

WSR 23-11-168  
PREPROPOSAL STATEMENT OF INQUIRY  
STATE BOARD OF EDUCATION  
[Filed May 24, 2023, 11:40 a.m.]

Subject of Possible Rule Making: Chapter 180-19 WAC, Charter schools. Rule making is required to implement changes associated with the passage of ESHB 1744 during the 2023 legislative session (chapter 356, Laws of 2023). In addition, the board will review and streamline timelines set in rule, correct references, and make other changes as needed to improve readability and ensure effective implementation of the law.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 28A.710.090, 28A.710.130, 28A.710.140, and 28A.710.150.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: ESHB 1744 makes various changes to provisions governing the administration and oversight of charter schools, including new and modified duties for charter schools, charter school boards, charter school authorizers, the charter school commission, and the state board of education (board) that required changes to the current rules. In addition, the board, in consultation with the authorizers, has identified a number of other issues in the rules that are either confusing or add administrative burden that the agencies would like to address during this revision. For example, the timeline for approval of new authorizers leaves little flexibility by inserting a number of steps and deadlines that are not called out in the underlying statute. Additionally, some questions are not addressed in the rule, such as clarification on how approved schools are counted toward the statewide limit.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Office of the superintendent of public instruction and Washington state charter school commission each have a role in regulation of charter schools in the state. The board is consulting with each agency in the development of the revised rules and consulting with the only other approved authorizer in the state, Spokane public schools.

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, fax 360-753-6712, email [rulescoordinatorSBE@k12.wa.us](mailto:rulescoordinatorSBE@k12.wa.us), website [www.sbe.wa.gov](http://www.sbe.wa.gov); or Randy Spaulding, 600 Washington Street S.E., Olympia, WA 98504, phone 360-725-6025, fax 360-753-6712.

May 24, 2023  
Randy Spaulding  
Executive Director