

WAC 392-172A-06000 Condition of assistance. As a condition of receipt and expenditure of federal special education funds, a school district or other public agency shall annually submit a request for federal funds to the OSPI, and conduct its special education and related services program in compliance with the requirements of this chapter. The request shall be made through an application that includes, but is not limited to, the following assurances and types of information:

(1) Assurances that: The school district or other public agency meets each of the conditions contained in 34 C.F.R. 300.201 through 300.213 relating to:

(a) Development of policies and procedures consistent with this chapter and Part B of the act;

(b) The provision of FAPE to students;

(c) Child find requirements for students, including evaluations;

(d) Development of an IEP;

(e) The provision of services in the least restrictive environment, and the availability of a continuum of services, including access to extracurricular and nonacademic activities;

(f) The provision of procedural safeguard protections and implementation of the procedural safeguards notices;

(g) Confidentiality of records and information;

(h) Transition of children from Part C to Part B services;

(i) Participation of students enrolled in private school programs, using a proportional share of Part B funds;

(j) Placement of students in private school programs to provide FAPE or placement of students in private school programs by their parents when FAPE is at issue;

(k) Use of funds;

(l) Personnel preparation;

(m) Availability of documents relating to the eligibility of the school district;

(n) Provision to OSPI of all necessary information and data for the state's performance goals;

(o) Provision of instructional materials to blind persons or persons with print disabilities;

(p) Timely correction of noncompliance; and

(q) A goal and detailed timetable for providing full educational opportunity to all students eligible for special education services.

(2) Identification of the school district designee responsible for child identification activities and confidentiality of information.

(3) Information that addresses the school district's progress or slippage in meeting the state's performance goals and in addressing the state's annual performance plan.

(4) A description of the use of funds received under Part B of the act.

(5) Any other information requested by the OSPI which is necessary for the management of the special education program, including compliance with enforcement activities related to monitoring, due process, community complaints, or determinations status.

[Statutory Authority: RCW 28A.155.090. WSR 21-19-065, § 392-172A-06000, filed 9/14/21, effective 10/15/21. Statutory Authority: RCW 28A.155.090 and 34 C.F.R. Part 300. WSR 13-20-034, § 392-172A-06000, filed 9/24/13, effective 10/25/13; WSR 09-20-053, § 392-172A-06000, filed 10/1/09, effective 11/1/09. Statutory Authority:

RCW 28A.155.090(7) and 42 U.S.C. 1400 et. seq. WSR 07-14-078, §
392-172A-06000, filed 6/29/07, effective 7/30/07.]