

**WAC 392-140-616 Special education safety net—Standards—High need student applications.** For applicants requesting safety net awards to meet the needs of an eligible high need student, the applicant shall convincingly demonstrate to a majority of the state oversight committee members at a minimum that:

(1) (a) The reviewed individualized education program demonstrates compliance with federal and state procedural requirements, in the office of superintendent of public instruction—selected applicable reviewed areas; or

(b) The local education agency has corrected any noncompliance identified through general supervision processes, including monitoring or during a review of a sample of individualized education programs; and

(2) Costs eligible for safety net consideration are associated with providing direct special education and related services identified in implementation of an individualized education program and quantifiable by the committee on worksheet C; and

(3) In order to deliver appropriate special education and related services to the student, the applicant is providing services which incur costs exceeding:

(a) The annual threshold as established in WAC 392-140-60105 by the office of superintendent of public instruction for state safety net awards.

(b) Threshold amounts shall be adjusted pro rata for eligible students not served by the applicant on all nine enrollment count dates (October through June). For example, for a student served six of the nine count dates, the threshold amount shall be reduced to two-thirds of the full amount.

(4) The state safety net oversight committee shall adapt the worksheet A for the Washington state school for the blind, the Washington center for deaf and hard of hearing youth, and tribal compact schools.

[Statutory Authority: RCW 28A.155.090. WSR 21-19-065, § 392-140-616, filed 9/14/21, effective 10/15/21. Statutory Authority: RCW 28A.155.090 and 28A.150.290. WSR 19-01-039, § 392-140-616, filed 12/13/18, effective 1/13/19. Statutory Authority: RCW 28A.150.290. WSR 13-05-054, § 392-140-616, filed 2/13/13, effective 3/16/13; WSR 08-03-096, § 392-140-616, filed 1/17/08, effective 2/17/08; WSR 06-01-017, § 392-140-616, filed 12/9/05, effective 1/9/06. Statutory Authority: RCW 28A.150.290 and 1999 c 309 § 507(7). WSR 03-02-053, § 392-140-616, filed 12/26/02, effective 1/26/03. Statutory Authority: RCW 28A.150.290. WSR 02-05-036, § 392-140-616, filed 2/12/02, effective 2/13/02; WSR 01-04-023, § 392-140-616, filed 1/30/01, effective 1/30/01. Statutory Authority: RCW 28A.150.290 and 1997 c 149 § 507(8). WSR 98-08-013 (Order 98-05), § 392-140-616, filed 3/18/98, effective 4/18/98. Statutory Authority: RCW 28A.150.290 and 1995 2nd sp.s. c 18 as modified by 1996 c 283. WSR 96-19-095 (Order 96-15), § 392-140-616, filed 9/18/96, effective 10/19/96.]