

Chapter 392-700 WAC

DROPOUT REENGAGEMENT

WAC

392-700-001	Purpose and authority.
392-700-015	Definitions.
392-700-035	Student eligibility.
392-700-042	Program operating agreements and OSPI approval.
392-700-065	Instruction.
392-700-085	Case management and student support.
392-700-137	Award of credit.
392-700-147	Provision of special education and Section 504 of the Rehabilitation Act of 1973 accommodations.
392-700-152	Statewide student assessment.
392-700-155	Annual reporting calendar.
392-700-160	Reporting of student enrollment.
392-700-165	Funding and reimbursement.
392-700-175	Required documentation and reporting.
392-700-195	Longitudinal performance goals.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

392-700-025	Interlocal agreements. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-025, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-045	Enrollment. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-045, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-055	Student documentation. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-055, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-075	Instructional staff to student ratio. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-075, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-095	District administrative responsibilities. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-095, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-105	Reporting of student data. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-105, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-120	Statewide student assessment. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-120, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-135	Provision of special education and Section 504 of the Rehabilitation Act of 1973 accommodations. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-135, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-145	Award of credit. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-145, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-200	Other agreements. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-200, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.

392-700-225	Operating agreements and OSPI approval. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-225, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
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WAC 392-700-001 Purpose and authority. (1) The purpose of this chapter is to provide a statutory framework for a statewide dropout reengagement system and to provide appropriate educational opportunities and access to services for students age sixteen to twenty-one who have dropped out of high school or are not accumulating sufficient credits to reasonably complete a high school diploma in a public school before the age of twenty-one.

(2) Authority for this chapter is RCW 28A.175.100, which authorizes the superintendent of public instruction to adopt rules and procedures for statewide dropout reengagement programs (hereafter called program).

[Statutory Authority: RCW 28A.175.100. WSR 13-13-005, § 392-700-001, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-001, filed 8/11/11, effective 9/11/11.]

WAC 392-700-015 Definitions. The following definitions in this section apply throughout this chapter:

(1) **"Agency"** means an educational service district, nonprofit community-based organization, or public entity other than a college.

(2) **"Annual average full-time equivalent (AAFTE)"** means the total monthly full-time equivalent (FTE) reported for each enrolled student in a school year divided by ten.

(3) **"Attendance period requirement"** is defined as, at minimum, two hours of face-to-face interaction with a designated program staff for the purpose of instruction, academic counseling, career counseling, or case management contact aggregated over the prior month.

(4) **"CEDARS"** refers to comprehensive educational data and research system, the statewide longitudinal data system of educational data for K-12 student information.

(5) **"College"** means college or technical college pursuant to chapters 28B.20 through 28B.50 RCW.

(6) **"College level class"** is a class provided by a college that is one hundred level or above.

(7) **"Consortium"** means a regional group of organizations that will consist of districts, and agencies and/or colleges who agree to work together to create and operate a program that will serve students from multiple districts and reduce the administrative burden on districts.

(8) **"Consortium agreement"** means the agreement that is signed by the authorized consortium lead and all district superintendents or their authorized officials which are part of the consortium and agree to refer eligible students to the consortium's program. This agreement will clearly outline the responsibilities of the consortium lead and those of the referring districts.

(9) **"Consortium lead"** means the lead organization in a consortium that will assume the responsibilities outlined in WAC 392-700-042(3).

(10) **"Count day"** is the instructional day that is used to claim a program's enrollment for state funding pursuant to WAC 392-121-033. For September, the count day is the fourth instructional day. For the remaining months, the count day is the first instructional day.

(11) **"Credential"** is identified as one of the following:

- (a) High school equivalency certificate;
- (b) High school diploma;
- (c) College certificate received after completion of a college program requiring at least forty hours of instruction;
- (d) College degree; or
- (e) Industry recognized certificate of completion of training or licensing received after completion of a program requiring at least forty hours of instruction.

(12) **"Enrolled student"** is an eligible student whose enrollment and attendance meets the criteria outlined in WAC 392-700-035 and 392-700-160, and is reported as an FTE for state funding.

(13) **"ERDC"** refers to education research and data center, which conducts analyses of early learning, K-12, and higher education programs and education issues across the P-20 system that collaborates with legislative evaluation and accountability program and other statutory partner agencies.

