

**WAC 392-160-035 Program exit requirements—Testing.** (1) No student shall continue to be entitled to a transitional bilingual instructional program or alternative instructional program after the student has received instruction in a transitional bilingual instructional program or alternative instructional program conducted pursuant to this chapter within any one or more school districts for a period of three consecutive school years (i.e., 540 school days or portions thereof): Unless the student has not yet met exit criteria on the English language proficiency assessment as established by the office of superintendent of public instruction.

(2) The approved test for measurement of improvement in English language skills for purposes of exit from the transitional bilingual instructional program or alternative instructional programs shall be the English language proficiency assessment.

(3) No student shall be eligible for continued funding in the transitional bilingual instructional program or alternative program upon meeting or exceeding the state standards as measured by the English language proficiency assessment. As provided for in this section and WAC 392-160-015, the parent/guardian retains the option to refuse program services for the eligible student.

[Statutory Authority: RCW 28A.180.060. WSR 16-15-100, § 392-160-035, filed 7/20/16, effective 8/20/16. Statutory Authority: RCW 28A.180.010. WSR 08-09-071, § 392-160-035, filed 4/16/08, effective 5/17/08. Statutory Authority: RCW 28A.58.808. WSR 84-20-083 (Order 84-41), § 392-160-035, filed 10/2/84. Statutory Authority: RCW 28A.58.800 through 28A.58.810. WSR 84-13-027 (Order 84-17), § 392-160-035, filed 6/13/84. Statutory Authority: RCW 28A.58.804. WSR 81-15-089 (Order 81-4), § 392-160-035, filed 7/22/81. Statutory Authority: RCW 28A.58.808. WSR 80-07-039 (Order 80-21), § 392-160-035, filed 6/17/80.]