

**WAC 392-190-079 Monitoring—Appeal procedure.** (1) A complainant, school district, or public charter school that desires to appeal the written decision of the office of superintendent of public instruction issued under WAC 392-190-075 or 392-190-077 may file an appeal with the superintendent of public instruction in accordance with the adjudicative proceedings in RCW 34.05.413 through 34.05.494, and the administrative practices and procedures of the superintendent of public instruction in chapter 392-101 WAC. To initiate review under this section, a complainant, school district, or public charter school must file a written notice with the superintendent of public instruction within thirty calendar days following the date of receipt of the office of superintendent of public instruction's written decision under WAC 392-190-075 or 392-190-077.

(2) For purposes of hearing an appeal under this section, the superintendent of public instruction must conduct a formal administrative hearing in conformance with the Administrative Procedure Act, chapter 34.05 RCW. The superintendent of public instruction, in carrying out this duty, may contract with the office of administrative hearings pursuant to RCW 28A.300.120 to hear a particular appeal.

[Statutory Authority: RCW 28A.640.020 and 28A.642.020. WSR 14-23-072, § 392-190-079, filed 11/18/14, effective 12/19/14; WSR 11-09-024, § 392-190-079, filed 4/13/11, effective 5/14/11.]