(14) **"Full-time equivalent (FTE)"** is the measurement of enrollment that an enrolled student can be claimed on a monthly basis with the maximum being 1.0 FTE per month for each student enrolled in a program.

(15) **"Indicator of academic progress"** means a standard academic benchmark that demonstrates academic performance which is attained by a reengagement student. These indicators will be tracked and reported by the program and district for each student and for programs as a whole using definitions and procedures outlined by OSPI. Indicators of academic progress will be reported when a student does one of the following:

- (a) Earns high school or college credit;
- (b) Passes one or more tests or benchmarks that would satisfy the state board of education's graduation requirements as provided in chapter 180-51 WAC;
- (c) Passes one or more high school equivalency certificate measures (each measure may only be claimed once per enrolled student), or other state assessment;
- (d) Makes a significant gain in a core academic subject based on the assessment tool's determination of significant gain (may be claimed multiple times in a year per enrolled student);

(e) Successfully completes a grade level curriculum in a core academic subject that does not earn high school or college credit;

(f) Successfully completes approved college readiness course work with documentation of competency attainment;

(g) Successfully completes job search and job retention course work with documentation of competency attainment;

(h) Successfully completes a paid or unpaid cooperative work based learning experience of at least forty-five hours. This experience must meet the requirements of WAC 392-410-315(2);

(i) Enrolls in a college level class for the first time (limited to be claimed once per enrolled student);

(j) Successfully completes an English as a second language (ESL) class;

(k) Successfully completes an adult basic education (ABE) class; or

(l) Successfully completes a series of short-term industry recognized certificates equaling at least forty hours.

(16) **"Instructional staff"** means the following:

(a) For programs operated by a district or agency, the instructional staff is a certificated instructional staff pursuant to WAC 392-121-205; and

(b) For programs operated by a college, the instructional staff is one who is employed or appointed by the college whose required credentials are established by the college.

(17) **"Letter of intent"** means the document signed by the district, college or lead agency authorized official that specifically outlines to OSPI the required elements of a program that the district, college, or agency agree to implement.

(18) **"Noninstructional staff"** is any person employed in a position that is not an instructional staff as defined under subsection (13) of this section.

(19) **"OSPI"** means the office of superintendent of public instruction.

(20) **"Program"** means a statewide dropout reengagement program approved by OSPI, pursuant to RCW 28A.175.105.

(21) **"School year"** is the twelve-month period that begins September 1st and ends August 31st during which instruction is provided and FTE is reported.

(22) **"Scope of work"** means the document signed by district superintendent or their authorized official and the authorized official of a program to be included in a contracted services agreement when the program is operated by a provider on behalf of the district and will receive compensation in accordance with WAC 392-700-165. The scope of work will specifically outline all the required elements of a program that the provider and the district agree to implement.

(23) **"Weekly status check"** means individual communication from a designated program staff to a student. Weekly status check:

- (a) Can be accomplished in person or through the use of telephone, e-mail, instant messaging, interactive video communication, or other means of digital communication;
- (b) Must be for the purposes of instruction, academic counseling, career counseling, or case management;
- (c) Must be documented; and
- (d) Must occur at least once every week that has at least three days of instruction.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-015, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-015, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-015, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20, WSR 11-17-045, § 392-700-015, filed 8/11/11, effective 9/11/11.]

WAC 392-700-035 Student eligibility. (1) A student is eligible to enroll in a program when they meet the following criteria:

(a) Under twenty-one years of age, but at least sixteen years of age, as of September 1st;

(b) Has not yet met the high school graduation requirements of either the district, or the college under RCW 28B.50.535; and

(c) At the time the student enrolls, is significantly behind in credits based on the student's cohort graduation date. The cohort graduation date is established as the end of the fourth school year after a student first enrolls in the ninth grade.

(i) A student who is more than twenty-four months from their cohort graduation date and has earned less than sixty-five percent of the high school credits expected to be earned by their cohort. A cohort is the group of district students that enter the ninth grade in the same school year;

(ii) A student who is between twelve and twenty-four months from their cohort graduation date and has earned less than seventy percent of the high school credits expected to be earned by their cohort;

(iii) A student who is less than twelve months from their cohort graduation date or who has passed their cohort graduation date by less than twelve months and has earned less than seventy-five percent of the high school credits expected to be earned by their cohort;

(iv) A student who is passed their cohort graduation date by twelve months or more and has not met their district graduation requirements; or

(v) A student who has never attended the ninth grade and has earned zero high school credits.

