

**WAC 392-140-626 Special education safety net—Worksheet A—Demonstration of need.** Applications for safety net funds shall demonstrate capacity for safety net awards as follows:

(1) Application worksheet A shall demonstrate a fiscal capacity in excess of all available revenue to the applicant for special education, including state and federal revenue, program income generated by such state and/or federally funded special education programs, and all carryover of state and federal special education revenue.

(2) Awards shall not exceed the potential capacity for safety net funding on the worksheet A.

(3) Beginning with the 2007-08 school year, worksheets submitted with safety net applications must reflect the full cost method of accounting, pursuant to section 501 (1)(k), chapter 372, Laws of 2006.

(4) The safety net oversight committee may revise the applicant's worksheet A as submitted for errors or omissions or more current information.

(5) The applicant shall provide clarifying information at the request of the state oversight committee. Any information specifically requested by the committee on a case-by-case basis during the initial review (and included with the office of superintendent of public instruction conditional award letter) and provided by the applicant within the requested timeline will be considered during final safety net application reviews. There is no obligation for the committee to request additional information and the presumption is on the applicant to submit a complete and accurate initial application.

(6) After the close of the school year, the applicant's worksheet A used to determine capacity for an award may be reviewed against the actual final school year enrollments, all available revenues, and legitimate expenditures reported by the applicant. Based upon the results of this review the safety net allocation for the school year may be adjusted or recovered if the awards or a portion of the safety net awards exceeded the demonstrated capacity for funding based upon consideration of all available revenues and legitimate expenditures.

(7) In accordance with the state of Washington *Accounting Manual for Public School Districts* and statutory federal language, potential capacity for safety net awards shall not include legal fees, court costs, or other costs associated with a cause of action brought on behalf of a child to ensure a free appropriate public education.

[Statutory Authority: RCW 28A.155.090 and 28A.150.290. WSR 19-01-039, § 392-140-626, filed 12/13/18, effective 1/13/19. Statutory Authority: RCW 28A.150.290. WSR 13-05-054, § 392-140-626, filed 2/13/13, effective 3/16/13; WSR 08-03-096, § 392-140-626, filed 1/17/08, effective 2/17/08; WSR 06-01-017, § 392-140-626, filed 12/9/05, effective 1/9/06. Statutory Authority: RCW 28A.150.290 and 1999 c 309 § 507(7). WSR 04-08-118, § 392-140-626, filed 4/6/04, effective 5/7/04; WSR 03-02-053, § 392-140-626, filed 12/26/02, effective 1/26/03. Statutory Authority: RCW 28A.150.290. WSR 01-04-023, § 392-140-626, filed 1/30/01, effective 1/30/01. Statutory Authority: RCW 28A.150.290(2) and 1999 c 309 § 507(7). WSR 00-03-015, § 392-140-626, filed 1/7/00, effective 2/7/00.]