

# Chapter 392-349 WAC

## SMALL SCHOOL PLANTS

### WAC

392-349-005	Remote and necessary small school plants—Purpose and authority.
392-349-010	Remote and necessary small school plants—Criteria.
392-349-015	Remote and necessary small school plants—Review committee.

**WAC 392-349-005 Remote and necessary small school plants—Purpose and authority.** (1) The purpose of WAC 392-349-005 through 392-349-015 is to establish policies and procedures to govern the classification of small school plants as remote and necessary.

(2) The authority for WAC 392-349-005 through 392-349-015 is the state Operating Appropriations Act which allocates funds to school districts for small school plants which have been judged by the superintendent of public instruction to be remote and necessary.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-349-005, filed 8/8/06, effective 9/8/06. WSR 05-13-061, recodified as § 180-16-241, filed 6/10/05, effective 6/10/05. Statutory Authority: 1994 sp.s. c 6 § 502 (i)(e). WSR 02-14-113, § 180-24-400, filed 7/2/02, effective 8/2/02; WSR 95-20-055, § 180-24-400, filed 10/2/95, effective 11/2/95.]

**WAC 392-349-010 Remote and necessary small school plants—Criteria.** (1) Decisions of the superintendent of public instruction on granting remote and necessary status to small school plants within school districts shall be based on a finding that granting remote and necessary status is necessary to assure reasonable provision of a basic education program to students, including related services, equipment, materials and supplies.

(2) In making the finding under subsection (1) of this section, the superintendent of public instruction shall consider, including but not limited to, the factors under (a) through (e) of this subsection. No single factor or combination of factors necessarily warrants granting or denying remote and necessary status. However, it shall be the policy of the superintendent of public instruction to favor those requests which, in the superintendent of public instruction's judgment, meet the provisions of this section. "Favor" does not mean that the listed factors are necessarily exclusive. Additional factors and considerations may be included in a particular request. If there is a factual situation that falls outside the scope of all or a portion of the listed factors, the superintendent of public instruction may consider the facts and reasons the additional factors or considerations support the request.

(a) The student population to be served at the small school site, must meet the small school funding formula for remote and necessary school plants as provided in the Operating Appropriations Act. The grade span served at the small school site shall include the same levels for eligible students established by the district for other elementary, middle, or

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high schools of the district, and meet the educational needs of the population served by that small school plant.

(b) Existence of an intact, permanent community which is defined as a geographically site-specific, nontransient group of people. This factor must be met.

(c) Transportation: Travel time to another school in the district, or school in another district, is not less than sixty minutes one way, or international boundary crossing processing time is unpredictable or lengthy or both.

(d) Transportation: Student safety from a small school site in the school district to another school in the district, or school in another district, may be at risk due to the condition of roads or waterways, seasonal weather conditions, or topography.

(e) Operational efficiency: Nonavailability of age appropriate grade level or cooperative programs in other school facilities in the district, or in the next nearest district or districts, or other educational organizations approved or recognized by the superintendent of public instruction.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-349-010, filed 8/8/06, effective 9/8/06. WSR 05-13-061, recodified as § 180-16-242, filed 6/10/05, effective 6/10/05. Statutory Authority: 1994 c 6 § 502 (i)(e). WSR 02-14-113, § 180-24-410, filed 7/2/02, effective 8/2/02. Statutory Authority: 1994 1st sp.s. c 6 § 502 (1)(e). WSR 97-21-069, § 180-24-410, filed 10/15/97, effective 11/15/97. Statutory Authority: 1994 sp.s. c 6 § 502(i)(e). WSR 95-20-055, § 180-24-410, filed 10/2/95, effective 11/2/95.]

**WAC 392-349-015 Remote and necessary small school plants—Review committee.** (1) There is hereby established by the superintendent of public instruction a remote and necessary review committee comprised of at least the following five members:

(a) One member of the state board of education selected by the president of the board;

(b) Two staff members from the office of the superintendent of public instruction, one who is knowledgeable about finance issues and one who is knowledgeable about curriculum issues, both selected by the state superintendent;

(c) One school director selected by the Washington State School Directors' Association;

(d) One school district administrator selected by the Washington Association of School Administrators;

(2) Vacancies on the review committee shall be filled by the person or organization responsible for appointments.

(3) At the discretion of the superintendent of public instruction, other members may be added to the review committee.

(4) It is the responsibility of the review committee to receive and review all applications from school districts requesting the superintendent of public instruction to grant remote and necessary status to a small school plant located in the district. Following the review of applications, the review committee shall recommend to the superintendent of public

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instruction whether such designation should be granted. Recommendations of the review committee shall be advisory only. The final determination rests solely with the superintendent of public instruction.

(5) Every small school plant with remote and necessary status beginning 1996, shall be reviewed every four years by the review committee and the superintendent of public instruction. The review committee shall submit its findings and recommendations to the superintendent of public instruction. The review committee may conduct the review on-site, with the number of members participating determined by the committee, or may conduct the review by other means as determined by the committee. The superintendent of public instruction shall provide to the fiscal committees of the legislature in January of odd-numbered years a list of remote and necessary small school plants.

(6) A small school plant shall lose its remote and necessary status if the number of students exceeds the enrollment requirements set forth in the state Operating Appropriations Act for three consecutive years. The loss of remote and necessary status shall take effect the immediate ensuing school year. If a small school site should lose its remote and necessary status, the local serving school district may continue to maintain and operate the school site. When the enrollment of such small school plant again meets the requirements of the state Operating Appropriations Act, the school district may apply to the superintendent of public instruction for redesignation as a remote and necessary plant.

(7) A small school plant shall lose its remote and necessary status if a local school district closes the small school plant. If the small school plant is reopened by the district, or a new small school plant is opened, the school district may apply to the superintendent of public instruction for remote and necessary designation for the small school plant. If such designation is granted, the remote and necessary status shall take effect as determined by the superintendent of public instruction.

[Statutory Authority: RCW 28A.305.130 (5), (10), 28A.315.015 (2)(e), 28A.315.175, 28A.315.195(4), 28A.315.205(3). WSR 06-17-038, amended and recodified as § 392-349-015, filed 8/8/06, effective 9/8/06. WSR 05-13-061, recodified as § 180-16-243, filed 6/10/05, effective 6/10/05. Statutory Authority: 1994 sp.s. c 6 § 502 (i)(e). WSR 02-14-113, § 180-24-415, filed 7/2/02, effective 8/2/02. Statutory Authority: 1994 1st sp.s. c 6 § 502 (1)(e). WSR 97-21-069, § 180-24-415, filed 10/15/97, effective 11/15/97. Statutory Authority: 1994 sp.s. c 6 § 502(i)(e). WSR 95-20-055, § 180-24-415, filed 10/2/95, effective 11/2/95.]