(d) If determined not to be credit deficient as outlined in subsection (1)(c) of this section, has been recommended for enrollment by case managers from the department of social and health services, the juvenile justice system, district designated school personnel, or staff from community agencies which provide educational advocacy services;

(e) Are not currently enrolled in any high school or other educational program, excluding an approved skill center program, a Jobs for Washington's Graduates program, or running start program, receiving state basic education funding; and

(f) Released from their district of residence and accepted by the serving district, if the program is operated by a different district.

(2) Once determined eligible for enrolling in the program, a student will retain eligibility, regardless of breaks in enrollment, until the student does one of the following:

(a) Earns a high school diploma;

(b) Earns an associate degree;

(c) Becomes ineligible because of age which occurs when a student is twenty-one years of age as of September 1st.

(3) A student's eligibility does not guarantee enrollment or continued enrollment in specific programs if the program determines that the student does not meet the program's enrollment criteria or if, after enrollment, a student's academic performance or conduct does not meet established program guidelines.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-035, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-035, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-035, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20, WSR 11-17-045, § 392-700-035, filed 8/11/11, effective 9/11/11.]

WAC 392-700-042 Program operating agreements and OSPI approval. (1) Districts, agencies, and colleges are

(7/16/15)

encouraged to work together to design programs and collaborations that will best serve students. Many models of operation are authorized as part of the statewide dropout reengagement system.

(a) In each of these models, the necessary agreement(s) will address whether the program will only serve students who are residents of the district or whether the program will also serve students who are not residents of the district but who petition for release from the resident district, pursuant to RCW 28A.225.220 through 28A.225.230, in order to attend the program. If the resident district does not participate in an OSPI approved program, another district, agency, or college may petition a district other than the resident district to enroll the eligible students under RCW 28A.225.220 through 28A.225.230 with the petitioning entity to provide a program for the eligible students.

(b) Regardless of the model of operation, the state funding is allocated to the district or direct funded technical college that is reporting the student's enrollment for the program.

(2) A district may enter into one of the following models of operations through the OSPI approval process:

(a) Directly operate a program where the services are provided by the district resources; or

(b) Enter into a partnership with an agency or college that will provide the services through a defined scope of work or contracted services agreement; or

(c) Become part of a consortium with other districts, colleges, and/or agencies by executing a consortium agreement that is signed by all member districts.

(3) The purpose of the consortium will be to create and operate a program that will serve students enrolled in multiple districts and reduce the administrative burden on districts. If such a regional reengagement consortium is implemented, a consortium lead agency will be identified and assume the following responsibilities:

(a) Take the lead in organizing and managing the regional consortium;

(b) Provide information and technical assistance to districts interested in participating in the consortium and providing the opportunity for students from their district to enroll;

(c) Advance scopes of work with agencies and colleges to operate the programs;

(d) Provide oversight and technical assistance to the program to align with all requirements of this chapter and the delivery of quality programming;

(e) Assist the program with the preparation of required reports, enrollment data, and course records needed by each district to enroll students, award credit, and report FTE and performance to OSPI;

(f) Facilitate data entry of required student data into each district's statewide student information system related to enrollment; and

(g) Work with the districts to facilitate the provision of special education and accommodations under Section 504 of the Rehabilitation Act of 1973.

(4) A technical college receiving direct funding and authorized to enroll students under WAC 392-121-187 may directly operate a program and serve students referred from multiple districts. The technical college will assume the responsibilities of operating the program as described in this

[Ch. 392-700 WAC p. 3]

chapter and will meet all responsibilities outlined in WAC 392-121-187.

(5) All programs must be approved by OSPI as follows:

(a) If the program is run by a district, agency or college, the program must be approved.

(b) If the program is run by a consortium, both the program and participating districts must be approved.

(c) Any program which meets the definition of an online school program in RCW 28A.250.010 must be approved as an online provider, pursuant to RCW 28A.250.060(2).

(6) Dependent on the model of operations, OSPI will specify the necessary documentation required for approval.

