

WSR 24-20-085
PREPROPOSAL STATEMENT OF INQUIRY
STATE BOARD OF EDUCATION

[Filed September 27, 2024, 3:26 p.m.]

Subject of Possible Rule Making: Chapter 180-55 WAC, Private school accreditation. Anticipated changes include: Update criteria for approval of accreditors; update definition of "residential private school" to align with current statute; additional criteria under which residential private schools would be exempt from Washington state department of children, youth, and families (DCYF) licensing; additional criteria to identify accreditors that are able to provide an examination of student living accommodations including examination of comparable criteria to that of DCYF; establish a process to ensure the school has received such a review to be exempt from licensing. Other changes to ensure coordination with DCYF if issues arise with a school.

Statutes Authorizing the Agency to Adopt Rules on this Subject: The authority for this chapter is RCW 28A.305.130.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: New regulations resulting from ESSB 5515 may require updates to private school accreditation standards (chapter 180-55 WAC) to differentiate between accreditors that address residential facilities and those that do not.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: As required by ESSB 5515, DCYF engaged in negotiated rule making pursuant to RCW 34.05.310 (2) (a) with the state board of education (SBE) and other affected interests to adopt minimum health and safety rules to implement this section. The rules address the needs of children and youth during noninstructional hours including, but not limited to, space allotted to each child or youth for sleeping, developmentally appropriate privacy requirements, personal storage, nutritional needs, cleanliness and hygiene of living quarters, social-emotional well-being during noninstructional hours, health and wellness accommodations, compliance with the Americans With Disabilities Act, and physical safety. SBE must now establish rules that allow residential private schools to be exempt from the licensing requirements if: (i) The residential private school is accredited by an accrediting body approved by SBE in accordance with accreditation standards and procedures established by SBE under RCW 28A.305.130; and (ii) the accreditation covers the student living accommodations, including examination of comparable criteria as listed above (as determined by SBE in consultation with DCYF).

Process for Developing New Rule: SBE will seek feedback on the rule making from partner agencies and educational advocacy organizations.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Jacki Verd, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6025, TTY 360-664-3631, email rulescoordinatorSBE@k12.wa.us, website www.sbe.wa.gov; or Randy Spaulding, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6025, TTY 360-664-3631, email randy.spaulding@k12.wa.us, website www.sbe.wa.gov.

September 27, 2024
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