

**WAC 392-129-150 School emergency closure—Implementation of superintendent of public instruction's determination of eligibility.**

[(1)] If the superintendent of public instruction determines that the school district or charter school has provided a conclusive demonstration that one or more unforeseen natural events, mechanical failures, or actions or inactions by one or more persons prevented the school district or charter school from operating the school, the school district or charter school shall receive its full annual allocation of state moneys. However, the superintendent of public instruction may only excuse the school district or charter school for up to two scheduled school days per incident and not for more than three scheduled school days per school year. Provided, the superintendent may excuse more than two scheduled school days per incident or three scheduled school days per year[:

(a) When the unforeseen natural event, mechanical failure, or action or inaction by one or more persons caused a loss of life or significant injury to a person or persons on a school campus; or

(b) Where the school is located in a county which was subject to a state of emergency declaration by the governor due to fire, flood, explosion, storm, earthquake, epidemic, or volcanic eruption, and the event giving rise to the emergency declaration prevented operation of the school.

[(2)] (1) If the school district did not conclusively demonstrate that it was prevented from operating the school(s), its allocation of state moneys shall be reduced by:

(a) Dividing the number of days lost by one hundred eighty;

(b) Multiplying the result obtained in subsection (1) of this section by the annual average full-time equivalent enrollment in the school; and

(c) Dividing the result obtained in subsection (2) of this section by the annual average full-time equivalent enrollment in the school district.

(2) If the charter school did not conclusively demonstrate that it was prevented from operating the school, its allocation of state moneys shall be reduced by:

(a) Dividing the number of days lost by one hundred eighty; and

(b) Multiplying the result obtained in (a) of this subsection by the annual average full-time equivalent enrollment in the school.

[Statutory Authority: RCW 28A.150.290 and 28A.710.220. WSR 15-18-078, § 392-129-150, filed 8/28/15, effective 9/28/15. Statutory Authority: RCW 28A.150.290. WSR 15-12-113, § 392-129-150, filed 6/3/15, effective 7/4/15. Statutory Authority: RCW 28A.41.170(2). WSR 08-13-049, § 392-129-150, filed 6/12/08, effective 7/13/08; WSR 90-01-141 (Order 22), § 392-129-150, filed 12/20/89, effective 1/20/90.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.