

WSR 25-03-138

PROPOSED RULES

STATE BOARD OF EDUCATION

[Filed January 21, 2025, 5:05 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-20-085.

Title of Rule and Other Identifying Information: Private school accreditation.

Hearing Location(s): On February 26, 2025, at 3 p.m., in the Brouillet Conference Room, 600 Washington Street S.E., Olympia, WA 98501, <https://us02web.zoom.us/j/87160300962>. Check in at front desk is required.

Date of Intended Adoption: March 25, 2025.

Submit Written Comments to: Nicole Mulhausen, 600 Washington Street S.E., Olympia, WA 98501, email rulescoordinatorsbe@k12.wa.us, fax 360-753-6731, beginning February 5, 2025, 8 a.m. PST, by February 25, 2025, 5 p.m. PST.

Assistance for Persons with Disabilities: Contact Jacki Verd, phone 360-725-6025, fax 360-753-6731, TTY 360-664-3631, email sbe@k12.wa.us, by February 25, 2025, 5 p.m. PST.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Update criteria for approval of accreditors; update definition of "Residential Private School" to align with current statute; add criteria under which residential private schools would be exempt from Washington state department of children, youth, and families (DCYF) licensing; add criteria to identify accreditors that are able to provide an examination of student living accommodations including examination of comparable criteria to that of DCYF; and 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.

Reasons Supporting Proposal: New regulations resulting from ESSB 5515 require updates to private school accreditation standards (chapter 180-55 WAC) to differentiate between accreditors that address residential facilities and those that do not.

Statutory Authority for Adoption: RCW 28A.305.130.

Statute Being Implemented: ESSB 5515 (2023).

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: State board of education, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Randy Spaulding, 600 Washington Street S.E., Olympia, WA 98501, 360-725-6025.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Citation of the specific federal statute or regulation and description of the consequences to the state if the rule is not adopted: RCW 34.05.310.

Is exempt under RCW 19.85.025(3) as the rules only correct typographical errors, make address or name changes, or clarify

language of a rule without changing its effect; and rule content is explicitly and specifically dictated by statute.

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: The rules do not impose a new requirement on schools and provide for an exemption from DCYF licensing as required in ESSB 5515.

Scope of exemption for rule proposal:

Is partially exempt:

Explanation of partial exemptions: [No information supplied by agency].

January 21, 2025
Randy Spaulding
Executive Director

OTS-6002.1

AMENDATORY SECTION (Amending WSR 06-23-012, filed 11/2/06, effective 12/3/06)

WAC 180-55-005 Purpose and authority. (1) **Purpose.** The provision of school accreditation procedures for approved private schools by the state board of education is designed to serve the following purposes:

(a) Support the state board's long-term vision of a performance-based education system by aligning school accreditation requirements to continuous improvement of student learning, achievement, and growth;

(b) Promote educational excellence and equity for every student through enhancement of the quality and effectiveness of the school's educational program in safe and supportive learning environments;

(c) Promote staff growth and commitment to the learning of every student;

(d) Build stronger links with families, parents, and the community by reaching consensus about educational expectations through family, parent, and community involvement;

(e) Provide a statement of accountability to the public; ~~((and))~~

(f) Validate effective practices and positive impacts on student learning in private schools through an external appraisal process; and

(g) Protect the health, safety, and well-being of children who are served in residential private schools through accreditation or licensing of residential facilities.

(2) **Authority.** The authority for this chapter is RCW 28A.305.130 ~~((+5))~~.

AMENDATORY SECTION (Amending WSR 06-23-012, filed 11/2/06, effective 12/3/06)

WAC 180-55-015 Definitions. (1) An "accredited school" is a state board of education approved private school that meets statutory requirements and rules established by the state board of education,

and one that has satisfactorily completed the accreditation procedures described by the state board of education pursuant to RCW 28A.305.130(5) and WAC 180-55-005 through 180-55-020.

(2) "Approved private school" shall mean a nonpublic school approved by the state board of education pursuant to RCW 28A.305.130, chapter 28A.195 RCW, and chapter 180-90 WAC.

(3) "Approved residential private school" means a nonpublic school or nonpublic school district approved by the state board of education pursuant to RCW 28A.305.130, chapter 28A.195 RCW, and chapter 180-90 WAC that provides sleeping and living facilities or residential accommodations for enrolled students.

(4) "Accredited" status shall be assigned to state board of education approved private schools that:

(a) Complete and meet fully state board of education requirements for accreditation as described in WAC 180-55-020; or

(b) Participate and qualify in accordance with standards and procedures established by recognized accrediting bodies or recognized accrediting processes (~~recognized by the state board of education~~).