(7) OSPI will provide model documents that can be modified to include district/college/agency specific language and will indicate which elements of these standard documents must be submitted to OSPI for review and approval.

(8) Upon initial approval, OSPI will specify the duration of the approval and indicate the necessary criteria to obtain reapproval.

(9) After receiving a notice of approval, OSPI will assign a code to be used when reporting students enrolled in the program.

(10) This chapter does not affect the authority of districts, under RCW 28A.150.305 and 28A.320.035, to contract for educational services other than reengagement programs as defined by WAC 392-700-015 (20).

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-042, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-042, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-042, filed 6/6/13, effective 7/7/13.]

WAC 392-700-065 Instruction. (1) All program instruction will meet the following criteria:

(a) Instruction will be designed to help students acquire high school credits, acquire at least high school level skills, and be academically prepared for success in college and/or work.

(b) Instruction will be provided in accordance with the skills level and learning needs of individual students and not the student's chronological age or associated grade level. Therefore:

(i) Instruction that is at the ninth grade level or higher shall generate credits that can be applied to a high school diploma; and

(ii) Instruction that is below the ninth grade level shall not generate high school credits but will be counted as part of the program's instructional programming for the purposes of calculating FTE and will be designed to prepare students for course work that is at the ninth grade level or higher.

(c) Instruction in which each student is enrolled will not be limited to only those courses or subject areas in which they are deficient in high school credits.

(d) The program will administer standardized tests within one month of enrollment or secure test results from no more than six months prior to enrollment in order to determine a student's initial math and reading level upon entering the program.

(e) The program will provide all instruction, tuition, and required academic skills assessments at no cost to the students, but may collect mandatory fees as established by each program.

(i) Consumable supplies, textbooks, and other materials that are retained by the student do not constitute tuition or a fee.

(ii) Programs are encouraged to offer a waiver or scholarship process.

(2) Instruction for students enrolled in programs operated by a district or agency will meet the following criteria:

(a) Instruction must include:

(i) Academic skills instruction and high school equivalency certificate preparation course work with curriculum and instruction appropriate to each student's skills levels and academic goals; and

(ii) College readiness and work readiness preparation course work.

(b) Instruction may include:

(i) Competency based vocational training;

(ii) College preparation math or writing instruction;

(iii) Subject specific high school credit recovery instruction;

(iv) English as a second language instruction (ESL); and

(v) Other course work approved by the district, including cooperative work experience.

(c) Instruction will be scheduled so that enrolled students have the opportunity to attend and work with instructional staff during the hours of the program's standard instructional day.

(d) The program will maintain an instructor to student ratio as follows:

(i) The scheduled teaching hours of an instructional staff will equal or exceed the hours of the program's standard instructional day plus one additional hour per every five teaching hours for planning, curriculum development, recordkeeping, and required coordination of services with case management staff.

(ii) For any one instructional session, the program will assign instructional staff as needed to maintain an instructional staff to student ratio that does not exceed 1:25.

(iii) For programs that use noninstructional staff as part of the calculated instructional staff to student ratio, the following conditions must be met:

(A) Noninstructional staff may not be a replacement for the instructional staff and must work under the guidance and direct supervision of the instructional staff; and

(B) The ratio of total instructional and noninstructional staff to students may not exceed 2:50.

(3) Instruction for students enrolled in programs operated by a college will meet the following criteria:

(a) Instruction will be provided through courses approved by the college, identifiable by course title, course number, quarter, number of credits, and, for vocational course, the classification of instructional program (CIP) code number assigned by OSPI to the approved career and technical education (CTE) course.

(b) The following instruction will be offered to all students, as appropriate for their goals, skills levels, and completion of prerequisites:

(i) Basic skills remediation courses and high school equivalency certificate preparation courses;

(ii) Courses that will lead to a postsecondary degree or certificate;

(iii) Course work that will lead to a high school diploma; and

(iv) College and work readiness preparation course work.

(c) The program will maintain an instructor to student ratio as follows:

(i) Instructor to student ratio for any course open to both program students and nonprogram students will be determined by the college; and

(ii) Instructor to student ratio for classes designed exclusively for program students will not exceed 1:35.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-065, filed 7/16/15, effective 8/16/15; WSR 13-13-005, § 392-700-065, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20, WSR 11-17-045, § 392-700-065, filed 8/11/11, effective 9/11/11.]

