

WSR 21-09-089
PERMANENT RULES
SUPERINTENDENT OF
PUBLIC INSTRUCTION

[Filed April 21, 2021, 10:23 a.m., effective May 22, 2021]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The rule change addresses capital construction agreements entered into by host and nonhigh school districts. The new section added to the chapter provides nonhigh districts (districts with no high school) with basic protections and ensures the host districts are able to secure financing of capital construction projects. Previously, nonhigh school districts were vulnerable to dissolution if the district and host high school district cannot agree to terms of capital construction financing.

Citation of Rules Affected by this Order: New WAC 392-132-075.

Statutory Authority for Adoption: RCW 28A.525.020.

Adopted under notice filed as WSR 21-06-115 on March 3, 2021.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: April 21, 2021.

Chris P. S. Reykdal
State Superintendent
of Public Instruction

OTS-2932.1

NEW SECTION

WAC 392-132-075 Nonhigh school district capital fund payment schedules. When determining a nonhigh school district's capital fund payments to a serving high school district, a serving high school district may not:

(1) Bill the nonhigh school district an amount which is greater than the sum of the calculation determined by the superintendent of public instruction under WAC 392-132-040;

(2) Collect capital funds payments from a nonhigh school district using an expedited payment schedule which would require the nonhigh school district to make capital fund payments on a more accelerated or condensed payment schedule than that of the serving high school district.

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