

**WAC 180-19-090 Board certification of charter schools—Lottery.**

(1) Upon receipt of notice from an authorizer that a charter school has been approved, the chair of the state board of education shall certify whether the approval is in compliance with the limits in RCW 28A.710.150 on the maximum number of charter schools that may be established. Certification from the board must be obtained before final authorization of a charter school. The certification of a charter school shall be posted on the board's website.

(2) If the board receives notification of charter approvals under this section on the same day, and the total number of approvals exceeds the limits in RCW 28A.710.150(1) on the maximum number of charter schools that may be established for operation in any single year, the board will select approved charters for certification through a lottery process as follows:

(a) The board shall notify the authorizer that the approved charter school has not been certified by the board for operation and must be selected for certification through a lottery.

(b) Within thirty days after determining that the limit for charter schools has been exceeded, the board shall conduct a lottery, as required by RCW 28A.710.150(3), at a publicly noticed meeting to select and certify approved charters for implementation. The board shall randomly draw the names of charter schools from the available pool of approved charter schools that have not been certified until the maximum allowable total number of charter schools has been selected.

(c) Once the total number of charter schools that may be established in any single year under RCW 28A.710.150 is exceeded, the board shall certify a charter school for operation in a subsequent year in which a charter school may be established within the limits set forth in RCW 28A.710.150(1), based upon the charter's selection in the lottery.

[Statutory Authority: RCW 28A.710.090, 28A.710.130, 28A.710.140, and 28A.710.150. WSR 14-19-107, § 180-19-090, filed 9/16/14, effective 10/17/14. Statutory Authority: Chapter 28A.710 RCW. WSR 13-12-055, § 180-19-090, filed 6/1/13, effective 7/2/13.]