WAC 392-700-085 Case management and student support. (1) Case management staff will be employed or assigned to the program to provide accessible, consistent support to students, as well as, academic advising, career guidance information, employment assistance or referrals, and referrals to social and health services.

(2) The program will maintain a case management staff to student ratio not to exceed 1:75 (one case manager to seventy-five enrolled students) on a full-time continuous basis throughout the school year.

(3) Only the percent of each staff member's time that is allocated to fulfilling case management responsibilities for reengagement students will be included in the calculation of a program's case management staff to student ratio.

(4) Even though the provision of case management services may require case management staff to work in the community to meet client needs, case management staff will be primarily based at the program's instructional site(s).

(5) The program will ensure that case management services and instruction are integrated and coordinated and that procedures are in place that facilitate timely relevant communication about student progress.

(6) Case management staff will be assigned to provide services to students on a continuous basis throughout the school year.

(7) All case management staff will have at least a bachelor's degree in social work, counseling, education, or a related field **or** at least two years' experience providing case management, counseling, or related direct services to at-risk individuals or sixteen to twenty-one year old youth.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-085, filed 7/16/15, effective 8/16/15; WSR 13-13-005, § 392-700-085, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20, WSR 11-17-045, § 392-700-085, filed 8/11/11, effective 9/11/11.]

WAC 392-700-137 Award of credit. (1) For programs operated by districts and agencies, high school credit will be awarded for all course work in which students are enrolled, including high school equivalency certificate preparation, in accordance with the following:

(a) Determination of credit will take place on a quarterly basis with quarters defined as follows:

(i) September through November;

(ii) December through February;

(iii) March through May; and

(iv) June through August.

(b) Credit will be awarded at the end of each quarter, in accordance with the following guidelines, if the student has been enrolled for at least one month of the quarter:

(i) A maximum of 0.5 high school elective credits will be awarded when a student passes one or more standardized high school equivalency certificate pretests during the quarter and the instructional staff has assessed student learning and determined that a course of study has been successfully completed.

(ii) A 0.5 high school elective credit will be awarded when a student makes a statistically significant standardized assessment post-test gain in a specific subject area during the quarter and the following conditions are met:

(A) The student's standardized skills assessment score at the beginning of the quarter demonstrated high school level skills; and

(B) The instructional staff has assessed student learning and determined that a course of study has been successfully completed. A maximum of 1.0 credit may be awarded for such subject gains in a quarter.

(iii) High school elective credit ranging from at least 0.1 credits to no more than 0.25 credits will be awarded for completion of a work readiness or college readiness curriculum in which the student has demonstrated mastery of specific competencies. The district and the agency will determine the amount of credit to be awarded for each course of study based on the competencies to be attained.

(iv) For students taking part in district approved subject-specific credit recovery course work, the amount and type of credit to be awarded will be defined by the district.

(v) The district must award credit for other course work provided by the agency with amount of credit to be awarded determined in advance, based on the agency's instructional staff's recommendation and on a district review of the curriculum and intended learning outcomes. Credit will only be awarded when:

(A) The student's standardized skills assessment score at the start of the quarter demonstrates high school level skills; and

(B) The instructional staff has assessed student learning and determined that the course of study has been successfully completed.

(2) For programs operated by colleges, high school credit will be awarded for course work in which students are enrolled, in accordance with the following:

(a) The district and the college will determine whether the high school diploma will be awarded by the district or by the college as part of the college's high school completion program.

(b) If the college is awarding the diploma:

(i) 1.0 high school credit will be awarded for successful completion of every five quarter or three semester hours of college course work at or above the one hundred level. The college will determine the type of credit;

(ii) 1.0 high school credit will be awarded for successful completion of every five quarter or three semester hours of below one hundred level course work at a college but has been determined by the college to be at the ninth grade level or higher. The college will determine the type of credit. Col-

lege based high school equivalency certificate and adult basic education (ABE) classes will not be included in this category;

(iii) 0.5 elective credits will be awarded for successful completion of every five quarter or three semester hours of high school equivalency certificate course work; and

(iv) ABE courses or other college courses that have been determined to be below the ninth grade level that does not generate high school credit will be counted as part of the program's instructional programming for the purposes of calculating FTE.

