

# Chapter 392-348 WAC

## SECONDARY EDUCATION

(Formerly chapter 180-56 WAC)

### WAC

#### NEW SECONDARY PROGRAM OR NEW GRADES NINE THROUGH TWELVE

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#### NEW SECONDARY PROGRAM OR NEW GRADES NINE THROUGH TWELVE

**WAC 392-348-205 New secondary program or new grades nine through twelve—Regulatory provisions pursuant to RCW 28A.305.130(5).** Pursuant to provisions of RCW 28A.305.130(5), the superintendent of public instruction hereby establishes rules and regulations as hereinafter set forth in WAC 392-348-210 through 392-348-270 to govern the establishment in any existing nonhigh school district of any secondary program or any new grades in grades nine through twelve.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-205, filed 8/8/06, effective 9/8/06. Statutory Authority: 1990 c 33. WSR 90-17-009, § 180-56-205, filed 8/6/90, effective 9/6/90; Order 6-76, § 180-56-205, filed 6/1/76. SBE 56-8-50, filed 3/29/65, effective 4/29/65.]

**WAC 392-348-210 Basic policy.** Believing that the welfare of the state and its children require secondary schools which (1) can provide a comprehensive program broad enough to meet the varied needs, abilities and interests of students, (2) are adequately staffed with certified teachers assigned to teach in their fields of competency, (3) are administered by properly certified personnel, (4) can provide adequate pupil-personnel service, (5) can provide school plant facilities suitable to the type of organization and program offered, (6) can give assurance of financial ability and willingness to construct, maintain and operate the facility, and (7) do not duplicate existent educational facilities and/or programs, it shall be the policy of the superintendent of public instruction to approve applications for the establishment in any high school district of any secondary program or any new grades in grades nine through twelve only when there is evidence that the foregoing conditions can be fulfilled.

(8/8/06)

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-210, filed 8/8/06, effective 9/8/06. SBE 56-8-51, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-215 Procedure.** A secondary program or any new grades nine through twelve may not be established in any existing nonhigh school district except upon prior approval by the superintendent of public instruction. Application for approval to establish any such program or any new grades shall be made to the state superintendent of public instruction by the school authorities of the applicant district. The state superintendent of public instruction shall review the application in light of rules and regulations relating thereto and in consideration of the findings and recommendations of staff and agents of the superintendent of public instruction.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-215, filed 8/8/06, effective 9/8/06. SBE 56-8-52, filed 3/29/65, effective 4/29/65.]

**WAC 392-348-220 Regulations—Purpose.** In order to assure an educational program and school facilities which will meet the requirements of the basic policy stated in WAC 392-348-210, the specific regulations hereinafter in WAC 392-348-230 through 392-348-270 set forth shall be applied in considering applications from nonhigh school districts.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-220, filed 8/8/06, effective 9/8/06. SBE 56-8-53, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-230 Program.** It is presumed by the superintendent of public instruction that a new secondary program (or new grades nine through twelve) must make provision for a comprehensive program. Minimum course offerings that must be available for student selection during grades nine through twelve shall include those necessary to meet the minimum high school graduation requirements under WAC 180-51-060.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-230, filed 8/8/06, effective 9/8/06. Statutory Authority: RCW 28A.04.120(5). WSR 00-13-038, § 180-56-230, filed 6/14/00, effective 7/15/00; WSR 82-04-003 (Order 2-82), § 180-56-230, filed 1/21/82. SBE 56-8-530, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-235 Enrollment.** The initial enrollment for a four-year secondary school, grades nine through twelve, shall be at least four hundred; or if less than four hundred ini-

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tially, substantial evidence shall be submitted that this enrollment will be reached within three years and that there is assurance of a relatively stable population.

The initial enrollment for a six-year secondary school, grades seven through twelve, shall be at least five hundred; or if less than five hundred initially, substantial evidence shall be submitted that this enrollment will be reached within three years and that there is assurance of a relatively stable population.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, recodified as § 392-348-235, filed 8/8/06, effective 9/8/06. Statutory Authority: RCW 28A.04.120. WSR 79-06-048 (Order 4-79), § 180-56-235, filed 5/22/79. SBE 56-8-531, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-240 Staff and corps.** There shall be not fewer than sixteen qualified teachers, or equivalent, not including principal, vice principal, counselor and librarian, in a four-year high school, nor fewer than twenty qualified teachers, or equivalent, in a six-year secondary school, not including principal, vice principal, counselor and librarian.

Teachers shall be assigned to grade levels or teaching areas in accordance with the regulations of the state board of education.