~~((4))~~ (5) "Accredited residential program" is a supplemental accreditation of a residential private school by an accreditor recognized by the state board of education for the purpose of accrediting student living accommodations.

(6) "School improvement plan" shall mean the same as described under WAC 180-16-220 (2)(b) and (d).

~~((5))~~ (7) "Continuous improvement process" shall mean the ongoing process used by a school to monitor, adjust, and update its school improvement plan.

~~((6))~~ (8) "Self-review" shall mean the same as described under WAC 180-16-220 (2)(c).

~~((7))~~ (9) "Appraisal" shall mean an objective, external appraisal of a school's self-review activities and school improvement plan pursuant to WAC 180-55-020(5).

~~((8))~~ (10) "Recognized accrediting body" shall mean an organization recognized by the state board of education and listed on the state board website.

~~((9))~~ (11) "Recognized accrediting process" shall mean the state board of education process managed through the educational service districts for approved private schools.

AMENDATORY SECTION (Amending WSR 06-23-012, filed 11/2/06, effective 12/3/06)

WAC 180-55-017 Criteria for state board of education recognition of accrediting bodies. (1) (a) (~~A recognized accrediting body shall meet the definition of such pursuant to WAC 180-55-015(8).~~

~~(b))~~ Accrediting bodies recognized by the state board of education shall verify that standards for approved private schools seeking accreditation through them meet or exceed the school accreditation standards pursuant to WAC 180-16-220.

~~((c) Accrediting bodies recognized by the state board of education for the specific purpose of accrediting state board approved private schools, prior to being considered by the state board for recognition,))~~ (b) Prior to being considered by the state board for recognition for the specific purpose of accrediting state board approved private schools, accrediting bodies shall have their accreditation

standards verified for compliance under ~~((b)-ef)~~ this subsection by a private school advisory committee established by the superintendent of public instruction pursuant to RCW 28A.195.050. If verified, the committee may recommend the accrediting body to the state board for recognition.

~~((d))~~ (c) A list of recognized accrediting bodies will be maintained on the website of the state board of education. The listing shall include an additional designation for accrediting bodies that are recognized for purposes of accreditation of student living accommodations at approved residential private schools.

(d) A recognized accrediting body must notify the board of any substantive changes to their accreditation standards or procedures and provide a copy of any revised standard when they are published.

(2) Private schools must be approved by the state board of education prior to being recommended by a state board of education recognized accrediting body or process for state accreditation consideration.

NEW SECTION

WAC 180-55-160 Criteria for accreditation of a residential private school student living accommodations. (1) A recognized accrediting body that accredits student living accommodations at approved residential private schools may be recognized for the purpose of accrediting student living accommodations if the state board of education determines that the accrediting body's accreditation standards related to student living accommodations examine criteria comparable to the criteria established in negotiated rules developed by the department of children, youth, and families, to implement RCW 74.15.325. The standards for accreditation must be determined to be comparable and must address the needs of children and youth during noninstructional hours including, but not limited to:

- (a) Space allotted to each child or youth for sleeping;
- (b) Developmentally appropriate privacy requirements;
- (c) Personal storage;
- (d) Nutritional needs;
- (e) Cleanliness and hygiene of living quarters;
- (f) Social-emotional well-being during noninstructional hours;
- (g) Health and wellness accommodations;
- (h) Compliance with the Americans with Disabilities Act; and
- (i) Physical safety.

(2) Accreditation of a residential program is a supplemental accreditation status. An accreditor recognized by the state board of education for the purpose of accrediting student living accommodations must also meet the criteria in WAC 180-55-017. An appropriately recognized accreditor may accredit the residential program only for schools that are fully accredited for their academic program by the same accrediting body.

NEW SECTION

WAC 180-55-170 Process to request recognition by the state board of education. (1) Entities that wish to be recognized for the purpose

of accrediting approved private schools must contact the state board of education to identify materials necessary for review by the private school advisory committee, established by the superintendent of public instruction pursuant to RCW 28A.195.050 and, if applicable, consultation with the department of children, youth, and families.

(2) The private school advisory committee will review the materials provided and verify that the accrediting body's accreditation standards meet the requirements of this chapter. If verified, the committee may recommend the accrediting body to the state board for recognition. State board of education, in consultation with the department of children, youth, and families when applicable, retains final authority to recognize the accrediting body.