(c) If the district is awarding the diploma:

(i) 1.0 high school credit will be awarded for successful completion of every five quarter or three semester hours of below one hundred level course work at a college. The district will determine the type of credit;

(ii) 0.5 or 1.0 high school credit will be awarded for successful completion of every five quarter or three semester hours of below one hundred level course work at a college but has been determined by the district to be at the ninth grade level or higher. The district will determine the type and amount of credit for each class. College based high school equivalency certificate and ABE classes will not be included in this category;

(iii) 0.5 elective credits will be awarded for successful completion of every five quarter or three semester hours of high school equivalency certificate course work; and

(iv) ABE courses or other college courses that have been determined to be below the ninth grade level will not generate high school credit but the college credits associated with these courses will be included in the total credit count used to calculate and report student FTE.

(3) The district is responsible for reporting all high school credits earned by students in accordance with OSPI regulations. College transcripts and other student records requested by the district will be provided by the college or agency as needed to facilitate this process.

(4) The district will ensure that the process for awarding high school credits under this scope of work is implemented as part of the district's policy regarding award of credits per WAC 180-51-050 (5) and (6).

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-137, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-137, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-137, filed 6/6/13, effective 7/7/13.]

WAC 392-700-147 Provision of special education and Section 504 of the Rehabilitation Act of 1973 accommodations. (1) The resident district is responsible for the provision of special education services to any enrolled reengagement students who qualify for special education in accordance with all state and federal law and pursuant to chapter 392-172A WAC.

(2) Section 504 of the Rehabilitation Act of 1973 accommodations will be provided to all eligible students served by the agency or college in accordance with all applicable state and federal law.

[Statutory Authority: RCW 28A.175.100, WSR 13-13-005, § 392-700-147, filed 6/6/13, effective 7/7/13.]

WAC 392-700-152 Statewide student assessment. (1) All reengagement programs will ensure that students partici-

pate in the statewide assessment of student learning to fulfill the minimum requirements for high school graduation and comply with state and federal school and district accountability requirements.

(2) The program staff is not required to be direct test administrators (students can access the tests through the reporting district) but may act in this capacity with the approval of the reporting district which will be responsible for the appropriate training of agency or college staff. The reporting district will submit the proposed test site information to OSPI if a program is operating in adult jail, adult institution, hospital care, home care, library, group home, or church.

(3) Program students will be included when calculating school and state statistics in relation to the statewide assessments.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-152, filed 7/16/15, effective 8/16/15; WSR 13-13-005, § 392-700-152, filed 6/6/13, effective 7/7/13.]

WAC 392-700-155 Annual reporting calendar. (1) For programs operated by district and agencies and for below one hundred level classes offered in a college operated program, the following requirements will be met in relation to the school calendar:

(a) A school year begins September 1st and ends August 31st.

(b) The program will provide the reporting district a calendar of the school year prior to the beginning of the program's start date for that school year.

(c) The school year calendar must meet the following criteria:

(i) The specific planned days of instruction will be identified; and

(ii) There must be a minimum of ten instructional months.

(d) The number of hours of instruction as defined in WAC 392-700-065 must meet the following criteria:

(i) The calculation for standard instructional day may not exceed six hours per day even when instruction is provided for more than six hours per day; and

(ii) The standard instructional day may not be less than two hours per day.

(e) The total planned hours of instruction for the school year:

(i) Is the sum of the instructional hours for all instructional months of the school year; and

(ii) Must have at a minimum of nine hundred planned hours of instruction for the school year.

(2) For programs operated by colleges and for college level classes, the school year calendar shall meet the following criteria:

(a) The specific planned days of instruction will be identified; and

(b) There must be a minimum of ten instructional months.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-155, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-155, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-155, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20, WSR 11-17-045, § 392-700-155, filed 8/11/11, effective 9/11/11.]

WAC 392-700-160 Reporting of student enrollment.

