

WAC 392-800-865 Compact termination. (1) Eligible federally recognized tribes, BIE schools, and the superintendent of public instruction may terminate state-tribal compacts in accordance with the provisions for compact termination provided for in the compact.

(2) The following process shall govern the superintendent of public instruction's termination of a state-tribal education compact:

(a) The superintendent of public instruction or his or her designee will notify the governing body of the federally recognized tribe or BIE school of the superintendent of public instruction's intent to terminate the compact. The notification will be in writing and will state with specific reasons the superintendent of public instruction believes the compact should be terminated. In the event the superintendent of public instruction believes the compact should be terminated for cause, the notification will identify:

(i) The compact term, condition, or assurance that the superintendent of public instruction believes the compact school has violated; and

(ii) The evidence indicating that the compact term, condition, or assurance has been violated.

(b) The notification will invite the federally recognized tribe or BIE school to participate in a government-to-government meeting for the purpose of discussing the alleged violation and, if appropriate, engage in dispute resolution in accordance with the terms of the compact.

[Statutory Authority: RCW 28A.655.061 and 655.065 [28A.655.065]. WSR 14-04-001, § 392-800-865, filed 1/22/14, effective 2/22/14.]