All administrative personnel, superintendent of the district and principal of the proposed school, shall be qualified in accordance with the regulations of the state board of education.

A full-time high school principal shall be employed to serve the functions of administration and instructional supervision.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, recodified as § 392-348-240, filed 8/8/06, effective 9/8/06; § 180-56-240, filed 10/16/67, effective 7/1/68. SBE 56-8-532, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-245 Specialized services.** Full-time library and instructional materials services shall be provided by a librarian qualified in accordance with standards adopted by the superintendent of public instruction.

A minimum of one full-time person, or equivalent, shall be provided for counseling and guidance services. Personnel assigned to part-time or full-time counseling and guidance responsibilities shall have a minimum of one year of training beyond the bachelor's degree including course work in each of the following areas: Principles and practices of guidance; techniques of counseling; occupational and educational information; testing, measurement and evaluation; and foundations of psychology, preferably including developmental psychology and learning theory.

Provision shall be made for exceptional children including those with high ability or special talent, those who are slow learners and those who are physically handicapped.

Adequate health services shall be provided by the district or by the district in cooperation with other districts and/or agencies.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-245, filed 8/8/06, effective 9/8/06. SBE 56-8-533, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-250 Fiscal responsibility.** The board of directors of the nonhigh school district shall submit evidence of the district's financial willingness and ability, within the existing patterns of school support, to make its proportionate contribution to the establishment and maintenance of a broad, comprehensive educational program.

The building to be used or to be built for use as a secondary school shall be approved by the office of the superintendent of public instruction as suitable for the type of organization and instructional program proposed.

The board of directors of the nonhigh school district shall submit evidence of the district's financial willingness and ability within existing patterns of school support to construct, maintain and operate the required building facilities.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, recodified as § 392-348-250, filed 8/8/06, effective 9/8/06. SBE 56-8-534, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-255 Interdistrict relationships.** Prior to application to the superintendent of public instruction for the establishment of a new secondary school, the district or districts presently serving students living in the nonhigh school district shall have been given adequate notice of the intent of the nonhigh school district subsequently to withdraw students.

The board of directors of the nonhigh school district seeking approval of the establishment of a new secondary school shall submit evidence that students living in the nonhigh school district cannot be economically and reasonably served in an existing high school or high schools.

There must be adequate proof that the proposed secondary facilities will not duplicate facilities already constructed with state and/or recommended federal assistance when such assistance was predicated on educational service to the nonhigh school district or districts: Provided, That the nonhigh school district may petition the superintendent of public instruction for a feasibility study of the establishment of a high school when the existing high school district facilities reach designated maximum utilization and new construction is needed.

Evidence shall be submitted that unreasonable duplication of transportation routes and/or facilities will not result from the establishment of the new secondary school.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-255, filed 8/8/06, effective 9/8/06. SBE 56-8-535, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-260 New secondary program or new grades nine through twelve—School district organization.** The proposal for establishment of a new secondary school must be consistent with sound, comprehensive planning for secondary school facilities and services and shall be in agreement with provisions of chapter 28A.315 RCW and any subsequent statutory provisions or policies established by the superintendent of public instruction pertaining thereto.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-260, filed 8/8/06, effective 9/8/06. Statutory Authority: 1990 c 33. WSR 90-17-009, § 180-56-260, filed 8/6/90, effective

9/6/90; Order 6-76, § 180-56-260, filed 6/1/76. SBE 56-8-536, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-265 Establishment of new grade or grades.** In the establishment of one or more new grades in grades nine through twelve, the principle set forth in WAC 392-348-205 through 392-348-260 above concerning program, specialized services, staff and corps and size of respective grade or grades as related to potential total enrollment of the proposed secondary school shall apply: Provided, That the school district shall have satisfied all other requirements as herein prescribed. The establishment of each such grade shall be subject to prior approval by the superintendent of public instruction.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-265, filed 8/8/06, effective 9/8/06. SBE 56-8-537, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]

**WAC 392-348-270 Exceptional cases.** In exceptional cases, the superintendent of public instruction will consider for special approval applications from schools with an initial enrollment of less than four hundred students and fewer than sixteen teachers and related personnel if in its judgment the establishment of a new high school may be desirable because of the remoteness of the area and the necessity for a program of secondary education.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-348-270, filed 8/8/06, effective 9/8/06; § 180-56-270, filed 10/16/67, effective 7/1/68. SBE 56-8-538, filed 3/29/65, effective 4/29/65; Emergency and Permanent Rule, filed 6/21/63.]