(1) For all programs, the following will apply when reporting student enrollment for each monthly count day:

(a) Met all eligibility criteria pursuant to WAC 392-700-035;

(b) Been accepted for enrollment by the reporting district or the direct funded technical college;

(c) Enrolled in an approved program pursuant to WAC 392-700-042;

(d) Met the attendance period requirement pursuant to WAC 392-700-015(3);

(e) Met the weekly status check requirement pursuant to WAC 392-700-015(23);

(f) Has not withdrawn or been dropped prior to the monthly count day;

(g) Is not enrolled in course work that has been reported by a college for postsecondary funding;

(h) Is not eligible to be claimed by a state institution pursuant to WAC 392-122-221;

(i) Is not enrolled in a high school program, including alternative learning experience, college in the high school, or another reengagement program, excluding Jobs for Washington's Graduates program;

(j) If concurrently enrolled in a skills center program or running start program, does not exceed the FTE limitation pursuant to WAC 392-121-136;

(k) Is not suspended pursuant to WAC 392-400-260 or expelled pursuant to WAC 392-400-275 or 392-400-295 by the program; and

(l) A student's enrollment in the program is limited to the following:

(i) May not exceed 1.0 FTE in any month (including nonvocational and vocational FTE). If concurrently enrolled in Jobs for Washington's Graduates program, the combined FTE does not exceed 1.0 FTE in any month.

(ii) May not exceed 1.00 AAFTE in any school year as defined in WAC 392-700-015(2). If concurrently enrolled in Jobs for Washington's Graduates program, the combined AAFTE does not exceed 1.0 AAFTE for the school year.

(2) For all below one hundred level classes, the student enrollment is dependent upon attaining satisfactory progress.

(a) Satisfactory progress is defined as the documented attainment of at least one credential identified in WAC 392-700-015(11) and/or of at least one indicator of academic progress identified in WAC 392-700-015(15).

(b) A student who after three months of being claimed for state funding has not attained a credential or an indicator of academic progress cannot be claimed for state funding until a credential or an indicator of academic progress is earned.

(i) During this reporting funding exclusion period, the program may permit the student to continue to attend;

(ii) When the student achieves a credential or an indicator of academic progress, the student may be claimed for state funding for the following month; and

(iii) Rules governing the calculation of the three months are:

(A) The three months may occur in two different school years, if the student is enrolled in consecutive school years; and

(B) The three months are not limited to consecutive months, if there is a break in the student being claimed for state funding.

(3) For below one hundred level classes, student enrollment will be reported as follows:

(a) When the program's total planned hours of instruction pursuant to WAC 392-700-155 for the school year equals or exceeds nine hundred hours:

(i) The program is considered a full-time program; and

(ii) An enrolled student is a full-time student and is reported as 1.0 FTE on each monthly count day.

(b) Enrollment in below one hundred level classes is limited to nonvocational funding and the FTE cannot be claimed as vocational.

(4) For college level classes, student enrollment will be reported as follows:

(a) The FTE is determined by the student's enrolled credits on each monthly count day.

(i) Fifteen college credits equal 1.0 FTE;

(ii) A student enrolled in more than fifteen college credits is limited to be reported as 1.0 FTE for that month; and

(iii) If a student is enrolled for less than fifteen college credits, the FTE is calculated by dividing the enrolled college credits by fifteen.

(b) Enrollment in state approved vocational college level classes and taught by a certified vocational instructor can be claimed for enhanced vocational funding as a vocational FTE.

[Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-160, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-160, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-160, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-160, filed 8/11/11, effective 9/11/11.]

WAC 392-700-165 Funding and reimbursement. (1)

OSPI shall apportion funding for an approved program to district or direct funded technical colleges based upon the reported nonvocational and vocational FTE enrollment and the standard reimbursement rates. The standard reimbursement rates are the statewide average annual nonvocational and vocational rates as determined by OSPI pursuant to WAC 392-169-095.

(a) The basic education allocation funded to districts will be as follows:

(i) Monthly payments for the months September through December are based on estimated student enrollment projected by the district.

(ii) Beginning in January, monthly payments shall be adjusted to reflect actual student enrollment.

(b) Direct funded technical colleges will be paid quarterly pursuant to WAC 392-121-187 (7)(c).

(2) Distribution of state funding for programs is as follows:

(a) For programs directly operated by a district, the district will retain one hundred percent of the basic education allocation.

(b) For programs directly operated by a direct funded technical college pursuant to WAC 392-121-187, the technical college will retain one hundred percent of the basic education allocation.

(c) For programs operated by a college or agency under a scope of work or contracted services agreement with a district:

(i) The district may retain up to seven percent of the basic education allocation; and

(ii) The agency or college will receive the remaining basic education allocation.

