

**WAC 392-140-685 Special education safety net—Recovery of state and/or federal awards.** High need student state and/or federal special education safety net award and state community impact safety net award shall be recovered or award reduced for the following reasons:

(1) The application omits pertinent information and/or contains a falsification or misrepresentation of information in the application.

(2) The award is unexpended for the purpose allocated including, but not limited to, situations where the student leaves a school district, charter school, tribal compact school, Washington center for deaf and hard of hearing youth, and the Washington state school for the blind, or has a change in services. For students who transfer to another Washington public school district or enroll in a charter school or tribal compact school located in Washington state, expenditures for specialized equipment purchased with these funds shall not be recovered provided the district, charter school or tribal compact school transfers the equipment to the other school district, charter school or tribal compact school.

(3) The applicant has carryover of state and/or federal flow-through special education funding from the school year for which the award was made.

(4) The applicant's available revenues are significantly higher than estimated revenues on which the award was based or the applicant's legitimate expenditures are significantly lower than the estimated expenditures on which the award was based.

(5) The state oversight committee finds grounds for adjustment in the special education program audit team's review pursuant to WAC 392-140-630.

[Statutory Authority: RCW 28A.155.090. WSR 21-19-065, § 392-140-685, filed 9/14/21, effective 10/15/21. Statutory Authority: RCW 28A.155.090 and 28A.150.290. WSR 19-01-039, § 392-140-685, filed 12/13/18, effective 1/13/19. Statutory Authority: RCW 28A.150.290 and 28A.710.220. WSR 15-18-078, § 392-140-685, filed 8/28/15, effective 9/28/15. Statutory Authority: RCW 28A.150.290. WSR 13-05-054, § 392-140-685, filed 2/13/13, effective 3/16/13; WSR 08-03-096, § 392-140-685, filed 1/17/08, effective 2/17/08; WSR 06-01-017, § 392-140-685, filed 12/9/05, effective 1/9/06. Statutory Authority: RCW 28A.150.290 and 1997 c 149 § 507(8). WSR 98-08-013 (Order 98-05), § 392-140-685, 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), § 392-140-685, filed 9/18/96, effective 10/19/96.]