

**WAC 392-160-015 Identification of eligible students.** (1) District procedures—Identification of primary language required: Every school district board of directors shall adopt written procedures governing the identification of each student's primary language and the determination of which students with a primary language other than English are eligible students. Such procedures shall include:

(a) A home language survey, completed by the student and the student's parent(s) or guardian(s), which identifies the student's primary language as other than English; and

(b) Provisions for testing students on the state-approved screener.

(2) Deadline for determining eligibility of newly enrolled students: The primary language and eligibility of each newly enrolled student shall be established no later than the tenth school day after the date upon which the student registers and commences attendance at a particular school district. Provided that no eligible student shall be required to participate in a transitional bilingual instructional program or an alternative instructional program, if the parent/guardian chooses to opt the student out of program services.

(3) Annual reassessment of all (eligible) students is required: Each school year each school in which an eligible student is enrolled shall conduct an evaluation of the overall academic progress and English language development of the student. This evaluation must include, but not be limited to, the administration of a standardized test in reading, writing, listening and speaking in English as set forth in WAC 392-160-035.

[Statutory Authority: RCW 28A.180.060. WSR 16-15-100, § 392-160-015, filed 7/20/16, effective 8/20/16. Statutory Authority: RCW 28A.180.010. WSR 08-19-039, § 392-160-015, filed 9/10/08, effective 10/11/08; WSR 08-09-071, § 392-160-015, filed 4/16/08, effective 5/17/08. Statutory Authority: Chapter 28A.180 RCW. WSR 91-17-008 (Order 12), § 392-160-015, filed 8/12/91, effective 9/12/91. Statutory Authority: RCW 28A.58.808. WSR 84-20-083 (Order 84-41), § 392-160-015, filed 10/2/84. Statutory Authority: RCW 28A.58.800 through 28A.58.810. WSR 84-13-027 (Order 84-17), § 392-160-015, filed 6/13/84. Statutory Authority: RCW 28A.58.804. WSR 81-15-089 (Order 81-4), § 392-160-015, filed 7/22/81. Statutory Authority: RCW 28A.58.808. WSR 80-07-039 (Order 80-21), § 392-160-015, filed 6/17/80.]