(d) For programs operated as part of a consortium with a consortium lead agency:

(i) The district may retain up to five percent of the basic education allocation;

(ii) The consortium lead may retain up to seven percent of the basic education allocation; and

(iii) The operating agency or college will receive the remaining basic education allocation.

(3) Programs and districts may provide transportation for students but additional funds are not generated or provided.

(4) Reengagement students enrolled in a state-approved K-12 transitional bilingual instructional program pursuant to chapter 392-160 WAC can be claimed by the district for bilingual enhanced funding.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-165, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-165, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-165, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20, WSR 11-17-045, § 392-700-165, filed 8/11/11, effective 9/11/11.]

WAC 392-700-175 Required documentation and reporting. (1) Student documentation:

(a) The program shall submit to the reporting district or direct funded technical college monthly the program's enrollment and maintain and make available upon request the following documentation to support the monthly enrollment claim:

(i) Each student's eligibility pursuant to WAC 392-700-035;

(ii) Evidence of each student's enrollment requirements under WAC 392-700-160 to include:

(A) Enrollment in district or direct funded technical college;

(B) Evidence of minimum attendance period; and

(C) Earned credentials or attained an indicator of progress.

(D) Evidence of weekly status check.

(iii) Case management support pursuant to WAC 392-700-085.

(b) The district, agency, or college operating the program shall comply with all state and federal laws related to the privacy, sharing, and retention of student records.

(c) Access to all student records will be provided in accordance with the Family Educational Rights and Privacy Act (FERPA).

(2) Monthly student reporting. Approved programs are responsible for submitting all required student information to OSPI in accordance with the CEDARS reporting guidance and reengagement operational instructions. If the program's model of operation is a partnership or consortium, the agreement must identify who is responsible for providing the information.

(3) Annual reporting.

(a) The program will prepare and submit an annual performance report to the district, agency, or college under which the program is operating no later than October 1st.

(b) The district, agency, or college will review and submit the program's annual performance report to OSPI no later than November 1st.

(c) The annual report will include the following:

(i) Program's total number of students by gender, age, race/ethnicity, and credential type who earned a credential as defined in WAC 392-700-015(11).

(ii) Program's total number of students by gender, age, race/ethnicity, and indicator of academic progress types who attained an indicator of academic progress as defined in WAC 392-700-015(15). For high school and college credit, detail the subject area.

(iii) Total number of instructional staff.

(A) For programs operated by a district or agency, report total number of instructional staff assigned to the program.

(B) For programs operated by a college, report the number of instructional staff teaching students for the program.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-175, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-175, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-175, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20, WSR 11-17-045, § 392-700-175, filed 8/11/11, effective 9/11/11.]

WAC 392-700-195 Longitudinal performance goals.

(1) Longitudinal performance data for the program and the statewide reengagement system as a whole will be reported through the Washington's P-20 (preschool to postsecondary and workforce) longitudinal data system maintained by the ERDC.

(2) The district will work with the agency or college to collect and report student data requested by the ERDC in order to accomplish the longitudinal follow-up of reengagement students.

(3) At the end of each school year, the ERDC will identify the cohort of students for each program for whom longitudinal tracking will be done. Standard criteria to determine when students will be included in a longitudinal study cohort will be developed by the ERDC, with input from OSPI, district and program representatives and will apply to all programs.

(4) The ERDC will collect longitudinal data for each specific program cohort on an annual basis for five years. The ERDC will work with the OSPI administrator responsible for programs to prepare annual program specific reports for each cohort and an annual system-wide report for the entire reengagement system including data for the cohorts of all programs.

(5) The ERDC and OSPI will work with the district so that the district and the agency or college will have the opportunity to review data about the program prior to the release of the annual reports in December of each year. The ERDC and OSPI will develop procedures by which the district or agency can provide supplemental information and backup documentation for review and inclusion as it relates to postsecondary or workforce engagement of specific students in the cohort.

[Statutory Authority: RCW 28A.175.100, WSR 15-15-115, § 392-700-195, filed 7/16/15, effective 8/16/15; WSR 13-13-005, § 392-700-195, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20, WSR 11-17-045, § 392-700-195, filed 8/11/11, effective 9/11/11.]