type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) RCW 28A.710.090. Charter school authorizers – Approval process. (Initiative Measure No. 1240, Sec. 209.)

Hearing location(s):

Brouillet Room
Old Capitol Building
600 Washington Street SE
Olympia, WA 98504

Date: February 26, 2013 Time: 1:00 PM

Submit written comments to:

Name: Jack Archer
Address: State Board of Education
Old Capitol Building, P.O. Box 47206
Olympia WA 98504-7206
e-mail jack.archer@k12.wa.us
fax 360-586-2357 by (date) February 25, 2013.

Assistance for persons with disabilities: Contact

Jack Archer by February 25, 2013

TTY 360-725-6025 or 360-725-6035

Date of intended adoption: February 26, 2013

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this proposal is to establish an annual application approval process and timelines for entities seeking to be charter school authorizers, as required by subsection (1) of RCW 28A.710.090. Under RCW 28A.710.080, entities seeking to be charter school authorizers that must be approved by the State Board of Education (SBE) are school district boards of directors. RCW 28A.710.090 (1) stipulates that the initial process and timelines must be established no later than ninety days after the effective date of this section. That requires that the SBE establish the initial process and timelines by March 6, 2013. RCW 28A.710.090 (2) specifies a minimum set of information, documentation and statements that each applicant to be an authorizer must submit to the SBE. A second purpose of the proposal is to provide specificity and clarity in the materials that must be submitted to the SBE, and to require, as enabled by this section, the submission of additional materials deemed necessary and appropriate by the SBE in evaluating applications. A third purpose is to establish standards and criteria by which the SBE will, as required by RCW 28A.710.090 (3), consider the merits of each application and make its decision whether to approve or disapprove. Last, the proposal will establish requirements for the authorizing contract to be executed pursuant to RCW 28A.710.090 (4), with specific reference to the applicant school district's proposal and plan for chartering. Adoption of these rules will provide clarity to school districts on the requirements of the statute and the expectations of the SBE for applications to be charter authorizers, and a clear and accountable basis for decisions by the SBE on the applications.

Statutory authority for adoption: RCW 28A.710.090

Statute being implemented: RCW 28A.710 (Initiative 1240)

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

CODE REVISER USE ONLY

DATE

January 22, 2013

NAME (type or print)

Ben Rarick

SIGNATURE

TITLE

Executive Director

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) SBE, governmental

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Jack Archer	Old Capitol Building, 600 Washington Street S.E., Olympia, WA	(360) 725-6035
Implementation.... Ben Rarick	Old Capitol Building, 600 Washington Street S.E., Olympia, WA	(360) 725-6025
Enforcement..... Ben Rarick	Old Capitol Building, 600 Washington Street S.E., Olympia, WA	(360) 725-6025

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name: Lorrell Noahr

Address: Old Capitol Building, 600 Washington Street S.E., Olympia WA

phone (360) 725-6019

fax () _____

e-mail lorrell.noahr@k12.wa.us

No. Explain why no statement was prepared.

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 () _____

e-mail _____

No: Please explain: