

if, and in the same manner as, required for the original decision.

[Statutory Authority: RCW 42.17.370, 91-16-072, § 390-37-150, filed 8/2/91, effective 9/2/91. Statutory Authority: RCW 42.17.370(1), 79-08-046 (Order 79-03), § 390-37-150, filed 7/19/79.]

WAC 360-37-210 Repealed. See Disposition Table at beginning of this chapter.

Title 392 WAC PUBLIC INSTRUCTION, SUPERINTENDENT OF

Chapters

392-101	Superintendent of public instruction--Administrative practices and procedures.
392-115	Finance--Audit resolution process.
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392-121	Finance--General apportionment.
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392-127	Finance--Certificated instructional staff ratio (46:1000) compliance.
392-140	Finance--Special allocations, instructions, and requirements.
392-142	Transportation--Replacement and depreciation allocation.
392-143	Transportation--Specifications for school buses.
392-145	Transportation--Operation rules.
392-151	Traffic safety--School safety patrol.
392-160	Special service program--Transitional bilingual.
392-162	Special service program--Learning assistance.
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Chapter 392-101 WAC

SUPERINTENDENT OF PUBLIC INSTRUCTION-- ADMINISTRATIVE PRACTICES AND PROCEDURES

WAC

392-101-010 Conduct of administrative hearings.

392-101-015 Determination of indigency--Provision of free transcript.

WAC 392-101-010 Conduct of administrative hearings. The superintendent of public instruction hereby assigns the following administrative hearings to the office of administrative hearings and hereby delegates to the administrative law judge conducting any such hearing the authority to render the final decision by the superintendent of public instruction:

(1) Nonresident transfer appeals pursuant to WAC 392-137-055(2).

(2) Special education hearings pursuant to WAC 392-171-531.

(3) Equal educational opportunity complaints pursuant to WAC 392-190-075.

(4) Professional certification appeals pursuant to WAC 180-75-030.

(5) Child care food program and summer food service program appeals pursuant to 7 C.F.R. Parts 225 and 226.


(6) Traffic safety education appeals pursuant to WAC 392-153-005 through 392-153-040.

[Statutory Authority: RCW 46.20.100(2) and chapter 28A.220 RCW, 91-18-007 (Order 91-17), § 392-101-010, filed 8/23/91, effective 9/23/91. Statutory Authority: RCW 34.04.020, 89-17-067 (Order 89-07), § 392-101-010, filed 8/16/89, effective 9/16/89. Statutory Authority: RCW 28A.03.500, 87-10-013 (Order 87-5), § 392-101-010, filed 4/28/87.]

WAC 392-101-015 Determination of indigency--Provision of free transcript. A determination of indigency shall be made for all persons wishing the provision of a free transcript of proceedings pursuant to the following standards:

(1) Any person(s) receiving one or more of the following type of public assistance: Aid to families with dependent children, general assistance, poverty related veterans' benefits, food stamps, refugee resettlement benefits, Medicaid, or supplementary security income.

(2) Any person(s) receiving an annual income, after taxes, of one hundred twenty-five percent or less of the current federally established poverty level.

 <p>STATE OF WASHINGTON Superintendent of Public Instruction</p>	<p>ADMINISTRATIVE SERVICES Legal Services Old Capitol Building, FG-11 Olympia, WA 98504-3211</p> <h2 style="margin: 0;">DETERMINATION OF INDIGENCY</h2>
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I. APPLICANT INFORMATION

APPLICANT'S NAME	CASE NUMBER
ADDRESS	TELEPHONE NUMBER ()
CITY/STATE/ZIP	SOCIAL SECURITY NUMBER (optional) DATE OF BIRTH
EMPLOYER	OCCUPATION
EMPLOYER ADDRESS	
CITY/STATE/ZIP	
STUDENT'S NAME	

II. SUPPORT OBLIGATIONS

FATHER'S NAME	Total Number of Dependents (include applicant in count) _____
MOTHER'S NAME	MOTHER'S MAIDEN NAME

III. PRESUMPTIVE ELIGIBILITY

YES NO

A. Does applicant receive public assistance. If "yes" then in what form:

<input type="checkbox"/> AFDC ¹	<input type="checkbox"/> Food Stamps	<input type="checkbox"/> Medicaid	<input type="checkbox"/> Refugee Resettlement Benefits
<input type="checkbox"/> SSI ²	<input type="checkbox"/> General Assistance	<input type="checkbox"/> Poverty-Related V.A. Benefits ³	<input type="checkbox"/> Other; specify _____

B. Is the annual income of applicant (after taxes), 125% or less of the current federally established poverty level?
 Specify income amount after taxes \$ _____.

If Section III, A or B applies (please provide documentation) and complete Section IX only. If Section III is not applicable, complete all remaining sections.

- ¹ Aid to Families with Dependent Children
- ² Supplemental Security Income
- ³ Veteran's Administration

IV. MONTHLY INCOME

a. Monthly take-home pay (after deductions)	\$
b. Spouse's take-home pay (enter N/A if conflict)	\$
c. Contribution from any person domiciled with applicant and helping to defray his/her basic living costs	\$
d. Interest, dividends, or other earnings	\$
e. Non-poverty based assistance (Unemployment, Social Security, Worker's Compensation, pension, annuities) (do not include poverty-based assistance. See IV a.)	\$
f. Other income (specify)	\$
TOTAL INCOME	\$

V. MONTHLY EXPENSES (for applicant and dependents; average where applicable)

a. Basic living costs -	\$
Shelter (rent, mortgage, board)	\$
Utilities (heat, electricity, water); enter 0 if included in cost of shelter)	\$
Food	\$
Clothing	\$
Health Care	\$
Transportation	\$
Loan Payments (specify) _____	\$
b. Court imposed obligations (check) ___Fines ___Court Costs ___Restitution ___Support ___Other	\$
c. Other expenses (specify)	\$
TOTAL EXPENSES	\$

VI. TOTAL INCOME PART IV, MINUS TOTAL EXPENSES PART V
 Disposable Net Monthly Income \$

VII. LIQUID ASSETS

a. Cash, savings, bank accounts (Include joint accounts)	\$
b. Stocks, bonds, certificates of deposit	\$
c. Equity in real estate	\$
d. Equity in motor vehicle required for employment, IF over \$3,000 (list average: value minus \$3,000) Make of car: _____ Year: _____	\$
e. Equity in additional vehicles (list total value)	\$
f. Personal property (jewelry, boat, stereo, etc.)	\$
TOTAL LIQUID ASSETS	\$

VIII. DETERMINATION OF INDIGENCY

a. Disposable Net Monthly Income (from Section VI.)		\$
b. Total Liquid Assets (from Section VII.)	+	\$
c. TOTAL AVAILABLE FUNDS (a. plus b.)	=	\$

If (c) is zero (0) or less, applicant is INDIGENT. If (c) is greater than (d), party is NOT INDIGENT.

ASSESSMENT AMOUNT \$

IX. AFFIDAVIT AND NOTIFICATION

I, _____ (print name) do hereby certify (or declare) under penalty of perjury under the Laws of the State of Washington that the foregoing is true and correct. By my signature below, I authorize the Superintendent of Public Instruction to verify all information provided here. I further swear to immediately report any change in financial status to the Superintendent of Public Instruction.

/

SIGNATUREDATEPLACE

RETURN TO: Legal Services
 Office of Superintendent of Public Instruction
 Old Capitol Building, FG-11
 Olympia, WA 98504-3211

OSPI USE ONLY	
<input type="checkbox"/> Indigent	_____ Signature _____
<input type="checkbox"/> Not Indigent	
_____ Date	_____ Title

[Statutory Authority: RCW 34.04.020 [34.05.220], 91-02-095 (Order 49), § 392-101-015, filed 1/2/91, effective 2/2/91.]

Chapter 392-115 WAC

FINANCE—AUDIT RESOLUTION PROCESS

WAC

392-115-005	Authority.
392-115-010	Purpose.
392-115-015	Definition—Subrecipient.
392-115-020	Definition—Program audit.
392-115-025	Definition—Single audit.
392-115-030	Definition—Audit report.
392-115-035	Definition—Questioned costs.
392-115-040	Definition—Monetary audit finding.
392-115-045	Definition—Nonmonetary audit finding.
392-115-050	Definition—Audit finding.
392-115-055	Definition—Disallowed costs.
392-115-060	Definition—Allowed costs.
392-115-065	Definition—Resolved audit finding.
392-115-070	Definition—Management decision letter.
392-115-075	Definition—Desk review.
392-115-080	Reopening of resolved audit findings.
392-115-085	Audit finding against SPI considered to be an audit finding against a subrecipient.
392-115-090	Lack of compliance with the audit resolution process.
392-115-095	Desk review of audit reports.
392-115-100	Subrecipient to be informed of audit finding.
392-115-105	Subrecipient concurrence with audit finding.
392-115-110	Management decision letter developed.
392-115-115	Final action plan.
392-115-120	SPI reviews final action plan.
392-115-125	SPI informs subrecipient of the results of review.
392-115-130	Subrecipient implements final action plan.
392-115-135	Subrecipient nonconcurrence with audit finding.
392-115-140	SPI review of audit finding as result of nonconcurrence.
392-115-145	SPI develops management decision letter.
392-115-150	Subrecipient appeal of management decision letter.
392-115-155	Modification of management decision letter.

WAC 392-115-005 Authority. The authority for this chapter is RCW 28A.300.070 which authorizes the superintendent of public instruction to receive and administer federal moneys in accordance with federal acts—to wit;

(1) U.S. Public Law 98-502 (the Single Audit Act of 1984) and its implementing federal rules and regulations that require the superintendent of public instruction to resolve audit findings against governmental organizations receiving federal moneys that the superintendent of public instruction receives and administers;

(2) U.S. Public Law 89-64 and amendments thereto (Child Nutrition Act of 1966) and its implementing rules and regulations that require the superintendent of public instruction to resolve audit findings against those organizations operating child care programs and receiving federal moneys received and administered by the superintendent of public instruction; or

(3) U.S. Office of Management and Budget Circular A-110 and successor circular A-133 that require the superintendent of public instruction to resolve audit findings against those organizations receiving federal moneys administered and received by the superintendent of public instruction.

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(4) U.S. Public Law 100-297 (Elementary and Secondary School Improvement Act of 1988) and implementing rules and regulations that require the superintendent of public instruction to consider audit findings to be prima facie evidence, and the burden of proof to set aside an audit finding rests with the subrecipient.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-005, filed 3/8/91, effective 4/8/91.]

WAC 392-115-010 Purpose. The purpose of this chapter is to set forth the policies and procedures in accordance with federal requirements for the resolution of monetary and nonmonetary audit findings against a subrecipient receiving federal moneys administered by the superintendent of public instruction.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-010, filed 3/8/91, effective 4/8/91.]

WAC 392-115-015 Definition—Subrecipient. As used in this chapter, "subrecipient" means a public or nonpublic entity receiving federal moneys administered and disbursed by the superintendent of public instruction.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-015, filed 3/8/91, effective 4/8/91.]

WAC 392-115-020 Definition—Program audit. As used in this chapter, "program audit" means an examination of a subrecipient to determine compliance with the federal laws and regulations governing the operation of a specific program.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-020, filed 3/8/91, effective 4/8/91.]

WAC 392-115-025 Definition—Single audit. As used in this section, "single audit" means an organization-wide examination conducted under the Single Audit Act of 1984 encompassing the entire financial operation of a subrecipient reporting whether:

(1) All financial statements present fairly the financial position and results of financial operations in accordance with generally accepted accounting principles;

(2) All laws and regulations having a material effect upon the financial statements or major federal assistance programs have been complied with; and

(3) All internal control systems provide reasonable assurance that federal financial assistance programs are managed in compliance with applicable laws and regulations.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-025, filed 3/8/91, effective 4/8/91.]

WAC 392-115-030 Definition—Audit report. As used in this chapter, "audit report" means the report issued by either the office of the state auditor or a certified public accountant disclosing the results of either a single audit or program audit.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-030, filed 3/8/91, effective 4/8/91.]

WAC 392-115-035 Definition—Questioned costs. As used in this chapter, "questioned costs" means the estimated cost presented in a schedule of questioned cost, associated with one or more of the following:

(1) An alleged violation of a law, regulation, contract, grant, cooperative agreement, or other agreement governing the expenditure of moneys.

(2) Lack of adequate documentation of the expenditure of moneys.

(3) The unnecessary or unreasonable expenditure of the moneys.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-035, filed 3/8/91, effective 4/8/91.]

WAC 392-115-040 Definition—Monetary audit finding. As used in this chapter, "monetary audit finding" means a questioned cost associated with a weakness, irregularity, or error.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-040, filed 3/8/91, effective 4/8/91.]

WAC 392-115-045 Definition—Nonmonetary audit finding. As used in this chapter, "nonmonetary audit finding" means a weakness, error, or irregularity not associated with a questioned cost but associated with:

- (1) Inadequacy of internal controls;
- (2) Lack of compliance with federal laws or rules and regulations; or
- (3) Improper financial statements of the subrecipient.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-045, filed 3/8/91, effective 4/8/91.]

WAC 392-115-050 Definition—Audit finding. As used in this chapter, "audit finding" means either a monetary or nonmonetary audit finding clearly designated as an audit finding in the audit report of a subrecipient pertaining to federal moneys administered by the superintendent of public instruction.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-050, filed 3/8/91, effective 4/8/91.]

WAC 392-115-055 Definition—Disallowed costs. As used in this chapter, "disallowed costs" means those questioned costs associated with an audit finding that the superintendent of public instruction has determined should not be charged to the federal government.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-055, filed 3/8/91, effective 4/8/91.]

WAC 392-115-060 Definition—Allowed costs. As used in this chapter, "allowed costs" means a questioned cost that the superintendent of public instruction has determined is properly charged to the federal government. Such determination includes but is not limited to the following reasons: Clerical error; inappropriate methodology; noncompliance with generally accepted auditing standards and incorrect interpretation or application of law, rules, or regulations.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-060, filed 3/8/91, effective 4/8/91.]

WAC 392-115-065 Definition—Resolved audit finding. As used in this chapter, "resolved audit finding" means an audit finding subject to provisions of a management decision letter.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-065, filed 3/8/91, effective 4/8/91.]

WAC 392-115-070 Definition—Management decision letter. As used in this chapter, "management decision letter" means a letter that represents resolution of the audit finding for the purposes of this chapter.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-070, filed 3/8/91, effective 4/8/91.]

WAC 392-115-075 Definition—Desk review. As used in this chapter, "desk review" means a review of an audit report to assure that it meets applicable reporting standards and single audit reporting requirements.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-075, filed 3/8/91, effective 4/8/91.]

WAC 392-115-080 Reopening of resolved audit findings. The superintendent of public instruction shall recover from the subrecipient moneys resulting from an audit resolution pursuant to this chapter, and any subsequent events that result in a liability of the subrecipient, including the reopening of resolved audit findings. Basic education allocation may be withheld to facilitate recovery as provided by section 1, chapter 103, Laws of 1990.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-080, filed 3/8/91, effective 4/8/91.]

WAC 392-115-085 Audit finding against SPI considered to be an audit finding against a subrecipient. An audit finding contained in an audit report of the superintendent of public instruction resulting from failure of a subrecipient to comply with federal law or rules and regulations, shall be considered an audit finding against the subrecipient and resolved pursuant to this chapter.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-085, filed 3/8/91, effective 4/8/91.]

WAC 392-115-090 Lack of compliance with the audit resolution process. Any subrecipient failing to comply with the process or procedures of this chapter may be subject to the withholding or recovery of federal moneys. The superintendent of public instruction may recover moneys or withhold future funding as necessary to implement management decision letters or final action plans. Money withheld may be released upon corrective action.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-090, filed 3/8/91, effective 4/8/91.]

WAC 392-115-095 Desk review of audit reports. As required by 34 C.F.R. Part 74, Appendix G, upon receipt of an audit report from the office of the state auditor or a certified public accountant, a desk review of the audit report shall be conducted by the superintendent of public instruction. Audit reports that pass the

desk review shall be forwarded for resolution of any audit findings. Audit reports that are determined by such review to be deficient shall be rejected. The superintendent of public instruction may consult with auditors prior to the rejection of audit reports.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-095, filed 3/8/91, effective 4/8/91.]

WAC 392-115-100 Subrecipient to be informed of audit finding. The superintendent of public instruction shall inform, by letter, the affected subrecipient of an audit finding or findings within thirty calendar days after an audit report has passed desk review, as required by WAC 392-115-095. If the audit contains a monetary audit finding such letter shall be notice under P.L. 100-297 of a prima facie case for the recovery of funds, that unless rebutted, is sufficient to sustain the conclusion drawn in the audit. If the audit contains a nonmonetary finding, the audit shall be a prima facie case that sustains the audit finding unless rebutted. Audit findings are sustained under this chapter unless the subrecipient can prove that the audit is deficient as specified in WAC 392-115-140.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-100, filed 3/8/91, effective 4/8/91.]

WAC 392-115-105 Subrecipient concurrence with audit finding. The subrecipient shall inform the superintendent of public instruction, by letter, whether it concurs or does not concur with an audit finding within thirty calendar days of the date of the notice by the superintendent of public instruction. If the subrecipient concurs with the audit finding(s), the superintendent of public instruction shall follow the process and procedures set forth in WAC 392-115-110 through 392-115-130. In the event a subrecipient elects not to respond to the notice within thirty calendar days of the date of said notice, such failure will be considered concurrence with audit finding(s). If the subrecipient does not concur with the audit finding, the subrecipient and the superintendent of public instruction shall follow the process and procedures set forth in WAC 392-115-140 through 392-115-150.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-105, filed 3/8/91, effective 4/8/91.]

WAC 392-115-110 Management decision letter developed. The superintendent of public instruction shall prepare and forward to the subrecipient a management decision letter setting forth:

- (1) Any corrective actions to be taken by the subrecipient;
- (2) Any disallowed costs to be recovered from non-federal sources;
- (3) Any allowed costs chargeable to federal sources;
- (4) Any corrective action to be taken by the subrecipient;
- (5) The due date for submission to the superintendent of public instruction of any final action plan.

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The superintendent of public instruction shall issue the management decision letter no later than one hundred eighty calendar days after the receipt of the audit report setting forth an audit finding against the subrecipient.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-110, filed 3/8/91, effective 4/8/91.]

WAC 392-115-115 Final action plan. The subrecipient shall develop a final action plan, as required in the management decision letter, setting forth:

- (1) The corrective actions; and
- (2) The schedule for implementation of corrective actions.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-115, filed 3/8/91, effective 4/8/91.]

WAC 392-115-120 SPI reviews final action plan. The superintendent of public instruction shall review and approve the final action plan and implementation schedule as proposed by the subrecipient for compliance with the required actions set forth in the management decision letter. If the final action plan or its implementation schedule does not comply with the requirements of the management decision letter, the superintendent shall require the subrecipient to modify the final action plan accordingly. The auditor (the office of the state auditor or a certified public accountant) has the responsibility to review the subrecipient's actions to determine if the corrective actions called for in the final action plan have taken place and assess the adherence to the final action plan in making audit determinations.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-120, filed 3/8/91, effective 4/8/91.]

WAC 392-115-125 SPI informs subrecipient of the results of review. The superintendent of public instruction shall inform the subrecipient, by letter, of:

- (1) The results of its review of the final action plan;
- (2) Any modification required to be made by the subrecipient; and
- (3) The implementation schedule of the final action plan.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-125, filed 3/8/91, effective 4/8/91.]

WAC 392-115-130 Subrecipient implements final action plan. The subrecipient shall implement the final action plan, with any required modifications, by the date(s) specified by the superintendent of public instruction.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-130, filed 3/8/91, effective 4/8/91.]

WAC 392-115-135 Subrecipient nonconcurrence with audit finding. The subrecipient shall state the basis of its nonconcurrence with the audit finding by letter, within sixty calendar days (inclusive of the thirty calendar days allowed the subrecipient to notify the superintendent of public instruction of its concurrence or

nonconcurrency provided in WAC 392-115-105) of notification from the superintendent of public instruction of the audit finding. The letter shall set forth in full the reasons for the nonconcurrency and be the basis for any subsequent review by the superintendent of public instruction. The subrecipient shall have the burden of proof in cases of disputed audit findings.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-135, filed 3/8/91, effective 4/8/91.]

WAC 392-115-140 SPI review of audit finding as result of nonconcurrency. The superintendent of public instruction shall review the subrecipient's letter of nonconcurrency and such review shall be limited to proof of one or more of the following:

- (1) Error or omission by the auditor;
- (2) Application of inappropriate methodology by the auditor;
- (3) Noncompliance with generally accepted auditing standards by the auditor;
- (4) Incorrect interpretation or application by the auditor of federal law or rules and regulations.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-140, filed 3/8/91, effective 4/8/91.]

WAC 392-115-145 SPI develops management decision letter. The superintendent of public instruction shall issue a management decision letter pursuant to WAC 392-115-115 incorporating the results of its review of the subrecipient's nonconcurrency with an audit finding.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-145, filed 3/8/91, effective 4/8/91.]

WAC 392-115-150 Subrecipient appeal of management decision letter. The subrecipient may, in writing, appeal the management decision letter within thirty calendar days after the date of the management decision letter to the superintendent of public instruction.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-150, filed 3/8/91, effective 4/8/91.]

WAC 392-115-155 Modification of management decision letter. The superintendent of public instruction shall include any judgments or decisions resulting from a fully exhausted appeals process in a revised management decision letter developed pursuant to WAC 392-115-110.

[Statutory Authority: RCW 28A.300.070. 91-07-007 (Order 91-04), § 392-115-155, filed 3/8/91, effective 4/8/91.]

Chapter 392-117 WAC TIMELY REPORTING

WAC

392-117-005	Authority.
392-117-010	Purpose.
392-117-015	Definition—Extenuating circumstances.
392-117-020	School district and educational service district reporting responsibilities.
392-117-025	Superintendent of public instruction reporting responsibilities.
392-117-030	Failure to submit timely general apportionment data.

392-117-035	Failure to submit timely annual financial statements.
392-117-040	Extension of time for filing annual financial statements.
392-117-045	Corrections to data reported to the superintendent of public instruction.
392-117-050	Documentation requirements.

WAC 392-117-005 Authority. The authority for this chapter is RCW 28A.150.290 which establishes that the superintendent of public instruction shall have the power and duty to make rules and regulations that are necessary for the proper administration of allocations for basic education and other purposes and RCW 28A.300.040 which states that the powers and duties of the superintendent of public instruction include:

- (1) To have supervision over all matters pertaining to the public schools;
- (2) To report to the governor and the legislature such information and data as may be required for the management and improvement of the schools; and
- (3) To print and distribute forms that are necessary to discharge the duties of officials charged with the administration of the laws relating to the common schools.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-005, filed 6/14/91, effective 7/15/91.]

WAC 392-117-010 Purpose. The purpose of this chapter is to provide policies and procedures to encourage timely reporting of general apportionment data and year end financial report data by school districts and educational service districts to the superintendent of public instruction.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-010, filed 6/14/91, effective 7/15/91.]

WAC 392-117-015 Definition—Extenuating circumstances. As used in this chapter, extenuating circumstances means a circumstance or set of circumstances that lessens or mitigates the consequences of failure under these rules to report as required in accordance with established due dates. Extenuating circumstances include but are not limited to unusual or infrequent events like an unforeseen natural event, labor dispute, or a computer system failure.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-015, filed 6/14/91, effective 7/15/91.]

WAC 392-117-020 School district and educational service district reporting responsibilities. Each school district and educational service district shall provide, upon written request of the superintendent of public instruction, such data as the superintendent deems appropriate. These requirements include but are not limited to data for determining the financial condition and results of operation of the school districts and educational service districts of the state, data for substantiating appropriation requests to the state legislature, data for administering state legal requirements, and data for substantiating each district's entitlement to state basic education apportionment.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-020, filed 6/14/91, effective 7/15/91.]

WAC 392-117-025 Superintendent of public instruction reporting responsibilities. The superintendent of public instruction shall provide each district with necessary report formats and shall advise each district of the due dates established by the superintendent for the return of such completed report forms to the educational service districts or to the superintendent of public instruction.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-025, filed 6/14/91, effective 7/15/91.]

WAC 392-117-030 Failure to submit timely general apportionment data. In the event any school district or educational service district fails to submit data by the due date established or in the form required by the superintendent of public instruction and the data are unavailable for calculations pursuant to this chapter or the biennial Operating Appropriations Act, the superintendent of public instruction shall either:

(1) Perform calculations and make payments as if the school district or educational service district reported zero data; or

(2) Delay calculations and payments to the school district or educational service district until the next monthly apportionment payment or until after data are submitted in the form required.

If a school district or educational service district is unable to report by the due date or in the form required by the superintendent of public instruction due to extenuating circumstances, the district may request to make a tentative report. If the superintendent of public instruction agrees that extenuating circumstances exist and if the tentative report is received in time for the calculations, the superintendent of public instruction may use such tentative report for calculations and payments until such time as the district submits the final required data: *Provided*, That a tentative report shall not be used for more than one monthly apportionment calculation without consent of the superintendent of public instruction.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-030, filed 6/14/91, effective 7/15/91.]

WAC 392-117-035 Failure to submit timely annual financial statements. A school district's apportionment payments shall be delayed by the superintendent of public instruction if a school district fails to submit its annual financial statements (Report F-196) to the superintendent of public instruction by the established due date. An educational service district's apportionment payments shall be delayed by the superintendent of public instruction if an educational service district fails to submit its annual financial statements (Report F-185) to the superintendent of public instruction by the established due date. The first apportionment payment to be delayed will be for the month in which the annual financial statements are due. The first apportionment payment shall be delayed no less than thirty days. The first apportionment payment and subsequent apportionment payments shall be delayed until the annual financial statements are filed in approvable form.

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[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-035, filed 6/14/91, effective 7/15/91.]

WAC 392-117-040 Extension of time for filing annual financial statements. The superintendent of public instruction may grant an extension of the due date of the annual financial statements. The due date may be extended a maximum of thirty days. However, extensions may be granted for a period greater than thirty days when records necessary for the preparation of the annual financial statement have been destroyed as the result of an extenuating circumstance. A school district or educational service district's request for a due date extension must be received by the superintendent of public instruction at least ten days before the due date. The superintendent of public instruction may grant an extension only because of extenuating circumstances.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-040, filed 6/14/91, effective 7/15/91.]

WAC 392-117-045 Corrections to data reported to the superintendent of public instruction. If at any time prior to the completion of an audit of data by the state auditor a school district or educational service district discovers that data have been reported to the superintendent of public instruction in error, the school district shall submit revised data. After completion of an audit by the state auditor, the school district shall report only revisions pursuant to a finding and recommendation by the state auditor subject to the provisions of chapter 392-115 WAC.

Unless the superintendent of public instruction provides instructions to the contrary, revised data shall be submitted in the same manner as the original report. The revised report shall contain an original signature of the educational service district superintendent or the school district superintendent or the authorized official.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-045, filed 6/14/91, effective 7/15/91.]

WAC 392-117-050 Documentation requirements. School districts and educational service districts shall provide upon request by the superintendent of public instruction and for audit purposes, documentation to support all data reported to the superintendent of public instruction pursuant to this chapter.

[Statutory Authority: RCW 28A.150.290 and 28A.300.040. 91-13-054 (Order 91-09), § 392-117-050, filed 6/14/91, effective 7/15/91.]

Chapter 392-121 WAC

FINANCE--GENERAL APPORTIONMENT

WAC

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- 392-121-540 Withholding for repayment of federal moneys—Withholding of basic education allocations.
- 392-121-545 Withholding for repayment of federal moneys—Payment of withheld basic education allocations.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 392-121-297 Definition—District actual derived base salary for basic education certificated instructional staff. [Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-297, filed 1/11/88.] Repealed by 91-02-097 (Order 51), filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502.

WAC 392-121-108 Enrollment exclusions. A person who qualifies for any of the exclusions set forth in this section shall not be counted as an enrolled student pursuant to WAC 392-121-106.

(1) Absences – except as provided in (a) and (b) of this subsection, a student whose consecutive days of absence from school exceed twenty school days shall not be counted as an enrolled student until attendance is resumed.

(a) If there is an agreement between the appropriate school official and a student's parent or guardian pursuant to RCW 28A.225.010 that the student's temporary absence is not deemed to cause a serious adverse effect upon the student's educational progress, the absent student may be counted as an enrolled student for up to two monthly enrollment count dates as specified in WAC 392-121-122.

(b) A student receiving home and/or hospital service pursuant to WAC 392-171-486 shall be counted as an enrolled student as provided in WAC 392-122-145.

(2) Dropouts – a student for whom the school district has received notification of dropping out of school by the student or the student's parent or guardian shall not be

counted as an enrolled student until attendance is resumed.

(3) Transfers – a student who has transferred to another public or private school and for whom the school district has received notification of transfer from the school to which the student has transferred, from the student, or from the student's parent or guardian shall not be counted as an enrolled student unless the student reenrolls in the school district.

(4) Suspensions – a student who has been suspended from school pursuant to WAC 180-40-260, when the conditions of the suspension will cause the student to lose academic grades or credit, shall not be counted as an enrolled student until attendance is resumed.

(5) Expulsions – a student who has been expelled from school by the school district pursuant to WAC 180-40-275 shall not be counted as an enrolled student.

[Statutory Authority: RCW 28A.150.290, 28A.150.250 and 28A.150.260. 91-02-096 (Order 50), § 392-121-108, filed 1/2/91, effective 2/2/91. Statutory Authority: 1990 c 33. 90-16-002 (Order 18), § 392-121-108, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-108, filed 1/11/88.]

WAC 392-121-133 Definition—Annual average full-time equivalent students. As used in this chapter, "annual average full-time equivalent students" means the sum of the following:

(1) The annual total of full-time equivalent students enrolled on the nine enrollment count dates of the school year and reported to the superintendent of public instruction pursuant to WAC 392-121-122 divided by nine;

(2) Annual hours of ancillary service to private school and home-based students reported pursuant to chapter 392-134 WAC divided by 900; and

(3) Annual hours of eligible summer enrollment in nonstandard school year programs pursuant to WAC 392-121-123 divided by 900.

[Statutory Authority: RCW 28A.150.290, 28A.150.250 and 28A.150.260. 91-02-096 (Order 50), § 392-121-133, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-133, filed 1/11/88.]

WAC 392-121-136 Limitation on enrollment counts. Enrollment counts pursuant to WAC 392-121-106 through 392-121-133 are subject to the following limitations:

(1) Except as provided in subsection (2) of this section, no student, including a student enrolled in more than one school district, shall be counted as more than one full-time equivalent student on any count date or more than one annual average full-time equivalent student in any school year.

(2) School districts operating approved vocational skills center programs during the summer vacation months may claim additional full-time equivalent students based upon actual enrollment in such vocational skills centers on the first school day of July of each year. Each district operating an approved vocational skills center program shall be entitled to claim one annual average full-time equivalent student for each 900 hours of

planned student enrollment for the summer term based upon the July enrollment data.

(3) A student who is five years of age at the beginning of the school year and who is enrolled in a preschool handicapped program shall not be counted as a kindergarten student pursuant to WAC 392-121-122 unless the student is enrolled full time in the preschool handicapped program or attends a regular kindergarten program in addition to the preschool handicapped program.

(4) No kindergarten student, including a student enrolled in more than one school district, shall be counted as more than one-half of an annual average full-time equivalent student in any school year.

[Statutory Authority: RCW 28A.150.290, 28A.150.250 and 28A.150.260. 91-02-096 (Order 50), § 392-121-136, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-136, filed 1/11/88.]

WAC 392-121-182 Alternative learning experience requirements. An alternative learning program may be counted as a course of study pursuant to WAC 392-121-107 if the following requirements are met:

(1) The program operates in compliance with an approved written program plan on file in the appropriate school building. Alternative learning experience plans shall include but not be limited to:

(a) The objective(s) of the program;

(b) The teaching component(s) of the program, including where and when teaching activities will be conducted by school district certificated staff;

(c) A schedule of the duration of the program, including beginning and ending dates within the school year;

(d) A description of how student performance will be supervised, evaluated, and recorded by the certificated staff or by qualified school district employees under the direct supervision of the certificated staff; and

(e) A description of intervention techniques and criteria for their use.

(2) The student's performance is subject to the direction of and evaluation by the district's certificated staff.

(3) Each high school course credit which is actively being pursued in an alternative learning experience and which meets the requirements of WAC 180-51-110 may supplement or replace one hour of minimum time toward a scheduled school day.

[Statutory Authority: RCW 28A.150.290, 28A.150.250 and 28A.150.260. 91-02-096 (Order 50), § 392-121-182, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-182, filed 1/11/88.]

WAC 392-121-184 Running start program requirements. The provisions of this chapter shall govern the substantiation of claims for running start program basic education allocation moneys to the extent the provisions of this chapter supplement and do not conflict with the provisions of chapter 392-127 WAC. See the special running start program definitions of full-time equivalent students in WAC 392-127-715 through 392-127-725, enrollment limitations in WAC 392-127-775, and related finance reporting requirements and limitations in WAC 392-127-795 through 392-127-820.

[Statutory Authority: RCW 28A.600.390, 91-08-038 (Order 91-07), § 392-121-184, filed 3/29/91, effective 4/29/91.]

WAC 392-121-265 Definition--State-wide salary allocation schedule. As used in this chapter, "state-wide salary allocation schedule" means the schedule established by the legislature for each school year in the biennial Operating Appropriations Act for the purpose of determining funding for basic education certificated instructional staff salaries.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502. 91-02-097 (Order 51), § 392-121-265, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-265, filed 1/11/88.]

WAC 392-121-268 Definition--LEAP Document 12. As used in this chapter, "LEAP Document 12" means the computerized tabulation of 1988-89 salary allocations for basic education certificated administrative staff and basic education classified staff and 1988-89 derived base salaries for basic education certificated instructional staff as developed on April 20, 1989, at 14:15 hours.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502. 91-02-097 (Order 51), § 392-121-268, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-268, filed 1/11/88.]

WAC 392-121-269 Definition--LEAP Document 1R. As used in this chapter, "LEAP Document 1R" means the computer tabulation establishing staff mix factors for basic education certificated instructional staff according to education and years of experience as developed on March 29, 1990, at 11:00 hours.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502. 91-02-097 (Order 51), § 392-121-269, filed 1/2/91, effective 2/2/91.]

WAC 392-121-270 Placement of certificated instructional staff with degrees on the state-wide salary allocation schedule and on LEAP Documents 1 and 1R. Each certificated instructional employee with a degree shall be placed on the state-wide salary allocation schedule and on LEAP Documents 1 and 1R based on the employee's years of experience, highest degree level, and total eligible credits as defined in this chapter.

(1) If an employee holds more than one degree of the same level, additional credits shall be counted after the first degree.

(2) A certificated instructional employee who holds a valid vocational certificate acquired as the result of industrial experience rather than college training, and who also has earned a college degree which is incidental to or not related to the vocational certificate shall be reported by the school district as holding no degree.

(3) For placement on the state-wide salary allocation schedule and on LEAP Documents 1 and 1R, years of experience and total eligible credits shall be rounded to the nearest whole number. One-half year or credit shall be rounded to the next highest year or credit.

(4) Effective for the 1992-93 school year and thereafter, an employee whose highest degree is a bachelor's degree, whose total eligible credits are ninety or greater,

and whose total eligible credits earned prior to January 1, 1992, were less than one hundred thirty-five shall be placed on the BA + 90 column of the state-wide salary allocation table and LEAP Documents 1 and 1R.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502. 91-02-097 (Order 51), § 392-121-270, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 90-13-088 (Order 15), § 392-121-270, filed 6/20/90, effective 7/21/90; 88-03-013 (Order 88-8), § 392-121-270, filed 1/11/88.]

WAC 392-121-272 Placement of nondegree certificated instructional personnel on the state-wide salary allocation schedule and on LEAP Documents 1 and 1R. Certificated employees without college degrees shall be placed on the state-wide salary allocation schedule and on LEAP Documents 1 and 1R as follows:

(1) Persons holding a valid initial or provisional certificate as a school nurse, a life teaching certificate, or a valid certificate as a special elementary or secondary consultant, or special crafts teacher shall be placed on the BA column.

(2) For certificated instructional employees having no degree of bachelor's level or higher, no credits earned beyond degree may be reported except as provided in subsections (3) and (4) of this section.

(3) Persons holding a valid continuing or standard school nurse certificate shall be placed on the BA + 30 credits column.

(4) Persons holding valid vocational certificates as provided for in chapter 180-77 WAC shall be placed on the state-wide salary allocation schedule and on LEAP Documents 1 and 1R as follows:

(a) Persons meeting the minimum certification requirements shall be placed on the BA column; and

(b) Additional quarter credit hours earned shall be recognized on the basis of one quarter hour for each ten clock hours of approved teacher training and/or one quarter hour for each 100 clock hours of occupational experience as defined in chapter 180-77 WAC each earned after meeting the minimal vocational certification requirements. Persons reaching the BA + 135 credits column with this process shall be placed on the MA column.

(5) Years of experience and quarter credit hours shall be rounded to the nearest whole number. One-half year or credit shall be rounded to the next highest year or credit.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502. 91-02-097 (Order 51), § 392-121-272, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-272, filed 1/11/88.]

WAC 392-121-280 Placement on state-wide salary allocation schedule and on LEAP Documents 1 and 1R--Documentation required. School districts shall have documentation on file and available for review which substantiates each certificated employee's placement on the state-wide salary allocation schedule and on LEAP Documents 1 and 1R.

(1) Districts shall document the date of awarding or conferring of the highest degree. Documentation shall include the date upon which the degree was awarded or

conferred as recorded on the diploma or official transcript: *Provided*, That if the degree was awarded by an institution which does not confer degrees after each term, and all degree requirements were completed at a time other than the date recorded on the diploma or transcript, an official notarized statement from the institution verifying a prior completion date shall be adequate documentation.

(2) Districts shall document academic credits by having on file an official transcript or letter from the institution granting the credits.

(3) Districts shall document in-service credits by having on file a document meeting standards established in WAC 180-85-107 (1) through (3).

(4) Districts shall document years of experience that are eligible for application on the state-wide salary allocation schedule and on LEAP Documents 1 and 1R. Documentation for years of experience shall be on letters or any other documents that provide evidence of employment including dates of employment.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502. 91-02-097 (Order 51), § 392-121-280, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-280, filed 1/11/88.]

WAC 392-121-295 Definition--District average staff mix factor for basic education certificated instructional staff. As used in this chapter, "district average staff mix factor for basic education certificated instructional staff" means the number rounded to five decimal places determined as follows:

(1) Assign a staff mix factor to each basic education certificated instructional employee by placing the employee on LEAP Document 1 or 1R pursuant to WAC 392-121-270 or 392-121-272;

(2) Multiply the result by the full-time equivalency for the time each employee meets the definition of full-time equivalent basic education certificated instructional employee pursuant to WAC 392-121-215;

(3) Sum the results obtained in subsection (2) of this section for all basic education certificated instructional employees of the school district; and

(4) Divide the result by the district's total full-time equivalent basic education certificated instructional staff.

(5) For the purpose of this section basic education certificated instructional staff are those employed by the school district as of October 1 of the school year as reported to the superintendent of public instruction on Form S-275.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502. 91-02-097 (Order 51), § 392-121-295, filed 1/2/91, effective 2/2/91. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-295, filed 1/11/88.]

WAC 392-121-297 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-121-299 Determination of district average basic education certificated instructional staff salary for the purpose of apportionment. Each school district's average basic education certificated instructional staff

salary for the purpose of apportioning state general fund moneys to school districts pursuant to RCW 28A.150.250 and 28A.150.260 shall be determined by the superintendent of public instruction as provided in the biennial Operating Appropriations Act using definitions and procedures provided in this chapter.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502. 91-02-097 (Order 51), § 392-121-299, filed 1/2/91, effective 2/2/91. Statutory Authority: 1990 c 33. 90-16-002 (Order 18), § 392-121-299, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.41.055 and 28A.41.170. 88-03-013 (Order 88-8), § 392-121-299, filed 1/11/88.]

WAC 392-121-500 Withholding for repayment of federal moneys--Applicable provisions. The provisions of WAC 392-121-500 through 392-121-545 apply to the withholding of basic education allocations pursuant to chapter 103, Laws of 1990 to facilitate repayment of school district expenditures to the federal government pursuant to WAC 392-115-090 or a federal audit resolution process.

[Statutory Authority: RCW 28A.150.290. 91-14-038 (Order 91-10), § 392-121-500, filed 6/26/91, effective 7/27/91. Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-500, filed 3/7/91, effective 4/7/91.]

WAC 392-121-505 Withholding for repayment of federal moneys--Definition--Disallowed costs. As used in WAC 392-121-500 through 392-121-545, "disallowed costs" means the same as defined in WAC 392-115-055.

[Statutory Authority: RCW 28A.150.290. 91-14-038 (Order 91-10), § 392-121-505, filed 6/26/91, effective 7/27/91. Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-505, filed 3/7/91, effective 4/7/91.]

WAC 392-121-510 Withholding for repayment of federal moneys--Definition--Management decision letter. As used in WAC 392-121-500 through 392-121-545, "management decision letter" means the same as defined in WAC 392-115-070.

[Statutory Authority: RCW 28A.150.290. 91-14-038 (Order 91-10), § 392-121-510, filed 6/26/91, effective 7/27/91. Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-510, filed 3/7/91, effective 4/7/91.]

WAC 392-121-515 Withholding for repayment of federal moneys--Definition--Acceptable repayment plan. As used in WAC 392-121-500 through 392-121-545, "acceptable repayment plan" means a plan agreed to by the superintendent of public instruction for repayment of disallowed costs plus accrued interest as determined by the federal government.

[Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-515, filed 3/7/91, effective 4/7/91.]

WAC 392-121-520 Withholding for repayment of federal moneys--Definition--Substantial impairment. As used in WAC 392-121-500 through 392-121-545, "substantial impairment" means that after reducing the school district's current school year basic education allocation by the amount of disallowed costs plus accrued interest the school district is likely to incur a negative

unreserved general fund balance as of August 31 of the current school year and is unlikely to be able to balance the school district general fund budget for the ensuing school year without requesting the superintendent of public instruction for permission to budget receivables pursuant to WAC 392-123-060.

[Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-520, filed 3/7/91, effective 4/7/91.]

WAC 392-121-525 Withholding for repayment of federal moneys--Determination of substantial impairment. If any school district does not repay disallowed costs plus accrued interest or commit to an acceptable repayment plan within thirty calendar days of issuance of the management decision letter, the superintendent of public instruction shall determine if substantial impairment exists.

[Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-525, filed 3/7/91, effective 4/7/91.]

WAC 392-121-530 Withholding for repayment of federal moneys--Notice of substantial impairment. If the superintendent of public instruction determines pursuant to WAC 392-121-525 that substantial impairment exists, the superintendent of public instruction shall notify the school district in writing that:

(1) No withholding shall occur until such time as substantial impairment no longer exists;

(2) Unless the school district repays disallowed costs plus accrued interest or agrees to an acceptable repayment plan, the superintendent of public instruction, at least once every twelve months, or sooner at the request of the school district, shall determine if substantial impairment exists pursuant to WAC 392-121-525; and

(3) Interest will continue to accrue until the amount of disallowed costs plus accrued interest are repaid to the federal government.

[Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-530, filed 3/7/91, effective 4/7/91.]

WAC 392-121-535 Withholding for repayment of federal moneys--Notice of intent to withhold basic education allocations. If the superintendent of public instruction determines pursuant to WAC 392-121-525 that substantial impairment does not exist, the superintendent of public instruction shall notify the school district in writing of intent to withhold basic education allocations.

[Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-535, filed 3/7/91, effective 4/7/91.]

WAC 392-121-540 Withholding for repayment of federal moneys--Withholding of basic education allocations. If the school district does not repay disallowed costs plus accrued interest or commit to an acceptable repayment plan within thirty calendar days of the notice provided pursuant to WAC 392-121-535, the superintendent of public instruction shall withhold from the school district's next basic education apportionment payment an amount equal to the disallowed costs plus

accrued interest. After the initial withholding the superintendent of public instruction shall withhold amounts for additional interest accruing on disallowed costs.

[Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-540, filed 3/7/91, effective 4/7/91.]

WAC 392-121-545 Withholding for repayment of federal moneys--Payment of withheld basic education allocations. Moneys withheld pursuant to WAC 392-121-540 shall be restored to the school district or paid to the federal government as provided in this section.

(1) If the school district repays disallowed costs plus accrued interest to the federal government or commits to an acceptable repayment plan before the close of the state biennium in which withholding occurred the superintendent of public instruction shall restore withheld moneys to the school district's basic education allocation.

(2) If the school district does not repay or commit to repay pursuant to subsection (1) of this section, the superintendent of public instruction shall request the legislature for reappropriation of basic education moneys for the purpose of repaying the federal government. The requested reappropriation shall include amounts for interest accruing on disallowed costs up to the anticipated date of repayment to the federal government.

(3) Upon reappropriation of moneys pursuant to subsection (2) of this section, the superintendent of public instruction shall pay an amount equal to the disallowed costs plus accrued interest to the federal government.

[Statutory Authority: RCW 28A.150.290 and 1990 c 103. 91-07-006 (Order 44), § 392-121-545, filed 3/7/91, effective 4/7/91.]

Chapter 392-122 WAC

FINANCE--CATEGORICAL APPORTIONMENT

WAC

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392-122-107	Definition—Report 1220.
392-122-110	Definition—State handicapped program—Handicapped program certificated instructional staff salary and mix factor variables for the allocation formula.
392-122-115	Repealed.
392-122-120	State handicapped program—Determination of district average state handicapped program certificated instructional staff salary for the purpose of apportionment.
392-122-125	Repealed.
392-122-145	State handicapped program—Home and/or hospital care—Extended absences.
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392-122-200	State institutional education program—Applicable code provisions.
392-122-206	Definition—State institutional education program—Form E-672.
392-122-210	Definition—State institutional education program—Institutional program certificated instructional staff and mix factor variables for the allocation formula.
392-122-215	Repealed.
392-122-230	State institutional education program—Eligible institutional education students.

392-122-235	State institutional education program—Determination of district average state institutional program certificated instructional staff salary for the purpose of apportionment.
392-122-240	Repealed.
392-122-245	Repealed.
392-122-250	Repealed.
392-122-270	State institutional education program—Apportionment of state moneys.
392-122-600	State learning assistance program—Applicable code provisions.
392-122-605	Apportionment of state moneys for the state learning assistance program.
392-122-610	Payment of state moneys for the state learning assistance program.
392-122-700	State transitional bilingual program—Applicable code provisions.
392-122-800	State highly capable students education program—Applicable code provisions.
392-122-805	Formula for distribution of state moneys for the state highly capable students education program.
392-122-910	General provisions—Recovery for failure to meet program requirements.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

392-122-115	Definition—State handicapped program—Handicapped program classified derived base salary. [Statutory Authority: RCW 28A.41.170. 86-01-021 (Order 85-16), § 392-122-115, filed 12/9/85; 84-20-078 (Order 84-36), § 392-122-115, filed 10/2/84.] Repealed by 91-03-118 (Order 2), filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16.
392-122-125	State handicapped program—Handicapped program classified derived base salary. [Statutory Authority: RCW 28A.41.170. 86-01-021 (Order 85-16), § 392-122-125, filed 12/9/85; 84-20-078 (Order 84-36), § 392-122-125, filed 10/2/84.] Repealed by 91-03-118 (Order 2), filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16.
392-122-215	Definition—State institutional education program—Institutional program classified average salary. [Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-215, filed 10/2/84.] Repealed by 91-03-118 (Order 2), filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16.
392-122-240	State institutional education program—Institutional program classified average salary. [Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-240, filed 10/2/84.] Repealed by 91-03-118 (Order 2), filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16.
392-122-245	State institutional education program—Institutional program insurance benefits. [Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-245, filed 10/2/84.] Repealed by 91-03-118 (Order 2), filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16.
392-122-250	State institutional education program—Institutional program nonemployee related cost. [Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-250, filed 10/2/84.] Repealed by 91-03-118 (Order 2), filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16.

WAC 392-122-010 Purpose. The purpose of this chapter is to establish policies and procedures for the

distribution of state moneys to school districts for programs authorized by RCW 28A.150.370 other than basic education apportionment, special allocations pursuant to chapter 392-140 WAC, and transportation allocations.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-010, filed 1/23/91, effective 2/23/91. Statutory Authority: 1990 c 33. 90-16-002 (Order 18), § 392-122-010, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.41.170. 84-13-020 (Order 84-10), § 392-122-010, filed 6/13/84.]

WAC 392-122-100 State handicapped program--Applicable code provisions. The following sections of this chapter are applicable to the distribution of state moneys for the state education program for handicapped students:

- (1) WAC 392-122-100 through 392-122-165; and
- (2) WAC 392-122-900 through 392-122-910.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-100, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-100, filed 10/2/84.]

WAC 392-122-106 Definition--Form P-223H. "Form P-223H" means the report of school district handicapped headcount enrollment by each handicapping condition and age for eligible handicapped students as defined in WAC 392-122-135 submitted monthly by the school districts to the superintendent of public instruction for the school year for the purpose of calculating the handicapped program allocations.

- (1) The count dates for handicapped student enrollments shall be the same as specified in WAC 392-121-122.
- (2) This report shall indicate the handicapped enrollment by resident school district and serving school district.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-106, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 86-01-021 (Order 85-16), § 392-122-106, filed 12/9/85.]

WAC 392-122-107 Definition--Report 1220. "Report 1220" means the school district's handicapped allocation report calculated and prepared by the superintendent of public instruction using the district's eight-month average annual headcount enrollment as submitted on Form P-223H for the school year and the ratios and percentages established in the LEAP document for state handicapped program allocation as defined in WAC 392-122-105. For the purpose of handicapped allocations, the district's eight-month average annual headcount enrollment shall be the average of the enrollments for first school day of the second reporting month and the subsequent seven months.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-107, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 86-01-021 (Order 85-16), § 392-122-107, filed 12/9/85.]

WAC 392-122-110 Definition--State handicapped program--Handicapped program certificated instructional staff salary and mix factor variables for the allocation formula. Handicapped program certificated instructional staff salary and mix factor variables used in the handicapped allocation formula shall be defined the same as those defined in WAC 392-121-285 through 392-121-298: *Provided*, That the words "state handicapped program" shall be substituted for "basic education" throughout those definitions.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-110, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-110, filed 10/2/84.]

WAC 392-122-115 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-122-120 State handicapped program--Determination of district average state handicapped program certificated instructional staff salary for the purpose of apportionment. The determination of district average handicapped program certificated instructional staff salary used in the handicapped allocation formula for the purposes of apportionment shall be the same as specified in WAC 392-121-299: *Provided*, That the words "state handicapped program" shall be substituted for "basic education" throughout that section.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-120, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-120, filed 10/2/84.]

WAC 392-122-125 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-122-145 State handicapped program--Home and/or hospital care--Extended absences. Students eligible under WAC 392-171-486 temporarily requiring home and/or hospital care shall be counted as enrolled students pursuant to WAC 392-121-106 as follows:

(1) Students not deemed eligible handicapped students pursuant to WAC 392-122-135 whose absence from the regular attendance continues through two consecutive monthly enrollment report days shall be dropped from the rolls and shall not be counted as an enrolled student on the next monthly enrollment report day unless attendance has resumed. Such students shall only be eligible for home and/or hospital care allocations until attendance in the regular program is resumed.

(2) Students deemed eligible handicapped students pursuant to WAC 392-122-135 shall be reported as enrolled students for the duration of the home and/or hospital care.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-145, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-145, filed 10/2/84.]

WAC 392-122-165 State handicapped program--Apportionment of state handicapped program moneys.

From moneys appropriated by the legislature, the superintendent of public instruction shall apportion state handicapped program moneys to each school district based on the LEAP document for state handicapped program allocation and on the provisions of WAC 392-122-100 through 392-122-160. The superintendent of public instruction shall make payments in the same manner as provided in WAC 392-121-400.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-165, filed 1/23/91, effective 2/23/91.]

WAC 392-122-200 State institutional education program--Applicable code provisions. The following sections of this chapter are applicable to the distribution of state moneys for the state institutional education program:

- (1) WAC 392-122-200 through 392-122-275; and
- (2) WAC 392-122-900 through 392-122-910.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-200, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-200, filed 10/2/84.]

WAC 392-122-206 Definition--State institutional education program--Form E-672. "Form E-672" means the form distributed by the superintendent of public instruction on which school districts operating institutional education programs report eligible institutional education students enrolled on the enrollment count dates specified in WAC 392-121-122.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-206, filed 1/23/91, effective 2/23/91.]

WAC 392-122-210 Definition--State institutional education program--Institutional program certificated instructional staff and mix factor variables for the allocation formula. The definition of state institutional education program certificated instructional staff salary and mix factor variables used in the institutional education allocation formula shall be defined the same as those defined in WAC 392-121-285 through 392-121-298: *Provided*, That the words "state institutional education program" shall be substituted for "basic education" throughout those definitions.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-210, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-210, filed 10/2/84.]

WAC 392-122-215 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-122-230 State institutional education program--Eligible institutional education students. State institutional education program moneys shall be allocated to school districts based on the institutional full-time equivalent enrollment levels reported on Form E-672 by school districts operating state institutional education programs to the school business services division in the office of the superintendent of public instruction.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-230, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-230, filed 10/2/84.]

WAC 392-122-235 State institutional education program--Determination of district average state institutional program certificated instructional staff salary for the purpose of apportionment. The determination of district average institutional education program certificated instructional staff salary used in the institutional education allocation formula for the purposes of apportionment shall be the same as specified in WAC 392-121-299: *Provided*, That the words "state institutional education program" shall be substituted for "basic education" throughout that section.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-235, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-235, filed 10/2/84.]

WAC 392-122-240 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-122-245 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-122-250 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-122-270 State institutional education program--Apportionment of state moneys. From the state institutional education program moneys appropriated to the superintendent of public instruction, the superintendent shall make allocations to school districts based upon the sum of moneys allocated in accordance with WAC 392-122-230, 392-122-235, 392-122-255, and 392-122-260. The superintendent of public instruction shall make payments in the same manner as provided in WAC 392-121-400.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-270, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-270, filed 10/2/84.]

WAC 392-122-600 State learning assistance program--Applicable code provisions. The following sections of this chapter are applicable to the distribution of state moneys for the state learning assistance program:

- (1) WAC 392-122-600 through 392-122-610;
- (2) WAC 392-122-900: *Provided*, That allowable expenditures including indirect expenditures shall be determined pursuant to WAC 392-162-095; and
- (3) WAC 392-122-905 through 392-122-910.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-600, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-600, filed 10/2/84; 84-13-020 (Order 84-10), § 392-122-600, filed 6/13/84.]

WAC 392-122-605 Apportionment of state moneys for the state learning assistance program. State learning

assistance program moneys shall be allocated as provided in the state Operating Appropriations Act in effect at the time the apportionment is due.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-605, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 87-09-018 (Order 87-2), § 392-122-605, filed 4/6/87; 86-01-021 (Order 85-16), § 392-122-605, filed 12/9/85; 84-20-078 (Order 84-36), § 392-122-605, filed 10/2/84; 84-13-020 (Order 84-10), § 392-122-605, filed 6/13/84.]

WAC 392-122-610 Payment of state moneys for the state learning assistance program. From the state learning assistance program moneys appropriated to the superintendent of public instruction, the superintendent shall make payments in the same manner as provided in WAC 392-121-400.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-610, filed 1/23/91, effective 2/23/91. Statutory Authority: 1990 c 33. 90-16-002 (Order 18), § 392-122-610, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.41.170. 86-01-021 (Order 85-16), § 392-122-610, filed 12/9/85; 84-20-078 (Order 84-36), § 392-122-610, filed 10/2/84; 84-13-020 (Order 84-10), § 392-122-610, filed 6/13/84.]

WAC 392-122-700 State transitional bilingual program—Applicable code provisions. The following sections of this chapter are applicable to the distribution of state moneys for the state transitional bilingual program:

- (1) WAC 392-122-700 through 392-122-710; and
- (2) WAC 392-122-900 through 392-122-910.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-700, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-700, filed 10/2/84; 84-13-020 (Order 84-10), § 392-122-700, filed 6/13/84.]

WAC 392-122-800 State highly capable students education program—Applicable code provisions. The following sections of this chapter are applicable to the distribution of state moneys for the state highly capable students education program:

- (1) WAC 392-122-800 through 392-122-810; and
- (2) WAC 392-122-900 through 392-122-910.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-800, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-13-020 (Order 84-10), § 392-122-800, filed 6/13/84.]

WAC 392-122-805 Formula for distribution of state moneys for the state highly capable students education program. (1) As used in this section, the term "average annual full-time equivalent students" or AAFTE shall be defined as that term defined in WAC 392-121-133.

(2) A district's entitlement for state moneys for the state highly capable students education program shall be calculated as follows:

- (a) Multiplying the AAFTE of the reporting district by one percent;
- (b) Multiplying the number of students obtained in the above calculation by the per pupil allocation established in the State Operating Appropriations Act in effect at the time the apportionment is due; and

(c) The product is the district's entitlement subject to WAC 392-122-810 and its provision for enrollment adjustment.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-805, filed 1/23/91, effective 2/23/91. Statutory Authority: RCW 28A.41.170. 84-20-078 (Order 84-36), § 392-122-805, filed 10/2/84; 84-13-020 (Order 84-10), § 392-122-805, filed 6/13/84.]

WAC 392-122-910 General provisions—Recovery for failure to meet program requirements. (1) Categorical apportionment moneys affected by this chapter shall be recovered in the event that a school district fails to meet one or more conditions that are established in state law, including the state Operating Appropriations Act, or state rules, or regulations.

(2) Such recovery shall occur if:

(a) The school district's failure to meet one or more established conditions is documented either on a school district report that has been submitted to the superintendent of public instruction or by review of the school district's program by the superintendent of public instruction; and

(b) The school district has been given notice by the superintendent of public instruction of such failure at least thirty calendar days prior to the date of recovery.

(3) The amount of such recovery shall be proportional to the degree to which the school district fails to meet the established condition.

[Statutory Authority: RCW 28A.150.290, 1989 1st ex.s. c 19 and 1990 1st ex.s. c 16. 91-03-118 (Order 2), § 392-122-910, filed 1/23/91, effective 2/23/91.]

Chapter 392-123 WAC

FINANCE—SCHOOL DISTRICT BUDGETING

WAC

392-123-180 Bond proceeds.

WAC 392-123-180 Bond proceeds. Money derived from the sale of bonds, including interest earnings thereof, shall be deposited in the capital projects fund, the transportation vehicle fund, the general fund, or the debt service fund, as applicable, and may only be used for the purposes as enumerated in RCW 28A.530.010.

Accrued interest paid for bonds sold shall be deposited in the debt service fund.

[Statutory Authority: Chapter 28A.530 RCW and HB 1224. 91-23-043 (Order 26), § 392-123-180, filed 11/14/91, effective 12/15/91. Statutory Authority: 1990 c 33. 90-16-002 (Order 18), § 392-123-180, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.65.465. 83-21-027 (Order 83-12), § 392-123-180, filed 10/10/83.]

Chapter 392-125 WAC

FINANCE—EDUCATIONAL SERVICE DISTRICT BUDGETING

WAC

392-125-014 Educational service district fiscal year.
392-125-015 Budgets required.

392-125-020	Budget preparation, hearing and adoption.
392-125-025	Budget approval.
392-125-026	July and August 1991 budget.
392-125-027	Time schedule for July and August 1991 budget process.
392-125-030	Time schedule for fiscal year 1991-1992 budget process and for every fiscal year thereafter.
392-125-085	Financial reports submitted to superintendent of public instruction.

WAC 392-125-014 Educational service district fiscal year. The following fiscal years shall be established for educational service districts and shall apply to all governmental, proprietary, and fiduciary fund entities, including all account groups under the jurisdiction of the educational service district board of directors:

There shall be a twelve-month fiscal period of July 1, 1990, through June 30, 1991, for the 1990-1991 fiscal year.

For July and August 1991 there shall be a two-month fiscal period with a budget for this two-month period to be prepared by May 10, 1991.

For fiscal year 1991-1992 there shall be a twelve-month fiscal period beginning September 1, 1991, and ending on August 31, 1992, with a budget to be prepared by July 10, 1991.

For every fiscal year thereafter, a twelve-month fiscal period shall begin on September 1 and end on August 31 with an annual budget to be prepared by July 10th.

[Statutory Authority: RCW 28A.310.330. 91-07-063 (Order 91-05), § 392-125-014, filed 3/20/91, effective 4/20/91.]

WAC 392-125-015 Budgets required. Each educational service district shall prepare in accordance with this chapter and instructions from the superintendent of public instruction a complete general expense fund budget for each fiscal year of operation. An incomplete budget shall be considered null and void and shall not be an appropriation. The annual budget shall be prepared in the format prescribed by the superintendent of public instruction which will reflect the approved core funding formula pursuant to WAC 392-125-036, and shall receive all necessary approvals, and shall be filed with the proper officials in order to constitute an official budget and appropriation for each fiscal year. The superintendent may require a second or revised budget at any time the financial situation is deemed to warrant a revised budget.

[Statutory Authority: RCW 28A.310.330. 91-07-063 (Order 91-05), § 392-125-015, filed 3/20/91, effective 4/20/91. Statutory Authority: RCW 28A.21.135. 85-15-111 (Order 85-4), § 392-125-015, filed 7/24/85; 81-19-007 (Order 81-19), § 392-125-015, filed 9/4/81. Statutory Authority: RCW 28A.21.135 et seq. 79-07-005 (Order 1-79), § 392-125-015, filed 6/7/79; Order 8-76, § 392-125-015, filed 7/23/76; Order 7-75, § 392-125-015, filed 12/22/75. Formerly WAC 392-31-030.]

WAC 392-125-020 Budget preparation, hearing and adoption. Each educational service district shall prepare a budget for the operation of the educational service district for the ensuing fiscal year and following completion of the budget, shall publish a notice stating that the budget is completed and placed on file in the district

headquarters office with copies available for any interested person or organization. The notice shall state the date, time, and place the educational service district board will meet for the purpose of fixing and adopting the budget of the district for the ensuing fiscal year. The notice shall also state that any person may appear during the meeting and be heard for or against any part of such budget. The notice shall be published once each week for two consecutive weeks following the completion of the budget in a newspaper of general circulation in the district.

An educational service district board shall secure the signature of the chairman of the superintendents' advisory committee as an indication that the budget has been reviewed by the committee. At the conclusion of the hearing which shall not exceed two days, the board of directors shall adopt the budget by resolution. After the budget has been adopted by the board at the public hearing, two certified copies shall be forwarded to the superintendent of public instruction in order that the superintendent may revise and fix the budget according to statute.

[Statutory Authority: RCW 28A.310.330. 91-07-063 (Order 91-05), § 392-125-020, filed 3/20/91, effective 4/20/91. Statutory Authority: RCW 28A.21.135. 85-15-111 (Order 85-4), § 392-125-020, filed 7/24/85; 84-13-022 (Order 84-12), § 392-125-020, filed 6/13/84; 81-19-007 (Order 81-19), § 392-125-020, filed 9/4/81; Order 8-76, § 392-125-020, filed 7/23/76; Order 7-75, § 392-125-020, filed 12/22/75. Formerly WAC 392-31-040.]

WAC 392-125-025 Budget approval. The superintendent of public instruction shall revise and fix the annual budget of each educational service district, establish the appropriation and return one approved copy of the budget to the district.

[Statutory Authority: RCW 28A.310.330. 91-07-063 (Order 91-05), § 392-125-025, filed 3/20/91, effective 4/20/91. Statutory Authority: RCW 28A.21.135. 84-13-022 (Order 84-12), § 392-125-025, filed 6/13/84; Order 8-76, § 392-125-025, filed 7/23/76; Order 7-75, § 392-125-025, filed 12/22/75. Formerly WAC 392-31-050.]

WAC 392-125-026 July and August 1991 budget. In order to implement a change in fiscal years, a short fiscal period shall exist from July 1, 1991, through August 31, 1991.

(1) Budgets for the period July 1, 1991, through August 31, 1991, shall be prepared and adopted in the format provided by the office of the superintendent of public instruction. The budget classifications shall be in accordance with the latest revised accounting manual for educational service districts published by the office of the superintendent of public instruction.

(2) The revenue section of said budget shall set forth the estimated revenues from all sources for said period and the probable fund balance available at the close of the 1990-1991 fiscal year.

(3) The expenditure section of said budget shall set forth by detailed items or classes the estimated expenditures for said period.

[Statutory Authority: RCW 28A.310.330. 91-07-063 (Order 91-05), § 392-125-026, filed 3/20/91, effective 4/20/91.]

WAC 392-125-027 Time schedule for July and August 1991 budget process. The time schedule for preparation, adoption, and filing of the July and August 1991 budget is as follows:

On or Before	Requirement
May 10	Final date for board to prepare budget for July and August 1991. Immediately thereafter publish notice of the completion of the budget as provided in WAC 392-125-020.
14 days preceding public hearing	Copies of budget made available to interested citizens.
June 3, 1991	Final date for board in public hearing to fix and adopt the budget. (The maximum time for this hearing is two days.)
Conclusion of hearing	Board resolution to adopt budget (obtain signature of chairman of superintendents' advisory committee).
June 6, 1991	Forward two properly signed copies of budget to superintendent of public instruction.
June 28, 1991	Superintendent revises, fixes and approves budget and returns one copy to the district.

[Statutory Authority: RCW 28A.310.330. 91-07-063 (Order 91-05), § 392-125-027, filed 3/20/91, effective 4/20/91.]

WAC 392-125-030 Time schedule for fiscal year 1991-1992 budget process and for every fiscal year thereafter. The time schedule for preparation, adoption, and filing of the fiscal year 1991-1992 annual budget and the budget for every year thereafter is as follows: If the superintendent of public instruction deems it necessary to request a second and revised budget, the timing of the process shall be similar and shall be outlined specifically in the request.

On or Before	Requirement
July 10	Final date for board to prepare budget. Immediately thereafter publish notice of the completion of the budget as provided in WAC 392-125-020.
July 15	Copies of budget made available to interested citizens.
August 1	Final date for board in public hearing to fix and adopt the budget. (The maximum time for this hearing is two days.)

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On or Before	Requirement
Conclusion of hearing	Board resolution to adopt budget (obtain signature of chairman of superintendents' advisory committee).
August 3	Forward two properly signed copies of budget to superintendent of public instruction.
August 31	Superintendent revises, fixes and approves budget and returns one copy to the district.

[Statutory Authority: RCW 28A.310.330. 91-07-063 (Order 91-05), § 392-125-030, filed 3/20/91, effective 4/20/91. Statutory Authority: RCW 28A.21.135. 85-15-111 (Order 85-4), § 392-125-030, filed 7/24/85; 84-13-022 (Order 84-12), § 392-125-030, filed 6/13/84; Order 8-76, § 392-125-030, filed 7/23/76; Order 7-75, § 392-125-030, filed 12/22/75. Formerly WAC 392-31-060.]

WAC 392-125-085 Financial reports submitted to superintendent of public instruction. Within ninety calendar days following the end of its fiscal year, each educational service district shall submit a financial report to the superintendent of public instruction. Said report shall be in the format specified by the superintendent of public instruction.

[Statutory Authority: RCW 28A.310.330. 91-07-063 (Order 91-05), § 392-125-085, filed 3/20/91, effective 4/20/91. Statutory Authority: RCW 28A.21.135. 81-19-007 (Order 81-19), § 392-125-085, filed 9/4/81.]

**Chapter 392-127 WAC
FINANCE—CERTIFICATED INSTRUCTIONAL
STAFF RATIO (46:1000) COMPLIANCE**

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- 392-127-810 Finance—Limitations on enrollment counts.
- 392-127-815 Finance—Apportionment and payment of basic education allocation moneys to community college districts and other school districts.
- 392-127-820 Finance—Prior legislative approval of finance rules required.
- 392-127-825 Current and future community college enrollment alternatives not affected.
- 392-127-830 Current and future vocational-technical institute enrollment alternatives not affected.

WAC 392-127-004 Authority. The authority for this chapter is RCW 28A.150.290(1) which empowers the superintendent of public instruction to make such rules and regulations as are necessary for the administration of chapter 28A.150 RCW, including RCW 28A.150.100(2) which sets forth for each school district as a minimum, a ratio in the basic education program of forty-six certificated instructional staff per one thousand annual average full-time equivalent students.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-127-004, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.41.170(1). 90-12-078 (Order 10), § 392-127-004, filed 6/1/90, effective 7/2/90.]

WAC 392-127-006 Purpose. The purpose of this chapter is to set forth the policies and procedures used by the superintendent of public instruction to determine the following:

(1) Compliance of school districts with the statutory ratio of certificated instructional staff per one thousand full-time equivalent students in kindergarten through twelfth grade set forth in RCW 28A.150.100(2).

(2) The monetary penalty associated with not maintaining this ratio.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-127-006, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.41.170(1). 90-12-078 (Order 10), § 392-127-006, filed 6/1/90, effective 7/2/90.]

WAC 392-127-011 Other ratio requirements. School districts are advised that compliance with this chapter does not ensure compliance with the following statutes:

(1) RCW 28A.150.250, which requires that the ratio of students per classroom teacher in kindergarten through third grade be no greater than the ratio of students per classroom teacher in fourth through twelfth grade.

(2) Section 502(10), chapter 19, Laws of 1989 1st sess. (uncodified), (Omnibus Appropriations Act) which sets forth a staffing and funding process to increase certificated instructional staff ratios in kindergarten through third grade to a level greater than that provided in statute.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-127-011, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW

28A.41.170(1). 90-12-078 (Order 10), § 392-127-011, filed 6/1/90, effective 7/2/90.]

WAC 392-127-700 Authority. The authority for this chapter is RCW 28A.600.390, which authorizes the superintendent of public instruction, the state board for community college education, and the higher education coordinating board to jointly develop and adopt rules governing RCW 28A.600.300 through 28A.600.380, and 28A.150.260 and 28A.150.290 which authorize the superintendent of public instruction to adopt rules governing basic education allocation moneys.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-700, filed 1/23/91, effective 2/23/91.]

WAC 392-127-703 Purpose. The purpose of this chapter is to set forth policies and procedures governing the running start program.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-703, filed 1/23/91, effective 2/23/91.]

WAC 392-127-705 Running start program--Definition. As used in this chapter, the term "running start program" means the enrollment of an eligible student under this chapter simultaneously in school district and community college or vocational-technical institute courses, or both, or solely in community college or vocational-technical institute courses, or both, for the purpose of earning high school credit to be awarded by a school district, and such additional college level academic and vocational or vocational-technical institute credit as may be awarded by a community college or vocational-technical institute.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-705, filed 1/23/91, effective 2/23/91.]

WAC 392-127-710 Eligible student--Definition. As used in this chapter, the term "eligible student" means any person, including a person who is otherwise attending a private school or receiving home-based instruction, who meets each of the following conditions:

(1) The person is under the age of twenty-one years of age at the beginning of the school year (September 1 through August 31).

(2) The person is eligible by reason of his or her residence or admission under the law to enroll in the school district through which the person seeks to obtain the award of running start program high school credit. See, RCW 28A.175.090 ("at risk" students), 28A.225.160 (residents of a school district), 28A.225.170 (residents of United States and Indian reservations), 28A.225.210 (residents of "nonhigh" school districts), and RCW 28A.225.220 ("choice" students).

(3) The person is eligible under the grade placement policies of the school district through which the person seeks to obtain running start program high school credit to be in the eleventh or the twelfth grade.

(4) The person has not as of the beginning of the school year received a high school diploma or its equivalent, excluding a general education development certificate.

(5) The person has not as of the beginning of the school year earned the credits required for the award of a high school diploma by the school district through which the person seeks to obtain the award of running start program high school credit.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-710, filed 1/23/91, effective 2/23/91.]

WAC 392-127-715 Full-time equivalent high school and vocational-technical institute students--Definition. The definition of a "full-time equivalent high school student and vocational-technical institute student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter means and includes, each eligible student enrolled in a school district high school program or vocational-technical institute program, or both, as of the fourth school day of the school year (September 1 through August 31) and/or as of the first school day of eight subsequent months, for not less than twenty-five hours each week, or five hours (three hundred minutes) each scheduled school day.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-715, filed 1/23/91, effective 2/23/91.]

WAC 392-127-720 Full-time equivalent community college student--Definition. The definition of a "full-time equivalent community college student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter means and includes each eligible student enrolled in a community college as of the fourth college day of the school year (September 1 through August 31) and/or as of the first college day of eight subsequent months, for not less than fifteen quarter credit hours.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-720, filed 1/23/91, effective 2/23/91.]

WAC 392-127-725 Annual average full-time equivalent student--Definition. The definition of "annual average full-time equivalent student" for purposes of the generation of basic education allocation moneys and enrollment limitations under this chapter, means and includes the quotient obtained by dividing the annual total of an eligible student's full-time running start program enrollment counts reported under WAC 392-127-805 by nine.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-725, filed 1/23/91, effective 2/23/91.]

WAC 392-127-730 Community college district--Definition. As used in this chapter, the term "community college district" means the appointed board of trustees of a Washington public community college district and the territory, facilities, and educational programs under the jurisdiction of the board of trustees.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-730, filed 1/23/91, effective 2/23/91.]

WAC 392-127-735 Community college--Definition. As used in this chapter, the term "community college"

means a two-year institution of higher education under the jurisdiction of a community college district.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-735, filed 1/23/91, effective 2/23/91.]

WAC 392-127-740 School district--Definition. As used in this chapter, the term "school district" means the elected board of directors of a Washington public school district and the territory, facilities, and educational programs under the jurisdiction of the board of directors.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-740, filed 1/23/91, effective 2/23/91.]

WAC 392-127-745 Vocational-technical institute--Definition. As used in this chapter, the term "vocational-technical institute" means a specialized area non-graded vocational education facility offering comprehensive courses primarily oriented to the job market under the jurisdiction of the Bellingham School District, Clover Park School District, Lake Washington School District, Renton School District, or Tacoma School District.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-745, filed 1/23/91, effective 2/23/91.]

WAC 392-127-750 Annual notice to students and parents. Each school district that elects to participate in the running start program during the 1990-91 and 1991-92 school years, and thereafter every school district, shall annually provide general information respecting the running start program to all tenth and eleventh grade students of the school district and their parents and guardians.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-750, filed 1/23/91, effective 2/23/91.]

WAC 392-127-755 Enrollment--General requirements and conditions. The enrollment of an eligible student in the running start program shall be governed as follows:

(1) An eligible student is responsible for applying for and pursuing admission to a community college or vocational-technical institute.

(2) It shall not be necessary for an eligible student to obtain a release of attendance from his or her resident school district in order for the student to enroll in any community college or vocational-technical institute.

(3) An eligible student is entitled to enroll in any community college and any vocational-technical institute in the state for running start program purposes subject to each of the following conditions and limitations:

(a) Prior confirmation pursuant to WAC 392-127-770 by the school district through which the student seeks to obtain the award of running start program high school credit of the amount of high school credit to be awarded.

(b) Acceptance by the community college or vocational-technical institute subject to generally applicable

admission standards and enrollment restrictions established by the community college or vocational-technical institute.

(c) The limitations upon the duration and extent of community college and vocational-technical institute course enrollment set forth at WAC 392-127-775.

(d) The 1990-91 and 1991-92 school year limitations upon student, community college, and vocational-technical institute participation set forth at WAC 392-127-760 and 392-127-765.

(4) An eligible student shall not be required by a community college or vocational-technical institute to pay any tuition or other fee as a condition to the student's full participation in community college and vocational-technical institute course work and related activities, or as a condition to the award of credit therefor: *Provided*, That requiring a student to provide and pay for consumable supplies, textbooks, and other materials to be retained by the student does not constitute the assessment of tuition or a fee for purposes of this subsection.

(5) Once an eligible student has been enrolled in a community college or vocational-technical institute course or program, the student shall not be displaced by another student: *Provided*, That the student's continued enrollment in a course or program and enrollment in other courses or programs shall be subject to generally applicable enrollment requirements and limitations established by the community college or vocational-technical institute.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-755, filed 1/23/91, effective 2/23/91.]

WAC 392-127-760 Enrollment--1990-91 and 1991-92 school years--Limitations on community college and student participation. Notwithstanding any other provision of this chapter to the contrary, admission to a community college for running start program purposes during the 1990-91 and 1991-92 school years is limited to:

(1) Admission to a community college of a community college district that has been designated as a running start program district by resolution of the state board for community college education.

(2) Eligible students who are eligible by reason of their residence or admission under the law to enroll in a school district that meets each of the following conditions:

(a) The school district is located in whole or part within the territory of a community college district that has been designated as a running start program district by resolution of the state board for community college education.

(b) The school district has elected to participate in the running start program by resolution of the board of directors.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-760, filed 1/23/91, effective 2/23/91.]

WAC 392-127-765 Enrollment--1990-91 school year--Limitation on vocational-technical institute participation. Notwithstanding any other provision of this chapter to the contrary, admission to a vocational-technical institute for running start program purposes during the 1990-91 school year is limited to admission to a vocational-technical institute which has elected to participate in the program by resolution of the school district board of directors.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-765, filed 1/23/91, effective 2/23/91.]

WAC 392-127-770 Enrollment--High school credit--prior confirmation. As a condition to an eligible student's enrollment in community college or vocational-technical institute courses under this chapter, the eligibility of the courses which the student intends to take for the award of high school credit and the amount of such credit shall first be established, as follows:

(1) The student shall notify the school district through which the student seeks to obtain the award of running start program high school credit of the specific community college and vocational-technical institute courses he or she intends to take and shall request confirmation of the amount of high school credit that will be awarded upon successful completion of the courses.

(2) The school district shall establish in accordance with chapter 180-51 WAC the amount of high school required or elective credit that shall be awarded for each course successfully completed by the student.

(3) If no comparable course is offered by the school district, the school district superintendent shall determine the amount of high school credit which shall be awarded, if any, following consultation with a community college or vocational-technical institute representative designated for that purpose.

(4) Within twenty school district business days of a student's request for confirmation of credit the school district superintendent or other designated school district representative shall confirm in writing the amount of high school credit which shall be awarded upon successful completion of the courses.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-770, filed 1/23/91, effective 2/23/91.]

WAC 392-127-775 Enrollment--Extent and duration. The extent and duration of an eligible student's enrollment in the running start program shall be limited as set forth in subsections (1) through (5) of this section: *Provided*, That a school district or community college district, or both, may elect to allow eligible students to exceed such enrollment limitations so long as the enrollment claimed for basic education allocation purposes does not exceed the WAC 392-127-810 full-time equivalent student claim limitations.

(1) The combined enrollments of an eligible student in a high school and in a community college or vocational-technical institute, or both, under this chapter shall not concurrently exceed one full-time equivalent student. Accordingly, an eligible student must elect to enroll in high school for less than twenty-five hours per week in

order to concurrently enroll in a community college or vocational-technical institute.

(2) A student who enrolls in grade eleven may enroll in a school district, community college, vocational-technical institute, or any combination thereof, for no more than the course work equivalent to two regular academic years of attendance as an annual average full-time equivalent student, (i.e., six college quarters as a full-time equivalent community college student, two one hundred eighty-day or more regular school years as a high school or vocational-technical institute full-time equivalent student, or a combination thereof not to exceed two annual average full-time equivalent enrollments).

(3) A student who enrolls in grade twelve may enroll in a school district, community college, vocational-technical institute, or any combination thereof, for no more than the course work equivalent to one regular academic year of attendance as an annual average full-time equivalent student.

(4) A student who becomes eligible during the regular school year for the award of a high school diploma by the school district through which the student seeks the award of running start program high school credit shall nevertheless continue subject to the restrictions of subsections (1) and (2) of this section to be eligible for enrollment in the running start program through the last day of the regular one hundred eighty-day or more school year of the school district at which time the student's entitlement to enroll under this chapter shall terminate.

(5) A student whose twenty-first birthday occurs during the regular school year shall nevertheless continue subject to the restrictions of subsections (1) and (2) of this section to be eligible for enrollment in the running start program through the last day of the regular one hundred eighty-day or more school year of the school district through which the student seeks to obtain running start program high school credit at which time the student's entitlement under this chapter to enroll shall terminate.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-775, filed 1/23/91, effective 2/23/91.]

WAC 392-127-780 Academic standards and discipline--Jurisdiction of educational agencies. Each school district and community college district shall have and exercise exclusive jurisdiction over academic and discipline matters involving an eligible student's enrollment and participation in courses of, and the receipt of services and benefits from, the school district and the community college district.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-780, filed 1/23/91, effective 2/23/91.]

WAC 392-127-785 Compliance with federal and state requirements of law--Special education program requirements--Necessary cooperative agreements. As a general rule, a school district and a community college district are independently responsible for assuring compliance with federal and state requirements of law which

are applicable to the provision of services and benefits by the school district or community college district under this chapter. If, however, the individualized education program of an eligible student established under chapter 392-171 WAC provides for such enrollment in a community college or a vocational-technical institute of another school district, the school district which established the individualized education program shall also be responsible for assuring compliance with chapter 392-171 WAC in connection with the student's enrollment in the community college or vocational-technical institute. School districts and community college districts shall enter into cooperative agreements as necessary to assure compliance with their respective duties under federal and state law, including agreements which substantiate a school district's claim to necessary federal and state special education funding.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-785, filed 1/23/91, effective 2/23/91.]

WAC 392-127-790 High school credit--Award by school districts. Upon confirmation by a community college or vocational-technical institute of an eligible student's successful completion of running start program courses, the school district shall record on the student's secondary school records and transcript the high school credit previously confirmed under WAC 392-127-770, together with a notation that the courses were taken at a community college or vocational-technical institute. See WAC 180-51-050 which provides for the conversion of college credits to high school credits at the rate of one high school credit for five college quarter or three college semester hour credits.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-790, filed 1/23/91, effective 2/23/91.]

WAC 392-127-795 Finance--Generation of state and federal moneys. Each eligible student shall generate state and federal moneys based upon the student's enrollment under this chapter in school district, community college, or vocational-technical institute courses or programs, or any combination thereof, in accordance with the definitions of full-time equivalent students set forth in WAC 392-127-715 through 392-127-725, the enrollment and enrollment count limitations set forth in WAC 392-127-775 and 392-127-810, rules of the superintendent of public instruction set forth at Title 392 WAC which supplement and do not conflict with this chapter, and the Biennial Operating Appropriations Act.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-795, filed 1/23/91, effective 2/23/91.]

WAC 392-127-800 Finance--Community college and vocational-technical institute reporting requirements. Each community college and vocational-technical institute that enrolls an eligible student under this chapter shall periodically report enrollment information as follows:

(1) Within ten calendar days of acceptance of the student, provide written notice to the student, superintendent of public instruction, and the school district

through which the student seeks to obtain running start program high school credit of the courses and the credit hours or instructional/clock hours of enrollment.

(2) On a monthly basis, provide such enrollment information to the school district through which the student seeks to obtain the award of running start program high school credit as is necessary for the school district to claim basic education allocation moneys under this chapter and chapter 392-121 WAC including, but not limited to, notice of termination of the student's enrollment in a course due to withdrawal, suspension, or expulsion.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-800, filed 1/23/91, effective 2/23/91.]

WAC 392-127-805 Finance--School district reporting requirements. Each school district through which an eligible student seeks to obtain running start program high school credit shall make all reports to the superintendent of public instruction in accordance with this chapter and chapter 392-121 WAC as are necessary to substantiate the district's entitlement to the receipt of basic education allocation moneys based upon the student's high school, community college, and vocational-technical institute enrollment under this chapter. Eligible students shall be so reported as full-time equivalent students, or fractions thereof, in accordance with the definitions of full-time equivalent students set forth at WAC 392-127-715 through 392-127-725.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-805, filed 1/23/91, effective 2/23/91.]

WAC 392-127-810 Finance--Limitations on enrollment counts. No eligible student enrolled in a high school, community college, vocational-technical institute, or any combination thereof, reported under WAC 392-127-800 and 392-127-805 shall be counted as more than one full-time equivalent student for any single month or more than one annual average full-time equivalent student in any school year: *Provided*, That an eligible student who enrolls in grade eleven and elects to enroll in a summer community college or vocational-technical institute program that school year in order to accelerate his or her high school graduation may be counted as more than one annual average full-time equivalent student for that school year: *Provided further*, That the student shall not be counted the succeeding school year as more than one annual average full-time equivalent student less that portion of the prior school year count which exceeded one annual average full-time equivalent student count.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-810, filed 1/23/91, effective 2/23/91.]

WAC 392-127-815 Finance--Apportionment and payment of basic education allocation moneys to community college districts and other school districts. School districts and community college districts may enter into agreements which provide for and govern the apportionment and payment of basic education allocation moneys

generated by running start program students. In the absence of such an agreement, the school district through which an eligible student seeks to obtain running start program high school credit shall apportion such moneys and make payment on not less than a quarterly basis to the community college or other school districts serving the student under this chapter as follows:

(1) If an eligible student is enrolled exclusively in a community college or a vocational-technical institute operated by another school district, all basic education moneys generated by the student shall be paid to the community college district or other school district of enrollment: *Provided*, That the school district through which the student seeks to obtain running start program high school credit may retain up to five percent of such moneys to offset costs incurred in evaluating and granting high school credit and processing basic education allocation claims and payments.

(2) If an eligible student is enrolled simultaneously in the school district through which the student seeks to obtain running start program high school credit and a community college or a vocational-technical institute operated by another school district, the school district through which the student seeks such high school credit shall retain that portion of the basic education allocation moneys generated by the student based upon the student's high school enrollment, and shall pay to the community college district or other school district the balance consisting of that portion of such moneys generated by the student based upon the student's community college or vocational-technical institute enrollment (e.g., in the case of an eligible student enrolled five hours in a high school (one-fifth of an FTE) and five quarter credit hours in a community college (one-third of an FTE), the school district would retain an amount equal to one-fifth of a full basic education allocation and pay to the community college district an amount equal to one-third of a full basic education allocation).

(3) Notwithstanding subsections (1) and (2) of this section, the maximum amount payable to a community college district or another school district by a school district operating no more than two high schools with enrollments of less than three hundred average annual full-time equivalent students shall be the incremental amount per full-time equivalent community college or vocational-technical institute student that is or would be generated for student enrollments in excess of sixty annual full-time equivalent students.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-815, filed 1/23/91, effective 2/23/91.]

WAC 392-127-820 Finance--Prior legislative approval of finance rules required. WAC 392-127-720 respecting the definition of full-time community college students and 392-127-810 respecting eleventh grade summer time enrollment counts shall have no force and effect unless the chairpersons of the senate ways and means and house of representatives appropriations committees provide written notice of approval under RCW 28A.150.260 (2)(d) to so revise the definition of full-time equivalent student and its method of application.

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-820, filed 1/23/91, effective 2/23/91.]

WAC 392-127-825 Current and future community college enrollment alternatives not affected. This chapter shall not affect the alternative enrollment, and arrangements therefor, of a secondary student in a community college pursuant to a contractual agreement entered into pursuant to RCW 28B.50.530 (inter school district/community college cooperative programs) and chapter 39.34 RCW (the Interlocal Cooperation Act). See WAC 392-121-183 (contracting with an educational institution other than a school district).

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-825, filed 1/23/91, effective 2/23/91.]

WAC 392-127-830 Current and future vocational-technical institute enrollment alternatives not affected. This chapter shall not affect the alternative enrollment, and arrangements therefor, of a secondary student in a vocational-technical institute operated by the school district in which the student resides or in a vocational-technical institute operated by another school district pursuant to a contractual agreement entered into pursuant to RCW 28A.225.250 and 28A.335.160 (inter school district cooperative programs) and chapter 39.34 RCW (the Interlocal Cooperation Act). See chapter 392-135 WAC (inter school district cooperation programs).

[Statutory Authority: RCW 28A.600.390. 91-03-129 (Order 1), § 392-127-830, filed 1/23/91, effective 2/23/91.]

Chapter 392-140 WAC

FINANCE--SPECIAL ALLOCATIONS, INSTRUCTIONS, AND REQUIREMENTS

WAC

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392-140-266	Early intervention services allocation—Reporting requirements.
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392-140-336	1989-90 through 1993-94 school year enrollment of returning high school students—Applicable provisions and authority.
392-140-337	1989-90 through 1993-94 school year enrollment of returning high school students—Authority to report for apportionment purposes.
392-140-340	1990-91 additional 1.3 staff units—Applicable provisions.
392-140-341	1990-91 additional 1.3 staff units—Authority.
392-140-342	1990-91 additional 1.3 staff units—Purpose.
392-140-343	1990-91 additional 1.3 staff units—General provisions.
392-140-345	1990-91 additional 1.3 staff units—Definition—School year.
392-140-346	1990-91 additional 1.3 staff units—Definition—Academic year.
392-140-347	1990-91 additional 1.3 staff units—Definition—Full-time equivalent basic education enrollment.
392-140-348	1990-91 additional 1.3 staff units—Definition—Full-time equivalent kindergarten through third grade basic education enrollment.
392-140-349	1990-91 additional 1.3 staff units—Definition—Full-time equivalent basic education certificated instructional staff.
392-140-350	1990-91 additional 1.3 staff units—Definition—Full-time equivalent kindergarten through third grade basic education certificated instructional staff.
392-140-351	1990-91 additional 1.3 staff units—Definition—SPI form s-275.
392-140-352	1990-91 additional 1.3 staff units—Definition—SPI form 1158.
392-140-353	1990-91 additional 1.3 staff units—Definition—Supplemental basic education certificated instructional staff.
392-140-354	1990-91 additional 1.3 staff units—Definition—Supplemental full-time equivalent kindergarten through third grade staff.
392-140-355	1990-91 additional 1.3 staff units—Definition—Kindergarten through third grade basic education certificated instructional staffing ratio.
392-140-356	1990-91 additional 1.3 staff units—Definition—1990-91 average basic education certificated instructional staff salary for the purpose of apportionment.
392-140-357	1990-91 additional 1.3 staff units—Definition—SPI form s-277.
392-140-358	1990-91 additional 1.3 staff units—Definition—Classified instructional assistant.
392-140-359	1990-91 additional 1.3 staff units—Definition—Classified instructional assistant full-time equivalent.
392-140-360	1990-91 additional 1.3 staff units—Definition—Basic education classified instructional assistant.
392-140-361	1990-91 additional 1.3 staff units—Definition—Basic education classified instructional assistant full-time equivalent.
392-140-362	1990-91 additional 1.3 staff units—Definition—Full-time equivalent basic education classified instructional assistants.
392-140-363	1990-91 additional 1.3 staff units—Definition—full-time equivalent kindergarten through third grade basic education classified instructional assistants.
392-140-364	1990-91 additional 1.3 staff units—Definition—Full-time equivalent fourth through twelfth grade basic education classified instructional assistants.
392-140-365	1990-91 additional 1.3 staff units—Definition—1990-91 actual average salary for basic education classified instructional assistants.
392-140-366	1990-91 additional 1.3 staff units—Definition—Addition full-time equivalent basic education classified instructional assistant.
392-140-367	1990-91 additional 1.3 staff units—Definition—Reduction full-time equivalent basic education classified instructional assistant.

392-140-368 1990-91 additional 1.3 staff units—Definition—Reassignment full-time equivalent basic education classified instructional assistant.

392-140-369 1990-91 additional 1.3 staff units—Definition—Supplemental full-time equivalent basic education classified instructional assistants.

392-140-370 1990-91 additional 1.3 staff units—Definition—Supplemental full-time equivalent kindergarten through third grade basic education classified instructional assistants.

392-140-371 1990-91 additional 1.3 staff units—Definition—Supplemental full-time equivalent fourth through twelfth grade basic education classified instructional assistants.

392-140-372 1990-91 additional 1.3 staff units—Definition—SPI Form 1230.

392-140-373 1990-91 additional 1.3 staff units—Definition—Kindergarten through third grade basic education classified instructional assistant staffing ratio.

392-140-374 1990-91 additional 1.3 staff units—Definition—Change in kindergarten through third grade basic education classified instructional assistant staffing ratios from 1989-90 to 1990-91.

392-140-375 1990-91 additional 1.3 staff units—Definition—Certificated instructional staff ratio equivalent of the change in kindergarten through third grade basic education classified instructional assistant staffing ratios from 1989-90 to 1990-91.

392-140-376 1990-91 additional 1.3 staff units—Definition—Recognized change in kindergarten through third grade basic education certificated instructional staffing ratio from 1989-90 to 1990-91.

392-140-377 1990-91 additional 1.3 staff units—Definition—Combined change in kindergarten through third grade basic education instructional staffing ratios from 1989-90 to 1990-91.

392-140-378 1990-91 additional 1.3 staff units—Definition—Change in fourth through twelfth grade basic education certificated instructional staff from 1989-90 to 1990-91.

392-140-379 1990-91 additional 1.3 staff units—Definition—Change in fourth through twelfth grade basic education classified instructional assistants from 1989-90 to 1990-91.

392-140-380 1990-91 additional 1.3 staff units—Definition—Certificated instructional staff equivalent of the change in fourth through twelfth grade basic education classified instructional assistants from 1989-90 to 1990-91.

392-140-381 1990-91 additional 1.3 staff units—Definition—Kindergarten through third grade certificated instructional staffing ratio equivalent of fourth through twelfth grade basic education instructional staff changes from 1989-90 to 1990-91.

392-140-390 1990-91 additional 1.3 staff units—School district reporting of basic education classified instructional assistants.

392-140-391 1990-91 additional 1.3 staff units—Reporting by the superintendent of public instruction.

392-140-392 1990-91 additional 1.3 staff units—Determination of school district additional kindergarten through third grade staffing ratio enhancements.

392-140-393 1990-91 additional 1.3 staff units—Determination of credit for fourth through twelfth grade staff increases.

392-140-400 Repealed.

392-140-401 Repealed.

392-140-402 Repealed.

392-140-403 Repealed.

392-140-404 Repealed.

392-140-405 Repealed.

392-140-406 Repealed.

392-140-407 Repealed.

392-140-408 Repealed.

392-140-409 Repealed.

392-140-410 Repealed.

392-140-411 Repealed.

392-140-412 Repealed.

392-140-413 Repealed.

392-140-414 Repealed.

392-140-415 Repealed.

392-140-416 Repealed.

392-140-417 Repealed.

392-140-418 Repealed.

392-140-419 Repealed.

392-140-420 Repealed.

392-140-421 Repealed.

392-140-422 Repealed.

392-140-423 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

392-140-251 1990-91 Early intervention services allocation—Definition—School year. [Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-251, filed 11/15/90, effective 12/16/90.] Repealed by 92-02-026 (Order 91-27), filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.300.040 and 28A.150.290.

392-140-400 1990-91 Paraprofessional classroom assistants training program—Authority. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-400, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).

392-140-401 1990-91 Paraprofessional classroom assistants training program—Purpose. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-401, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).

392-140-402 1990-91 Paraprofessional classroom assistants training program—Definition—Paraprofessional classroom assistant. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-402, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).

392-140-403 1990-91 Paraprofessional classroom assistants training program—Definition—Assigned teacher. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-403, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).

392-140-404 1990-91 Paraprofessional classroom assistants training program—Definition—Training program. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-404, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).

392-140-405 1990-91 Paraprofessional classroom assistants training program—Definition—Indirect costs. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-405, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).

392-140-406 1990-91 Paraprofessional classroom assistants training program—Definition—One-day training program. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-406, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).

392-140-407 1990-91 Paraprofessional classroom assistants training program—Definition—One contact hour or training. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-407,

- filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-408 1990-91 Paraprofessional classroom assistants training program—Task force. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-408, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-409 1990-91 Paraprofessional classroom assistants training program—Requirements—Providers. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-409, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-410 1990-91 Paraprofessional classroom assistants training program—Duration. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-410, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-411 1990-91 Paraprofessional classroom assistants training program—Grant proposal—Application process. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-411, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-412 1990-91 Paraprofessional classroom assistants training program—Grant proposal—Selection process. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-412, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-413 1990-91 Paraprofessional classroom assistants training program—Grant proposal—Evaluation criteria. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-413, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-414 1990-91 Paraprofessional classroom assistants training program—Assigned teachers—Selection process. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-414, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-415 1990-91 Paraprofessional classroom assistants training program—Selection process. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-415, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-416 1990-91 Paraprofessional classroom assistants training program—Required training components. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-416, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-417 1990-91 Paraprofessional classroom assistants training program—Suggested training components. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-417, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-418 1990-91 Paraprofessional classroom assistants training program—Assigned teachers—Training components. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-418, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-419 1990-91 Paraprofessional classroom assistants training program—Distribution of state moneys—Maximum amount. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-419, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-420 1990-91 Paraprofessional classroom assistants training program—FTE paraprofessional classroom assistants—Calculation for funding purposes. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-420, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-421 1990-91 Paraprofessional classroom assistants training program—Assurances. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-421, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-422 1990-91 Paraprofessional classroom assistants training program—Carryover prohibition. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-422, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).
- 392-140-423 1990-91 Paraprofessional classroom assistants training program—Maximum control factor—Proration. [Statutory Authority: 1989 1st ex.s. c 19 § 517(5). 90-11-028 (Order 90-08), § 392-140-423, filed 5/9/90, effective 6/9/90.] Repealed by 91-23-023 (Order 24), filed 11/12/91, effective 12/13/91. Statutory Authority: RCW 28A.03.030(3).

WAC 392-140-224 1990-91 Supplies, materials, and equipment allocation—Definition—Specified objects of expenditure. As used in WAC 392-140-220 through 392-140-234 "specified objects of expenditure" means school district expenditures for the following program/activity/object combinations as defined in the *Accounting Manual for Public School Districts in Washington State* revised September 1990:

Program	Activity
01 - Basic Education	27 - Teaching
21 - Handicapped, Basic, State	27 - Teaching
21 - Handicapped, Basic, State	22 - Learning Resources
31 - Vocational, Basic, State	27 - Teaching
31 - Vocational, Basic, State	22 - Learning Resources
45 - Skills Center, Basic, State	27 - Teaching
94 - Instruction Support	22 - Learning Resources

Object

- 5 - Supplies
- 6 - Instructional materials
- 9 - Capital outlay

Provided, That expenditures for the program/activity/object combinations identified in this section shall be excluded from specified objects of expenditures under the following conditions:

- (1) Expenditures are for replacement of property destroyed by a natural disaster, such as a fire, flood, storm, or earthquake or by an unforeseen action beyond the

control of the school district such as arson, vandalism, riot, or bombing;

(2) Such expenditures are funded by insurance proceeds resulting from the natural disaster or unforeseen action; and

(3) The school district submits a written request to the superintendent of public instruction prior to November 1, 1991, identifying the amount of insurance proceeds received and expenditures qualifying for exclusion each school year.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 503(2). 91-12-021 (Order 91-08), § 392-140-224, filed 5/31/91, effective 7/1/91. Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502(2). 90-23-044 and 90-23-100 (Orders 40 and 46), § 392-140-224, filed 11/15/90 and 11/21/90, effective 12/16/90 and 12/22/90.]

WAC 392-140-250 Early intervention services allocation--Applicable provisions. The provisions of WAC 392-140-250 through 392-140-267 apply to the distribution of moneys to school districts and educational service districts for early intervention and prevention services pursuant to the state Operating Appropriations Act.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-250, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-250, filed 11/15/90, effective 12/16/90.]

WAC 392-140-251 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-252 Early intervention services allocation--Definition--Annual average full-time equivalent students. As used in WAC 392-140-250 through 392-140-267 "annual average full-time equivalent students" means the same as defined in WAC 392-121-133.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-252, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-252, filed 11/15/90, effective 12/16/90.]

WAC 392-140-253 Early intervention services allocation--Definition--Kindergarten through sixth grade annual average full-time equivalent students. As used in WAC 392-140-250 through 392-140-267 "kindergarten through sixth grade annual average full-time equivalent students" means annual average full-time equivalent students as defined in WAC 392-121-133 enrolled in grades kindergarten through six.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-253, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-253, filed 11/15/90, effective 12/16/90.]

WAC 392-140-254 Early intervention services allocation--Definition--Form SPI 1195. As used in WAC 392-140-250 through 392-140-267 "Form SPI 1195" means the form distributed by the superintendent of public instruction used by school districts and educational service districts to apply for early intervention and prevention moneys. The completed Form SPI 1195 includes:

(1) Assurances that the school district or educational service district will comply with the conditions and limitations of the state Operating Appropriations Act and other applicable state statutes and regulations; and

(2) For educational service districts, a list of the school districts with which the educational service district has cooperative agreements for providing early intervention and prevention services.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-254, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-254, filed 11/15/90, effective 12/16/90.]

WAC 392-140-255 Early intervention services allocation--Definition--Form SPI 1102E. As used in WAC 392-140-250 through 392-140-267 "Form SPI 1102E" means the form titled "School District Special and Pilot Project Expenditure Report" on which school districts are to report allowable expenditures for early intervention and prevention services pursuant to instructions provided by the superintendent of public instruction.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-255, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-255, filed 11/15/90, effective 12/16/90.]

WAC 392-140-256 Early intervention services allocation--Definition--Form SPI 1100E. As used in WAC 392-140-250 through 392-140-267 "Form SPI 1100E" means the form titled "Educational Service District Project Expenditure Report" on which educational service districts are to report allowable expenditures for early intervention and prevention services pursuant to instructions provided by the superintendent of public instruction.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-256, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-256, filed 11/15/90, effective 12/16/90.]

WAC 392-140-257 Early intervention services allocation--Definition--Allowable expenditures for early intervention and prevention services. As used in WAC 392-140-250 through 392-140-267 "allowable expenditures for early intervention and prevention services" means expenditures meeting the following requirements:

(1) Expenditures are for services provided during the school year which include but are not limited to services provided by school counselors, school psychologists, school nurses, school social workers, licensed mental health professionals, child psychiatrists, appropriate health care providers, and social service caseworkers or social workers on contract.

(2) Expenditures are for additional staff, to contract for staff or services, or to conduct training related to the district's early intervention and prevention program.

(3) Direct expenditures are accounted for as follows:

(a) School district expenditures are accounted for in the following program and activity combinations as defined in the *Accounting Manual for Public School Districts in the State of Washington*:

- (i) Program: 58 – Special and pilot programs
- (ii) Activity: 21 – Supervision–instruction
 - 24 – Guidance and counseling
 - 25 – Psych–speech–hearing
 - 26 – Health services

(b) Educational service district expenditures are accounted for in the following program, activity, and object of expenditure combinations as defined in the *Accounting Manual for Educational Service Districts in the State of Washington*:

- (i) Program: 40 – Student counseling and testing
- (ii) Activity: 21 – Staff development
 - 98 – General support
- (iii) Any object of expenditure but
 - 1 – Credit transfer

(4) Reasonable indirect expenditures attributable to early intervention and prevention services can be charged to the program.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-257, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.150.290. 91-08-039 (Order 91-06), § 392-140-257, filed 3/29/91, effective 4/29/91. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-257, filed 11/15/90, effective 12/16/90.]

WAC 392-140-258 Early intervention services allocation—Definition—Eligible school district. As used in WAC 392-140-250 through 392-140-267 "eligible school district" means a school district which:

(1) Has budgeted one thousand or more annual average full-time equivalent students for the school year as reported to the superintendent of public instruction on Form F-195, School District Budget; and

(2) Has completed Form SPI 1195 prior to December 1 of the school year pursuant to instructions provided by the superintendent of public instruction.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-258, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-258, filed 11/15/90, effective 12/16/90.]

WAC 392-140-259 Early intervention services allocation—Definition—Eligible enrollment served by the educational service district. As used in WAC 392-140-250 through 392-140-267 "eligible enrollment served by the educational service district" means the total kindergarten through sixth grade annual average full-time equivalent students of the school districts identified on Form SPI 1195 and served by the educational service district's early intervention and prevention program under a cooperative agreement between each school district identified on Form SPI 1195 and the educational service district.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-259, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-259, filed 11/15/90, effective 12/16/90.]

WAC 392-140-265 Early intervention services allocation—Apportionment of moneys to school districts and

educational service districts. From moneys appropriated by the legislature for the early intervention and prevention program, the superintendent of public instruction shall apportion moneys as follows:

(1) Allocations shall be based on a uniform state-wide rate per annual average full-time equivalent student as determined by the superintendent of public instruction.

(2) The amount allocated to each eligible school district shall be based on the kindergarten through sixth grade annual average full-time equivalent students of the school district for the school year.

(3) The amount allocated to each educational service district shall be based on the eligible enrollment served by the educational service district.

(4) Payments shall be made in the manner prescribed in WAC 392-121-400 except that payments shall be at a rate of ten percent per month for the months of September through June of the school year.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-265, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-265, filed 11/15/90, effective 12/16/90.]

WAC 392-140-266 Early intervention services allocation—Reporting requirements. Each eligible school district and educational service district receiving allocations pursuant to WAC 392-140-265 shall report to the superintendent of public instruction as follows:

(1) Form SPI 1195 shall be submitted prior to December 1 of the school year.

(2) Results of an evaluation of the effectiveness of the intervention services funded by WAC 392-140-250 through 392-140-267 shall be reported prior to October 1 of the following school year.

(3) Expenditures of moneys allocated pursuant to WAC 392-140-250 through 392-140-267 shall be reported prior to November 1 of the following school year by school districts on Form SPI 1102E and by educational service districts on Form SPI 1100E.

(4) School districts and educational service districts shall be subject to reporting requirements for school districts specified in WAC 392-121-021.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-266, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-266, filed 11/15/90, effective 12/16/90.]

WAC 392-140-267 Early intervention services allocation—Recovery of moneys. After November 1 of the following school year the superintendent of public instruction shall compare for each eligible school district and educational service district, the allocations for the school year made pursuant to WAC 392-140-265 and the expenditures reported for the school year pursuant to WAC 392-140-266(3). If moneys allocated exceed expenditures reported, the difference shall be recovered from the school district or educational service district.

[Statutory Authority: RCW 28A.300.040 and 28A.150.290. 92-02-026 (Order 91-27), § 392-140-267, filed 12/23/91, effective 1/23/92. Statutory Authority: RCW 28A.03.030(3). 90-23-043 (Order 36), § 392-140-267, filed 11/15/90, effective 12/16/90.]

WAC 392-140-336 1989-90 through 1993-94 school year enrollment of returning high school students—Applicable provisions and authority. The provisions of WAC 392-140-336 through 392-140-338 apply to enrollment of high school students for the 1989-90 through 1993-94 school years as identified in RCW 28A.175.090. The authority for WAC 392-140-336 through 392-140-901 is RCW 28A.630.810 directing the superintendent of public instruction to adopt rules and regulations as necessary to carry out RCW 28A.175.090.

[Statutory Authority: 1990 c 33, 91-16-011 (Order 91-12), § 392-140-336, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.120.800, 28A.120.092 and 1989 c 233, 90-12-081 (Order 13), § 392-140-336, filed 6/1/90, effective 7/2/90.]

WAC 392-140-337 1989-90 through 1993-94 school year enrollment of returning high school students—Authority to report for apportionment purposes. School districts are authorized to report those nonresident high school students enrolled pursuant to RCW 28A.175.090 according to those procedures authorized in chapters 392-121, 392-122, and 392-141 WAC.

[Statutory Authority: 1990 c 33, 91-16-011 (Order 91-12), § 392-140-337, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.120.800, 28A.120.092 and 1989 c 233, 90-12-081 (Order 13), § 392-140-337, filed 6/1/90, effective 7/2/90.]

WAC 392-140-340 1990-91 additional 1.3 staff units—Applicable provisions. The provisions of WAC 392-140-340 through 392-140-393 apply to the determination of additional formula-generated certificated instructional staff units for purpose of general apportionment for the 1990-91 school year pursuant to RCW 28A.150.260 and section 502 (2)(b) and (11), chapter 16, Laws of 1990 1st ex. sess. (the 1990 Supplemental Appropriations Act).

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11), 91-02-094 (Order 48), § 392-140-340, filed 1/2/91, effective 2/2/91.]

WAC 392-140-341 1990-91 additional 1.3 staff units—Authority. The authority for WAC 392-140-340 through 392-140-393 is RCW 28A.150.290(1).

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11), 91-02-094 (Order 48), § 392-140-341, filed 1/2/91, effective 2/2/91.]

WAC 392-140-342 1990-91 additional 1.3 staff units—Purpose. The purpose of WAC 392-140-340 through 392-140-393 is to set forth the policies and procedures used by the superintendent of public instruction to determine additional kindergarten through third grade staffing ratio enhancements pursuant to RCW 28A.150.260 and section 502 (2)(b) and (11), chapter 16, Laws of 1990 1st ex. sess. (the 1990 Supplemental Appropriations Act). Such staffing ratio enhancements provide funding for up to 1.3 additional basic education certificated instructional staff units per thousand full-time equivalent students in kindergarten through third grade, excluding full-time equivalent handicapped students ages six through eight.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11), 91-02-094 (Order 48), § 392-140-342, filed 1/2/91, effective 2/2/91.]

WAC 392-140-343 1990-91 additional 1.3 staff units—General provisions. The following general provisions apply to WAC 392-140-340 through 392-140-393:

(1) All calculations made by the superintendent of public instruction shall use the most current school district information for the school year on file with the superintendent of public instruction at the time of the calculation.

(2) Full-time equivalent staff shall be rounded to the nearest three decimal places.

(3) Full-time equivalent enrollment shall be rounded to the nearest two decimal places.

(4) Ratios of full-time equivalent staff to students shall be expressed as a ratio of staff to one thousand students and shall be rounded to the nearest two decimal places (e.g., 51.21/1000).

(5) School district average salaries shall be rounded to the nearest cent.

(6) Fourth through twelfth grade staff shall be considered equivalent to the sum of staff in grade group assignments four through six and seven through twelve as these are defined for purposes of school district reporting on Form SPI S-275 and Form SPI S-277.

(7) Employee assignments and assignment codes for program, duty, and activity shall mean the same as defined in the accounting manual for public school districts in the state of Washington.

(8) School districts shall have available upon request by the superintendent of public instruction and for audit purposes, documentation to support data reported to the superintendent of public instruction pursuant to WAC 392-140-340 through 392-140-393.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11), 91-02-094 (Order 48), § 392-140-343, filed 1/2/91, effective 2/2/91.]

WAC 392-140-345 1990-91 additional 1.3 staff units—Definition—School year. As used in WAC 392-140-340 through 392-140-393, "school year" means the same as defined in WAC 392-121-031.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11), 91-02-094 (Order 48), § 392-140-345, filed 1/2/91, effective 2/2/91.]

WAC 392-140-346 1990-91 additional 1.3 staff units—Definition—Academic year. As used in WAC 392-140-340 through 392-140-393, "academic year" means the same as defined in WAC 392-140-312.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11), 91-02-094 (Order 48), § 392-140-346, filed 1/2/91, effective 2/2/91.]

WAC 392-140-347 1990-91 additional 1.3 staff units—Definition—Full-time equivalent basic education enrollment. As used in WAC 392-140-340 through 392-

140-393, "full-time equivalent basic education enrollment" means the same as defined in WAC 392-140-305.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-347, filed 1/2/91, effective 2/2/91.]

WAC 392-140-348 1990-91 additional 1.3 staff units--Definition--Full-time equivalent kindergarten through third grade basic education enrollment. As used in WAC 392-140-340 through 392-140-393, "full-time equivalent kindergarten through third grade basic education enrollment" means the same as defined in WAC 392-140-306.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-348, filed 1/2/91, effective 2/2/91.]

WAC 392-140-349 1990-91 additional 1.3 staff units--Definition--Full-time equivalent basic education certificated instructional staff. As used in WAC 392-140-340 through 392-140-393, "full-time equivalent basic education certificated instructional staff" means the same as defined in WAC 392-121-215.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-349, filed 1/2/91, effective 2/2/91.]

WAC 392-140-350 1990-91 additional 1.3 staff units--Definition--Full-time equivalent kindergarten through third grade basic education certificated instructional staff. As used in WAC 392-140-340 through 392-140-393, "full-time equivalent kindergarten through third grade basic education certificated instructional staff" means the same as defined in WAC 392-140-315.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-350, filed 1/2/91, effective 2/2/91.]

WAC 392-140-351 1990-91 additional 1.3 staff units--Definition--SPI form s-275. As used in WAC 392-140-340 through 392-140-393, "SPI Form S-275" means the same as defined in WAC 392-121-220.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-351, filed 1/2/91, effective 2/2/91.]

WAC 392-140-352 1990-91 additional 1.3 staff units--Definition--SPI form 1158. As used in WAC 392-140-340 through 392-140-393, "SPI Form 1158" means the same as defined in WAC 392-140-324.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-352, filed 1/2/91, effective 2/2/91.]

WAC 392-140-353 1990-91 additional 1.3 staff units--Definition--Supplemental basic education certificated instructional staff. As used in WAC 392-140-340 through 392-140-393, "supplemental basic education certificated instructional staff" means the same as the

term "supplemental full-time equivalent staff" as defined in WAC 392-140-319.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-353, filed 1/2/91, effective 2/2/91.]

WAC 392-140-354 1990-91 additional 1.3 staff units--Definition--Supplemental full-time equivalent kindergarten through third grade staff. As used in WAC 392-140-340 through 392-140-393, "supplemental full-time equivalent kindergarten through third grade staff" means the same as defined in WAC 392-140-320.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-354, filed 1/2/91, effective 2/2/91.]

WAC 392-140-355 1990-91 additional 1.3 staff units--Definition--Kindergarten through third grade basic education certificated instructional staffing ratio. As used in WAC 392-140-340 through 392-140-393, "kindergarten through third grade basic education certificated instructional staffing ratio" means the same as the term "kindergarten through third grade staffing ratio" as defined in WAC 392-140-321.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-355, filed 1/2/91, effective 2/2/91.]

WAC 392-140-356 1990-91 additional 1.3 staff units--Definition--1990-91 average basic education certificated instructional staff salary for the purpose of apportionment. As used in WAC 392-140-340 through 392-140-393, "1990-91 average basic education certificated instructional staff salary for purpose of apportionment" means the average salary allocation amount for basic education certificated instructional staff determined by the superintendent of public instruction for general apportionment of state basic education moneys to a school district for the 1990-91 school year pursuant to WAC 392-121-299.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-356, filed 1/2/91, effective 2/2/91.]

WAC 392-140-357 1990-91 additional 1.3 staff units--Definition--SPI form s-277. As used in WAC 392-140-340 through 392-140-393, "SPI Form S-277" means the report distributed by the superintendent of public instruction on which school districts report information about each classified employee of the school district as of October 1 of the school year including the employee's name, social security number, working hours, assignments, rate of pay, and benefits.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-357, filed 1/2/91, effective 2/2/91.]

WAC 392-140-358 1990-91 additional 1.3 staff units--Definition--Classified instructional assistant. As used in WAC 392-140-340 through 392-140-393, "classified instructional assistant" means a person who is

assigned in whole or in part to activity 27--teaching, duty 910--aide.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-358, filed 1/2/91, effective 2/2/91.]

WAC 392-140-359 1990-91 additional 1.3 staff units--Definition--Classified instructional assistant full-time equivalent. As used in WAC 392-140-340 through 392-140-393, "classified instructional assistant full-time equivalent" means the number determined for a classified instructional assistant as follows:

(1) Multiply the hours per day times the days per year that the employee is assigned to activity 27--teaching, duty 910--aide; and

(2) Divide by 2080.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-359, filed 1/2/91, effective 2/2/91.]

WAC 392-140-360 1990-91 additional 1.3 staff units--Definition--Basic education classified instructional assistant. As used in WAC 392-140-340 through 392-140-393, "basic education classified instructional assistant" means a person who is assigned in whole or in part to:

(1) Program 01--basic education, 31--vocational, state, or 45--skills center, state; and

(2) Activity 27--teaching; and

(3) Duty 910--aide.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-360, filed 1/2/91, effective 2/2/91.]

WAC 392-140-361 1990-91 additional 1.3 staff units--Definition--Basic education classified instructional assistant full-time equivalent. As used in WAC 392-140-340 through 392-140-393, "basic education classified instructional assistant full-time equivalent" means the number determined for a basic education classified instructional assistant as follows:

(1) Multiplying the hours per day times the days per year that the employee is assigned as a basic education classified instructional assistant; and

(2) Divide by 2080.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-361, filed 1/2/91, effective 2/2/91.]

WAC 392-140-362 1990-91 additional 1.3 staff units--Definition--Full-time equivalent basic education classified instructional assistants. As used in WAC 392-140-340 through 392-140-393, "full-time equivalent basic education classified instructional assistants" means the number determined for a school district by summing the basic education classified instructional assistant full-time equivalents for all basic education classified instructional assistants employed by the school district.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-362, filed 1/2/91, effective 2/2/91.]

WAC 392-140-363 1990-91 additional 1.3 staff units--Definition--full-time equivalent kindergarten through third grade basic education classified instructional assistants. As used in WAC 392-140-340 through 392-140-393, "full-time equivalent kindergarten through third grade basic education classified instructional assistants" means the number determined for a school district as follows:

(1) For each basic education classified instructional assistant serving kindergarten through third grade students determine a full-time equivalent as follows:

(a) If the basic education classified instructional assistant serves only kindergarten through third grade students, one hundred percent of the full-time equivalent determined pursuant to WAC 392-140-361.

(b) If the basic education classified instructional assistant serves kindergarten through third grade students and students of one or more other grades, multiply the full-time equivalent determined pursuant to WAC 392-140-361 by:

(i) The proportion of time spent serving kindergarten through third grade students to all time serving students;

(ii) The proportion of kindergarten through third grade students served to all students served; or

(iii) Any combination of (b)(i) or (ii) of this subsection as appropriate.

(2) Sum the full-time equivalents determined pursuant to subsection (1) of this section for all basic education classified instructional assistants of the school district serving kindergarten through third grade students.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-363, filed 1/2/91, effective 2/2/91.]

WAC 392-140-364 1990-91 additional 1.3 staff units--Definition--Full-time equivalent fourth through twelfth grade basic education classified instructional assistants. As used in WAC 392-140-340 through 392-140-393, "full-time equivalent fourth through twelfth grade basic education classified instructional assistants" means the number determined for a school district as follows:

(1) For each basic education classified instructional assistant serving fourth through twelfth grade students determine a full-time equivalency as follows:

(a) If the basic education classified instructional assistant serves only fourth through twelfth grade students, one hundred percent of the full-time equivalent determined pursuant to WAC 392-140-361.

(b) If the basic education classified instructional assistant serves fourth through twelfth grade students and students of one or more other grades, multiply the full-time equivalent determined pursuant to WAC 392-140-361 by:

(i) The proportion of time spent serving fourth through twelfth grade students to all time serving students;

(ii) The proportion of fourth through twelfth grade students served to all students served; or

(iii) Any combination of (b)(i) or (ii) of this subsection as appropriate.

(2) Sum the full-time equivalents determined pursuant to subsection (1) of this section for all basic education classified instructional assistants of the school district serving fourth through twelfth grade students.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-364, filed 1/2/91, effective 2/2/91.]

WAC 392-140-365 1990-91 additional 1.3 staff units--Definition--1990-91 actual average salary for basic education classified instructional assistants. As used in WAC 392-140-340 through 392-140-393, "1990-91 actual average salary for basic education classified instructional assistants" means the dollar amount determined for a school district as follows:

(1) For each basic education classified instructional assistant reported on SPI Form S-277 for the 1990-91 school year multiply the hours per day times the days per year times the hourly rate as reported on SPI Form S-277.

(2) Sum the dollar amounts determined pursuant to subsection (1) of this section; and

(3) Divide the result of subsection (2) of this section by the school district's full-time equivalent classified instructional assistants for the 1990-91 school year as reported on SPI Form S-277.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-365, filed 1/2/91, effective 2/2/91.]

WAC 392-140-366 1990-91 additional 1.3 staff units--Definition--Addition full-time equivalent basic education classified instructional assistant. As used in WAC 392-140-340 through 392-140-393, "addition full-time equivalent basic education classified instructional assistant" means the increase in full-time equivalent for a basic education classified instructional assistant who is not reported on SPI Form S-277 or whose classified instructional assistant full-time equivalent is increased after October 1 of the school year calculated as follows:

(1) Determine the basic education classified instructional assistant full-time equivalent that would have been reported for the employee on SPI Form S-277 if the employee had served the full academic year at the increased level of service;

(2) Subtract the basic education classified instructional assistant full-time equivalent as of October 1 as reported for the employee on SPI Form S-277 from the result obtained in subsection (1) of this section;

(3) Multiply the result obtained in subsection (2) of this section by the number of months remaining in the academic year that the employee serves at the increased level of service, including the month that the increase occurred;

(4) Divide the result obtained in subsection (3) of this section by nine.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-366, filed 1/2/91, effective 2/2/91.]

WAC 392-140-367 1990-91 additional 1.3 staff units--Definition--Reduction full-time equivalent basic education classified instructional assistant. As used in WAC 392-140-340 through 392-140-393, "reduction full-time equivalent basic education classified instructional assistant" means the decrease in full-time equivalent for a basic education classified instructional assistant who is no longer employed or whose classified instructional assistant full-time equivalent is decreased after October 1 of the school year calculated as follows:

(1) Determine the basic education classified instructional assistant full-time equivalent that would have been reported for the employee on SPI Form S-277 if the employee had served the full academic year at the decreased level of service;

(2) Subtract the basic education classified instructional assistant full-time equivalent as of October 1 as reported for the employee on SPI Form S-277 from the result obtained in subsection (1) of this section;

(3) Multiply the result obtained in subsection (2) of this section by the number of months remaining in the academic year that the employee serves at the decreased level of service, including the month that the decrease occurred;

(4) Divide the result obtained in subsection (3) of this section by nine.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-367, filed 1/2/91, effective 2/2/91.]

WAC 392-140-368 1990-91 additional 1.3 staff units--Definition--Reassignment full-time equivalent basic education classified instructional assistant. As used in WAC 392-140-340 through 392-140-393, "reassignment full-time equivalent basic education classified instructional assistant" means the change in full-time equivalent for a basic education classified instructional assistant after October 1 whose classified instructional assistant full-time equivalent does not change calculated as follows:

(1) Determine the basic education classified instructional assistant full-time equivalent that would have been reported for the employee on SPI Form S-277 if the employee had served the full academic year at the level of service after the assignment change;

(2) Subtract the basic education classified instructional assistant full-time equivalent as of October 1 as reported for the employee on SPI Form S-277 from the result obtained in subsection (1) of this section;

(3) Multiply the result obtained in subsection (2) of this section by the number of months remaining in the academic year that the employee serves at the level of service after the assignment change, including the month that the reassignment occurred;

(4) Divide the result obtained in subsection (3) of this section by nine.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-368, filed 1/2/91, effective 2/2/91.]

WAC 392-140-369 1990-91 additional 1.3 staff units--Definition--Supplemental full-time equivalent basic education classified instructional assistants. As used in WAC 392-140-340 through 392-140-393, "supplemental full-time equivalent basic education classified instructional assistants" means the sum of a school district's addition, reduction, and reassignment full-time equivalent basic education classified instructional assistants.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-369, filed 1/2/91, effective 2/2/91.]

WAC 392-140-370 1990-91 additional 1.3 staff units--Definition--Supplemental full-time equivalent kindergarten through third grade basic education classified instructional assistants. As used in WAC 392-140-340 through 392-140-393, "supplemental full-time equivalent kindergarten through third grade basic education classified instructional assistants" means the sum of the school district's addition, reduction, and reassignment full-time equivalent basic education classified instructional assistants serving kindergarten through third grade.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-370, filed 1/2/91, effective 2/2/91.]

WAC 392-140-371 1990-91 additional 1.3 staff units--Definition--Supplemental full-time equivalent fourth through twelfth grade basic education classified instructional assistants. As used in WAC 392-140-340 through 392-140-393, "supplemental full-time equivalent fourth through twelfth grade basic education classified instructional assistants" means the sum of the school district's addition, reduction, and reassignment full-time equivalent basic education classified instructional assistants serving fourth through twelfth grade.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-371, filed 1/2/91, effective 2/2/91.]

WAC 392-140-372 1990-91 additional 1.3 staff units--Definition--SPI Form 1230. As used in WAC 392-140-340 through 392-140-393, "SPI Form 1230" means the form distributed by the superintendent of public instruction on which all school districts report their 1989-90 full-time equivalent kindergarten through third grade basic education classified instructional assistants and on which school districts qualifying for a credit for fourth through twelfth grade staff increases pursuant to WAC 392-140-393 report their 1989-90 full-time equivalent fourth through twelfth grade basic education classified instructional assistants.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-372, filed 1/2/91, effective 2/2/91.]

WAC 392-140-373 1990-91 additional 1.3 staff units--Definition--Kindergarten through third grade basic education classified instructional assistant staffing ratio. As used in WAC 392-140-340 through 392-140-

393, "kindergarten through third grade basic education classified assistant staffing ratio" means the ratio calculated for a school district as follows:

(1) For the 1989-90 school year:

(a) Divide the 1989-90 full-time equivalent kindergarten through third grade basic education classified instructional assistants as reported on SPI Form 1230; by

(b) The 1989-90 full-time equivalent kindergarten through third grade basic education enrollment; and

(c) Multiply by 1000.

(2) For the 1990-91 school year:

(a) Sum:

(i) 1990-91 kindergarten through third grade full-time equivalent basic education classified instructional assistants reported by the school district on SPI Form S-277; and

(ii) Any supplemental full-time equivalent kindergarten through third grade basic education classified instructional assistants reported by the school district for the 1990-91 school year on SPI Form 1158;

(b) Divide the result obtained in (a) of this subsection by the school district's 1990-91 full-time equivalent kindergarten through third grade basic education enrollment; and

(c) Multiply by 1000.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-373, filed 1/2/91, effective 2/2/91.]

WAC 392-140-374 1990-91 additional 1.3 staff units--Definition--Change in kindergarten through third grade basic education classified instructional assistant staffing ratios from 1989-90 to 1990-91. As used in WAC 392-140-340 through 392-140-393, "change in kindergarten through third grade basic education classified instructional assistant staffing ratios from 1989-90 to 1990-91" means the number calculated for a school district as follows:

(1) Determine the school district's kindergarten through third grade basic education classified instructional assistant staffing ratio for the 1990-91 school year pursuant to WAC 392-140-373(2); and

(2) Subtract the school district's 1989-90 kindergarten through third grade basic education classified instructional assistant ratio calculated pursuant to WAC 392-140-373(1).

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-374, filed 1/2/91, effective 2/2/91.]

WAC 392-140-375 1990-91 additional 1.3 staff units--Definition--Certificated instructional staff ratio equivalent of the change in kindergarten through third grade basic education classified instructional assistant staffing ratios from 1989-90 to 1990-91. As used in WAC 392-140-340 through 392-140-393, "certificated instructional staff ratio equivalent of the change in kindergarten through third grade basic education classified instructional assistant staffing ratios from 1989-90 to 1990-91" means the number calculated for a school district as follows:

(1) Multiply the change in kindergarten through third grade basic education classified instructional assistant staffing ratio from 1989-90 to 1990-91; by

(2) The quotient derived by dividing the 1990-91 actual average salary for basic education classified instructional assistants by the 1990-91 average basic education certificated instructional staff salary for the purpose of apportionment; and

(3) Round the result to the nearest three decimal places.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-375, filed 1/2/91, effective 2/2/91.]

WAC 392-140-376 1990-91 additional 1.3 staff units--Definition--Recognized change in kindergarten through third grade basic education certificated instructional staffing ratio from 1989-90 to 1990-91. As used in WAC 392-140-340 through 392-140-393, "recognized change in kindergarten through third grade basic education certificated instructional staffing ratio from 1989-90 to 1990-91" means the school district's 1990-91 kindergarten through third grade staffing ratio determined pursuant to WAC 392-140-321 minus the greater of:

(1) The 1989-90 kindergarten through third grade staffing ratio calculated pursuant to WAC 392-140-321; or

(2) Fifty-one.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-376, filed 1/2/91, effective 2/2/91.]

WAC 392-140-377 1990-91 additional 1.3 staff units--Definition--Combined change in kindergarten through third grade basic education instructional staffing ratios from 1989-90 to 1990-91. As used in WAC 392-140-340 through 392-140-393, "combined change in kindergarten through third grade basic education instructional staffing ratios from 1989-90 to 1990-91" means the sum of the ratios calculated for a school district pursuant to WAC 392-140-374 and 392-140-376.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-377, filed 1/2/91, effective 2/2/91.]

WAC 392-140-378 1990-91 additional 1.3 staff units--Definition--Change in fourth through twelfth grade basic education certificated instructional staff from 1989-90 to 1990-91. As used in WAC 392-140-340 through 392-140-393, "change in fourth through twelfth grade basic education certificated instructional staff from 1989-90 to 1990-91" means the number calculated for a school district as follows:

(1) Sum 1990-91 full-time equivalent fourth through twelfth grade basic education certificated instructional staff reported on SPI Form S-275 and any 1990-91 supplemental full-time equivalent staff for grades four through twelve reported on SPI Form 1158; and

(2) From the result obtained in subsection (1) of this section subtract the sum of 1989-90 full-time equivalent fourth through twelfth grade basic education certificated

instructional staff reported on SPI Form S-275 and any 1989-90 supplemental basic education certificated instructional staff for grades four through twelve reported on SPI Form 1158.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-378, filed 1/2/91, effective 2/2/91.]

WAC 392-140-379 1990-91 additional 1.3 staff units--Definition--Change in fourth through twelfth grade basic education classified instructional assistants from 1989-90 to 1990-91. As used in WAC 392-140-340 through 392-140-393, "change in fourth through twelfth grade basic education classified instructional assistants from 1989-90 to 1990-91" means the number calculated for a school district as follows:

(1) Sum:

(a) Full-time equivalent fourth through twelfth grade basic education classified instructional assistants for the 1990-91 school year reported by the school district on Form S-277; and

(b) Any supplemental full-time equivalent fourth through twelfth grade classified instructional assistants for the 1990-91 school year reported on SPI Form 1158;

(2) From the result obtained in subsection (1) of this section subtract the full-time equivalent fourth through twelfth grade classified instructional assistants for the 1989-90 school year reported on SPI Form 1230.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-379, filed 1/2/91, effective 2/2/91.]

WAC 392-140-380 1990-91 additional 1.3 staff units--Definition--Certificated instructional staff equivalent of the change in fourth through twelfth grade basic education classified instructional assistants from 1989-90 to 1990-91. As used in WAC 392-140-340 through 392-140-393, "certificated instructional staff equivalent of the change in fourth through twelfth grade basic education classified instructional assistant staffing ratio" means the number calculated for a school district as follows:

(1) Multiply the school district's change in fourth through twelfth grade basic education classified instructional assistant staff from 1989-90 to 1990-91; by

(2) The quotient derived by dividing the school district 1990-91 actual average salary for basic education classified instructional assistants by the 1990-91 average basic education certificated instructional staff salary for the purpose of apportionment.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-380, filed 1/2/91, effective 2/2/91.]

WAC 392-140-381 1990-91 additional 1.3 staff units--Definition--Kindergarten through third grade certificated instructional staffing ratio equivalent of fourth through twelfth grade basic education instructional staff changes from 1989-90 to 1990-91. As used in WAC 392-140-340 through 392-140-393, "kindergarten through third grade certificated instructional staffing ratio equivalent of fourth through twelfth grade basic

education instructional staff changes from 1989-90 to 1990-91" means the number calculated for a school district as follows:

(1) Sum the change in full-time equivalent fourth through twelfth grade certificated instructional staff from 1989-90 to 1990-91 and the certificated instructional staff equivalent of the change in full-time equivalent fourth through twelfth grade classified instructional assistants from 1989-90 to 1990-91;

(2) Divide the result of subsection (1) of this section by 1990-91 full-time equivalent kindergarten through third grade basic education enrollment; and

(3) Multiply the result of subsection (2) of this section by 1000.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-381, filed 1/2/91, effective 2/2/91.]

WAC 392-140-390 1990-91 additional 1.3 staff units--School district reporting of basic education classified instructional assistants. School districts shall report basic education classified instructional assistants to the superintendent of public instruction as follows:

(1) All school districts shall report full-time equivalent basic education classified instructional assistants as of October 1 on SPI Form S-277. The S-277 report for the 1990-91 school year shall also identify full-time equivalent kindergarten through third grade, fourth through sixth grade, and seventh through twelfth grade basic education classified instructional assistants.

(2) All school districts shall report their 1989-90 full-time equivalent kindergarten through third grade classified instructional assistants on SPI Form 1230 prior to January 1, 1991, pursuant to instructions provided by the superintendent of public instruction.

(3) Any school district claiming a credit for fourth through twelfth grade staff increases pursuant to WAC 392-140-393 shall report 1989-90 full-time equivalent basic education classified instructional assistants for fourth through twelfth grade on SPI Form 1230 prior to September 30, 1991, pursuant to instructions provided by the superintendent of public instruction.

(4) At any time prior to September 30, 1991, any school district may at its discretion report supplemental full-time equivalent basic education classified instructional assistants on SPI Form 1158 pursuant to instructions provided by the superintendent of public instruction.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-390, filed 1/2/91, effective 2/2/91.]

WAC 392-140-391 1990-91 additional 1.3 staff units--Reporting by the superintendent of public instruction. The superintendent of public instruction shall report to school districts results of calculations made pursuant to WAC 392-140-340 through 392-140-393 in the manner prescribed in WAC 392-140-331 through 392-140-333.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-391, filed 1/2/91, effective 2/2/91.]

WAC 392-140-392 1990-91 additional 1.3 staff units--Determination of school district additional kindergarten through third grade staffing ratio enhancements. The superintendent of public instruction shall determine each school district's additional kindergarten through third grade staffing ratio enhancement as follows:

(1) If the 1990-91 kindergarten through third grade staffing ratio calculated pursuant to WAC 392-140-321 is less than fifty-one, or if the combined change in basic education instructional staffing ratios from 1989-90 to 1990-91 calculated pursuant to WAC 392-140-377 is less than or equal to zero, the additional kindergarten through third grade staffing ratio enhancement shall be zero.

(2) If the 1990-91 kindergarten through third grade staffing ratio calculated pursuant to WAC 392-140-321 is greater than or equal to fifty-one and the combined change in kindergarten through third grade basic education instructional staffing ratios from 1989-90 to 1990-91 calculated pursuant to WAC 392-140-377 is greater than zero, the additional kindergarten through third grade staffing ratio enhancement shall be the lesser of 1.3 or the number calculated for the school district as follows:

(a) Sum the recognized change in kindergarten through third grade basic education certificated instructional staffing ratios from 1989-90 to 1990-91 determined pursuant to WAC 392-140-376 and the certificated instructional staffing ratio equivalent of the change in the kindergarten through third grade classified instructional assistant staffing ratio from 1989-90 to 1990-91 determined pursuant to WAC 392-140-375;

(b) If the result obtained in (a) of this subsection is 1.3 or greater, then 1.3.

(c) If the result obtained in (a) of this subsection is less than 1.3 and greater than zero, then:

(i) For school districts with a 1990-91 kindergarten through third grade basic education certificated instructional staffing ratio of greater than fifty-one and less than fifty-three, the result obtained in (a) of this subsection; and

(ii) For school districts with a 1990-91 kindergarten through third grade basic education certificated instructional staffing ratio of fifty-three or greater, the result obtained in (a) of this subsection plus any credit for fourth through twelfth grade staff increases determined in WAC 392-140-393.

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 § 502 (2)(b) and (11). 91-02-094 (Order 48), § 392-140-392, filed 1/2/91, effective 2/2/91.]

WAC 392-140-393 1990-91 additional 1.3 staff units--Determination of credit for fourth through twelfth grade staff increases. The superintendent of public instruction shall determine credit for fourth through twelfth grade staff increases as follows:

(1) Only school districts meeting all of the following requirements shall be eligible for the credit:

(a) The 1990-91 kindergarten through third grade basic education certificated instructional staffing ratio is fifty-three or greater;

(b) The enhancement calculated pursuant to WAC 392-140-392 (2)(a) is greater than zero and less than 1.3; and

(c) The sum of the change in full-time equivalent fourth through twelfth grade certificated instructional staff from 1989-90 to 1990-91 plus the change in full-time equivalent fourth through twelfth grade classified instructional assistants from 1989-90 to 1990-91 is greater than zero.

(2) The amount of the credit is calculated as follows:

(a) Determine the school district's kindergarten through third grade certificated instructional staffing ratio equivalent of fourth through twelfth grade basic education instructional staffing changes from 1989-90 to 1990-91 pursuant to WAC 392-140-381;

(b) If the result obtained in (a) of this subsection is zero or less then the credit is zero.

(c) If the result obtained in (a) of this subsection is greater than zero then the credit equals the lesser of:

(i) The result obtained in (a) of this subsection; or

(ii) 1.3 minus the amount calculated in WAC 392-140-392 (2)(a).

[Statutory Authority: RCW 28A.150.290 and 1990 1st ex.s. c 16 §§ 502 (2)(b) and 502(11). 91-02-094 (Order 48), § 392-140-393, filed 1/2/91, effective 2/2/91.]

WAC 392-140-400 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-401 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-402 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-403 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-404 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-405 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-406 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-407 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-408 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-409 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-410 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-411 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-412 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-413 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-414 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-415 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-416 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-417 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-418 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-419 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-420 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-421 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-422 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-140-423 Repealed. See Disposition Table at beginning of this chapter.

Chapter 392-142 WAC

TRANSPORTATION—REPLACEMENT AND DEPRECIATION ALLOCATION

WAC

392-142-005	Authority.
392-142-095	Definition—State supported specifications.
392-142-155	Definition—School bus categories for those buses purchased after September 1, 1982.
392-142-165	Definition—State-determined purchase price.
392-142-215	Repealed.
392-142-220	Repealed.
392-142-235	Allocation of state depreciation payment for school buses purchased after September 1, 1975, and before September 1, 1982.
392-142-250	Allocation of state depreciation payment support—School buses purchased after September 1, 1982.
392-142-260	Allowable uses of transportation vehicle fund.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

392-142-215	School bus inspection. [Statutory Authority: RCW 28A.41.170 and 28A.41.540. 90-02-077 (Order 21),
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§ 392-142-215, filed 1/2/90, effective 2/2/90.] Repealed by 91-23-071 (Order 25), filed 11/19/91, effective 12/20/91. Statutory Authority: RCW 28A.41.170 and 28A.41.540.

392-142-220 School bus operation permit. [Statutory Authority: RCW 28A.41.170 and 28A.41.540. 90-02-077 (Order 21), § 392-142-220, filed 1/2/90, effective 2/2/90.] Repealed by 91-23-071 (Order 25), filed 11/19/91, effective 12/20/91. Statutory Authority: RCW 28A.41.170 and 28A.41.540.

WAC 392-142-005 Authority. The authority for this chapter is RCW 28A.160.140 which authorizes the superintendent of public instruction to adopt rules and regulations for the proper administration of chapter 28A.160 RCW, which includes state depreciation and replacement payments for school buses as specified in RCW 28A.160.200.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-142-005, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.41.170 and 28A.41.540. 90-02-077 (Order 21), § 392-142-005, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.41.170. 83-22-031 (Order 83-16), § 392-142-005, filed 10/26/83.]

WAC 392-142-095 Definition--State supported specifications. As used in this chapter, "state supported specifications," means the specifications developed pursuant to chapter 392-143 WAC (Transportation--Specifications for school buses) plus added equipment, components, or requirements judged by the advisory committee formed pursuant to RCW 28A.160.200 to produce minimum long-range operating costs and to accommodate transportation of students with handicapping conditions.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-142-095, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.41.170 and 28A.41.540. 90-02-077 (Order 21), § 392-142-095, filed 1/2/90, effective 2/2/90.]

WAC 392-142-155 Definition--School bus categories for those buses purchased after September 1, 1982. As used in this chapter, "school bus categories for those buses purchased after September 1, 1982," means the following:

	Student Capacity	Fuel Type	Transmission Type	Useful Life
(1)	10 to 22	Gas	Manual	8
(2)	10 to 22	Gas	Automatic	8
(3)	10 to 22	Diesel	Manual	8
(4)	10 to 22	Diesel	Automatic	8
(5)	23 to 34	Gas	Manual	8
(6)	23 to 34	Gas	Automatic	8
(7)	23 to 34	Diesel	Manual	8
(8)	23 to 34	Diesel	Automatic	8
(9)	35 to 48	Gas	Manual	10
(10)	35 to 48	Gas	Automatic	10
(11)	35 to 48	Diesel	Manual	15
(12)	35 to 48	Diesel	Automatic	15
(13)	49 to 60	Gas	Manual	10
(14)	49 to 60	Gas	Automatic	10
(15)	49 to 60	Diesel	Manual	15
(16)	49 to 60	Diesel	Automatic	15
(17)	61 to 84	Gas	Manual	10
(18)	61 to 84	Gas	Automatic	10
(19)	61 to 84	Diesel	Manual	15
(20)	61 to 84	Diesel	Automatic	15
(21)	Heavy 78 to 84	Diesel	Manual	20

	Student Capacity	Fuel Type	Transmission Type	Useful Life
(22)	Heavy 78 to 84	Diesel	Automatic	20
(23)	85 to 90	Diesel	Manual	20
(24)	85 to 90	Diesel	Automatic	20

[Statutory Authority: RCW 28A.41.170 and 28A.41.540. 91-23-071 (Order 25), § 392-142-155, filed 11/19/91, effective 12/20/91; 90-02-077 (Order 21), § 392-142-155, filed 1/2/90, effective 2/2/90.]

WAC 392-142-165 Definition--State-determined purchase price. As used in this chapter, "state-determined purchase price" means the arithmetic average of the actual bid prices for the preceding twelve months improved by the inflation rate, documented in vendor bid proposals for that portion of the actual bid price associated with meeting state-supported specifications for a school bus category for those buses purchased after September 1, 1982. Included in the actual bid prices for the purposes of this calculation are:

- (1) Sales taxes;
- (2) Freight to the school district;
- (3) Cost associated with full payment within thirty days of delivery.

Not included in the actual base bid prices are any costs associated with district specified requirements in excess of state supported specifications.

[Statutory Authority: RCW 28A.41.170 and 28A.41.540. 91-23-071 (Order 25), § 392-142-165, filed 11/19/91, effective 12/20/91; 90-02-077 (Order 21), § 392-142-165, filed 1/2/90, effective 2/2/90.]

WAC 392-142-215 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-142-220 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-142-235 Allocation of state depreciation payment for school buses purchased after September 1, 1975, and before September 1, 1982. The superintendent of public instruction shall apportion each school district's annual school bus depreciation payment as calculated in WAC 392-142-230 according to the schedule set forth in RCW 28A.510.250.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-142-235, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.41.170 and 28A.41.540. 90-02-077 (Order 21), § 392-142-235, filed 1/2/90, effective 2/2/90.]

WAC 392-142-250 Allocation of state depreciation payment support--School buses purchased after September 1, 1982. The superintendent of public instruction shall apportion school bus depreciation payments each school year calculated:

- (1) Pursuant to WAC 392-142-235 in:
 - (a) The September apportionment payment for those school buses issued school bus operating permits in prior school years; or
 - (b) The first apportionment payment after the issuance of the school bus operating permit for school buses purchased in the current school year;
- (2) Pursuant to WAC 392-142-240 according to the schedule set forth in RCW 28A.510.250.

[Statutory Authority: 1990 c 33, 91-16-011 (Order 91-12), § 392-142-250, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.41.170 and 28A.41.540. 90-02-077 (Order 21), § 392-142-250, filed 1/2/90, effective 2/2/90.]

WAC 392-142-260 Allowable uses of transportation vehicle fund. School districts shall use moneys in the transportation vehicle fund for the following purposes:

(1) The purchase of approved transportation vehicles;
 (2) Performing major repairs receiving prior approval by the superintendent of public instruction. Repairs costing less than twenty-five percent of the current state determined purchase price for that type and category of vehicle shall not be considered a major repair.

(3) The transfer of moneys from the transportation vehicle fund to the debt service fund exclusively for the payment of debt and interest incurred by the transportation vehicle fund shall not be considered to be a transfer of moneys from the transportation vehicle fund to any other fund within the meaning of RCW 28A.160.130.

[Statutory Authority: RCW 28A.41.170 and 28A.41.540. 91-23-071 (Order 25), § 392-142-260, filed 11/19/91, effective 12/20/91. Statutory Authority: Chapter 28A.530 and HB 1224. 91-23-042 (Order 21), § 392-142-260, filed 11/14/91, effective 12/15/91. Statutory Authority: RCW 28A.41.170 and 28A.41.540. 90-02-077 (Order 21), § 392-142-260, filed 1/2/90, effective 2/2/90.]

Chapter 392-143 WAC

TRANSPORTATION--SPECIFICATIONS FOR SCHOOL BUSES

WAC

392-143-030	School buses--Permit and license.
392-143-031	School bus inspection--School bus operation permit.
392-143-032	School bus operation permit.
392-143-080	Signs and markings for school buses--Exterior--Interior.

WAC 392-143-030 School buses--Permit and license. All school buses, as a condition for use to transport students, shall have a school bus operation permit issued in accordance with WAC 392-143-032. If the school bus is approved in compliance with WAC 392-143-031 and the school district has met requirements of WAC 392-143-032, the superintendent shall send three copies of the school bus operation permit to the appropriate school district. The original shall be retained by the school district; one copy shall be placed in the permit holder in the school bus; and one copy shall be presented to the county auditor, along with the operator's application for an exempt state license for the bus if applicable. County auditors shall not issue an exempt license for the bus unless a school bus operation permit accompanies the application for a license.

[Statutory Authority: RCW 46.61.380. 91-23-069 (Order 22), § 392-143-030, filed 11/19/91, effective 11/19/91; 84-20-081 (Order 84-39), § 392-143-030, filed 10/2/84; 84-03-001 (Order 84-1), § 392-143-030, filed 1/5/84; 83-21-025 (Order 83-13), § 392-143-030, filed 10/10/83; Order 7-75, § 392-143-030, filed 12/22/75. Formerly WAC 392-21-115.]

WAC 392-143-031 School bus inspection--School bus operation permit. All school buses must be inspected

and approved by a Washington state patrol inspection officer prior to initial issue or reissue of a school bus operation permit. This inspection must be recorded by the inspecting officer on SPI Form 1029, Initial School Bus Inspection, for new buses, used buses not previously inspected by the Washington state patrol, and buses which have been repowered or which have undergone rehabilitation or modification repair, or recorded by the inspecting officer on SPI Form 1028, Routine School Bus Inspection, for used buses previously inspected by the Washington state patrol.

[Statutory Authority: RCW 46.61.380. 91-23-069 (Order 22), § 392-143-031, filed 11/19/91, effective 11/19/91.]

WAC 392-143-032 School bus operation permit. The superintendent of public instruction shall issue school bus operation permits as follows:

(1) A school bus operation permit shall be issued on receipt of the following properly executed documents for each new school bus or used school bus not previously licensed in Washington state:

(a) Original SPI Form 1020, School Bus Acquisition/Disposition Report;

(b) Copy of the sellers invoice or bill of sale;

(c) Copy of complete set of the successful vendor's bid specifications;

(d) Copy of each warrant issued in full payment of the bus or each warrant issued in part payment of the bus, if any, and, copy of the conditional sales contract, lease purchase agreement, or other evidence of contractual liability;

(e) Original weight slip for the vehicle; and

(f) Original SPI Form 1029, Initial School Bus Inspection.

(2) A school bus operation permit shall be reissued on receipt of the following properly executed documents for school buses previously licensed in Washington state: *Provided*, That no school bus operation permit shall be reissued to any school bus which does not meet Federal Motor Vehicle Safety Standards adopted April 1, 1977:

(a) Original SPI Form 1020, School Bus Acquisition/Disposition Report, from the school district acquiring the school bus;

(b) Original SPI Form 1020, School Bus Acquisition/Disposition Report, from the school district disposing of the school bus, with existing school bus operating permit attached;

(c) Copy of SPI Form 1028, Routine School Bus Inspection, properly authenticated as the inspection report from the most recent annual one hundred percent fleet inspection, which inspection was made within twelve months prior to the date of acquisition;

(d) Seller invoice or bill of sale; and

(e) Copy of warrant issued in payment of the purchase of the bus.

[Statutory Authority: RCW 46.61.380. 91-23-069 (Order 22), § 392-143-032, filed 11/19/91, effective 11/19/91.]

WAC 392-143-080 Signs and markings for school buses--Exterior--Interior. Signs and markings on the

exterior of any school bus shall be limited to the requirements of RCW 46.61.380, the Washington state minimum specifications manual for school buses addressing "identification" and "color," the minimum requirements of "Highway Safety Program Standard No. 17," and any applicable Federal Motor Vehicle Safety Standard (FMVSS). In addition, the district name may be placed on the front and/or back of the bus below the window line in letters no larger than three inches in height and equipment identification numbers may be placed on the front and/or rear of school bus and/or on or near one or more of the four corners of the bus.

Signs and markings on the interior of any bus shall be limited to necessary and/or required manufacturers' equipment and/or component identification and instruction, the requirements of the Washington state minimum specification manual for school buses addressing "emergency equipment cabinet" and "permit holder" and FMVSS 217 addressing "emergency exit identification." In addition, WAC rules and/or district policy addressing student conduct and safety related issues may be displayed in the driver's compartment in an area which will not obstruct the driver's view. Also a sign for route identification may be displayed in the first right-side passenger window. The sign shall be no larger than seventy-five square inches in total area, and numbers, letters or characters shall be mounted on transparent material.

[Statutory Authority: RCW 46.61.380, 91-23-069 (Order 22), § 392-143-080, filed 11/19/91, effective 11/19/91.]

Chapter 392-145 WAC TRANSPORTATION--OPERATION RULES

WAC

- 392-145-015 General operating regulations.
392-145-020 Rules for school bus drivers.
392-145-030 Additional rules for school bus drivers.

WAC 392-145-015 General operating regulations.

(1) Every school district board of directors shall adopt written policies or rules implementing the provisions and objectives of WAC 392-145-035. District policies or rules governing student conduct during the course of transportation shall be established and implemented pursuant to the state board of education, chapter 180-40 WAC, as now or hereafter amended.

(2) All school bus drivers shall meet the qualifications established in chapter 180-20 WAC, as now or hereafter amended.

(3) Each school bus driver shall hold a valid and current first aid card which certifies that he/she has completed a course in the basic principles of first aid within the past three years.

(4) When a teacher, coach, or other certificated staff member is assigned to accompany students on a bus, such person shall be responsible for the behavior of the students in his or her charge. However, the bus driver shall have final authority and responsibility.

(5) Heavy, sharp, bulky, and/or other articles which may be hazardous in the event of an accident or an

emergency stop shall not be transported in the passenger area of any school bus. Specific attention is directed to items such as skis, ski poles, vaulting poles, musical instruments, riser platforms, etc.

(6) Teachers and all other school district staff members shall be notified that students shall not be requested to transport prohibited items between home and school on a school bus. Items which shall not be transported within the passenger area of a school bus also shall include all forms of animal life (except seeing eye dogs), firearms, weapons, breakable containers, flammables, and all other articles which could adversely affect the safety of the bus and passengers.

(7) A school bus driver shall not order or allow a student to depart the bus other than at his or her boarding or alighting place except as provided in WAC 392-145-020(7).

(8) Motor fuel shall not be put into the tank while the engine is running or while passengers are on the bus.

(9) All school buses shall operate with their headlights on when carrying passengers.

(10) On highways divided into separate roadways as provided in RCW 46.61.150 and highways with three or more marked traffic lanes, school districts shall design bus routes that serve each side of the highway so that students do not have to cross the highway, unless there is a traffic control signal as defined in RCW 46.04.600 or an adult crossing guard within three hundred feet of the bus stop to assist students while crossing such multiple-lane highways.

[Statutory Authority: RCW 46.61.380, 46.61.370 and Title 28A RCW. 91-06-032 (Order 45), § 392-145-015, filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 46.61.380, 84-20-082 (Order 84-40), § 392-145-015, filed 10/2/84; Order 7-75, § 392-145-015, filed 12/22/75. Formerly WAC 392-22-010 (part) and 392-22-100 (part).]

WAC 392-145-020 Rules for school bus drivers. (1)

Every school bus driver shall be provided a copy of and shall be thoroughly familiar with all state and local rules and regulations pertaining to the operation of the school bus in his/her charge.

(2) No school bus driver shall allow a passenger or other unauthorized person to operate the school bus at any time. No person except the driver shall be allowed to sit in the driver's seat.

(3) No school bus driver shall leave the driver's seat without first setting the brakes, shutting off the engine, placing the bus in gear, and removing the ignition key from the switch. The keys shall be kept in the driver's or other authorized school official's possession.

(4) School bus drivers shall have the primary responsibility for the safety of passengers while they are boarding the bus, while they are on the bus, and while they are disembarking the bus and crossing the roadway. If passengers must cross the road, the driver shall take reasonable action to assure that they cross safely. The driver shall take reasonable action to assure that passengers boarding or disembarking from the bus are within his/her view at all times and that they pass in front of the bus and never behind the bus.

(5) No school bus driver except in accordance with emergency procedures adopted by the district shall leave the immediate vicinity of his/her bus while there are passengers aboard. In the event of a bus breakdown, assistance shall be sought in accordance with local district policy.

(6) School bus drivers shall pick up only the students and persons designated by an authorized school district administrator.

(7) A student may be permitted to leave the bus at other than his or her regular stop if permission is first obtained pursuant to district policy.

(8) School bus drivers, prior to commencement of any trip, shall assure that the windshield and rear window of the bus are clean.

(9) Prior to commencement of and during any trip, with students aboard, every school bus driver shall ensure there are no articles in the following areas that could impede normal movement, visibility, or emergency egress:

- (a) The service entrance step well;
- (b) The entire main aisle from front to rear;
- (c) Aisles or passage ways to any emergency door;
- (d) The entire shelf area between the rearmost passenger seats and the rear emergency window.

(10) Tools and other miscellaneous articles shall be carried in appropriate compartments. They shall not be carried loose upon the floor or dashboard area of the bus.

(11) School bus drivers shall be certain that all brakes, lights, stop signs, warning signal lamps, and other safety devices are working properly before starting on any trip and shall assure that the bus is equipped with a first aid kit and a fire extinguisher.

[Statutory Authority: RCW 46.61.380. 91-23-070 (Order 23), § 392-145-020, filed 11/19/91, effective 12/20/91; 84-20-082 (Order 84-40), § 392-145-020, filed 10/2/84; Order 7-75, § 392-145-020, filed 12/22/75. Formerly WAC 392-22-010 (part) and 392-22-100 (part).]

WAC 392-145-030 Additional rules for school bus drivers. (1) All school buses shall stop at all railroad crossings except:

- (a) Where traffic is controlled by a police officer or duly authorized flagman;
- (b) Where traffic is regulated by a traffic control signal;
- (c) Where traffic is protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train;
- (d) Where an official traffic control device gives notice that the stopping requirements do not apply.

(2) The driver shall open the door to listen for approaching trains and shall not proceed until the door is closed, visibility is clear, and the bus can proceed with safety. Drivers shall not change gears while the bus is crossing a railroad track.

(3) No bus shall stop on a curve or a hill where visibility is not at least 500 feet. If it is impossible to secure

a distance of at least 500 feet for a bus stop, the school authorities, the state patrol and the traffic engineering department of the jurisdiction responsible for the roadway shall be advised and the stop shall be changed or proper signs installed.

(4) All changes in the direction of a school bus shall be indicated by the use of electrical directional signals on the bus.

(5) Prior to stopping the school bus for the purpose of receiving or discharging passengers, school bus drivers shall activate the alternating amber flashing warning lamps by means of a master sequencing switch. The driver shall activate the amber warning lamps:

(a) No less than 100 feet and no more than 300 feet from the bus stop where the posted speed limit is 35 miles per hour or less; and

(b) No less than 300 feet and no more than 500 feet from the bus stop where the posted speed limit is more than 35 miles per hour.

(6) No school bus shall pull over to the left-hand side of the road to load or unload.

(7) The stop sign and red, alternately flashing lamps shall be displayed whenever a school bus is stopped on the roadway to receive or discharge school children.

(8) Whenever school children have to cross the roadway, the school bus shall stop on the roadway and display the stop sign and red, alternately flashing lamps. A school bus driver shall not allow school children to cross any roadway having three or more marked traffic lanes or any highway divided into separate roadways as provided in RCW 46.61.150.

(9) The stop sign and red, alternately flashing lamps on a school bus shall not be used to indicate that the bus is going to stop.

(10) Amber, simultaneously flashing hazard warning lamps shall be activated whenever a school bus is stopped off the roadway to receive or discharge school children.

(11) School bus drivers shall proceed with caution when passing or meeting a school bus but are not required to come to a stop unless the school bus stop sign and red flashing lights of the other bus are displayed.

(12) In order to lessen the potential for collisions, school bus drivers may use 4-way hazard warning lights within 500 feet prior to stopping for a railroad crossing or where a special hazard exists such as dense traffic conditions or adverse weather conditions, or where the necessary school bus speed is substantially below the posted speed limit. This procedure shall be used only on buses equipped with amber 4-way hazard warning lights on the front and rear of the school bus.

[Statutory Authority: RCW 46.61.380, 46.61.370 and Title 28A RCW. 91-06-032 (Order 45), § 392-145-030, filed 2/26/91, effective 3/29/91. Statutory Authority: RCW 46.61.380. 84-20-082 (Order 84-40), § 392-145-030, filed 10/2/84; 80-09-081 (Order 80-28), § 392-145-030, filed 7/21/80; 79-12-006 (Order 10-79), § 392-145-030, filed 11/9/79; Order 19-76, § 392-145-030, filed 12/31/76; Order 7-75, § 392-145-030, filed 12/22/75. Formerly WAC 392-22-010 (part) and 392-22-100 (part).]

Chapter 392-151 WAC

TRAFFIC SAFETY--SCHOOL SAFETY PATROL

WAC

392-151-003	Authority.
392-151-005	Purpose.
392-151-010	Function of a school patrol.
392-151-015	Administration and support.
392-151-017	Safety advisory committee--Selection.
392-151-020	Liability.
392-151-035	School crossing warning and speed limit signs.
392-151-040	Organization, instruction, and supervision.
392-151-045	Duties of patrol supervisor.
392-151-050	Selection, appointment and suspension of patrol members.
392-151-055	Utilization of adult patrol members.
392-151-060	Good character references for adult patrol members.
392-151-095	Equipment.
392-151-105	Instruction of patrol members.
392-151-120	Basic crossing position and flag operation.
392-151-125	Operation with school patrol members.
392-151-130	Operation with an adult patrol member or police officer or traffic signal.
392-151-135	Operation at an intersection with traffic signal.
392-151-140	Violation reports and accidents.
392-151-145	Repealed.
392-151-150	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

392-151-145	Operation at an intersection with traffic signal. [Order 7-75, § 392-151-145, filed 12/22/75. Formerly WAC 392-24-350.] Repealed by 91-15-016, filed 7/10/91, effective 8/10/91. Statutory Authority: RCW 46.61.385.
392-151-150	Violation reports and accidents. [Order 7-75, § 392-151-150, filed 12/22/75. Formerly WAC 392-24-355.] Repealed by 91-15-016, filed 7/10/91, effective 8/10/91. Statutory Authority: RCW 46.61.385.

WAC 392-151-003 Authority. The authority for this chapter is RCW 46.61.385 which authorizes the appointment and operation of school patrols by any public or private school subject to the conditions, procedures, and considerations required by this chapter and such supplemental conditions, procedures, and considerations as any such school may impose which are in the best interest of student safety.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-003, filed 7/10/91, effective 8/10/91.]

WAC 392-151-005 Purpose. The purpose of this chapter is to implement RCW 46.61.385 and provide for safe operation of school patrols.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-005, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-005, filed 12/22/75.]

WAC 392-151-010 Function of a school patrol. The purpose and function of a school patrol are to assist and aid members of the student body in the safe and proper crossing of streets, highways, and roads adjacent to the school and other crossing areas approved by the local safety advisory committee.

Student school patrol members assigned to work at a location with an adult school patrol member shall assist and act at the direction of such adult member of the patrol. A school patrol is to look for and utilize natural

gaps in traffic as much as possible when allowing students to cross a street, highway, or road.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-010, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-010, filed 12/22/75. Formerly WAC 392-24-205.]

WAC 392-151-015 Administration and support. The superintendent or chief administrative officer of the school district shall assume the leadership and be ultimately responsible for determining school patrol policy and operations. The principal of each school shall provide leadership in developing good relationships among teachers, student body, and members of the school patrol in matters of selecting, instructing, and giving immediate supervision to school patrol members and carrying out administrative details. Administration of the actual operation of a school patrol may be delegated to a school employee or a safety committee. The approval, understanding, support, and encouragement of school administrators, local traffic control agencies, teachers, parents, and students is essential in providing an effective school safety patrol.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-015, filed 7/10/91, effective 8/10/91; 80-09-015 (Order 80-22), § 392-151-015, filed 7/9/80; Order 7-75, § 392-151-015, filed 12/22/75. Formerly WAC 392-24-210.]

WAC 392-151-017 Safety advisory committee--Selection. Selection of a safety advisory committee is important in the development and support of school patrol policy and in the development of a safe route to school plan. Members may be selected from the following areas:

- (1) School administration;
- (2) Law enforcement;
- (3) Traffic engineering; and
- (4) School-parent organization.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-017, filed 7/10/91, effective 8/10/91.]

WAC 392-151-020 Liability. The fear of potential liability for injuries sustained by pupils, employees, or patrols is present in the minds of school board members and school administrators. Both a school district and its individual employees or agents are potentially liable for damages sustained by students or others as the result of negligence. Examples of actions or inactions possibly giving rise to an award of damages by a court include: The failure to properly supervise students while they are in the custody of school employees or agents; the failure to properly instruct students in the procedures necessary to safeguard themselves while participating in school activities which may otherwise cause them injury; the failure to select and assign competent employees or agents to safeguard students where necessary; and, in general, the failure to take reasonable precautions to safeguard students in the custody of the school against foreseeable dangers.

The following suggested procedures may assist schools and employees or agents reduce the potential liability in connection with the operation of a school patrol:

(1) Establish reasonable rules and regulations regarding the supervision and control of the school patrols.

(2) Establish a policy which limits the selection of student patrol members to students who are preferably ages ten or older and who possess appropriate physical and mental abilities.

(3) Establish a policy which authorizes any parent to have his or her child excluded from service on the safety patrol.

(4) Establish a policy which requires school boards to provide insurance for members of the school patrol and for all supervisory officials involved in the program.

(5) Establish a policy which sets forth specific physical and other criteria for selecting school patrol members and providing adequate training.

In addition, schools should periodically conduct a complete review of the entire school patrol program, including the following:

- (a) The selection of supervisors
- (b) The selection of student and adult members of the patrol
- (c) The training of both supervisors and patrol members
- (d) The determination of the streets which are to be used and those which are not to be used
- (e) The equipment needed
- (f) The time schedule when the patrol will be on duty
- (g) The special precautions to be observed in inclement weather and during hours of semidarkness.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-020, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-020, filed 12/22/75. Formerly WAC 392-24-215.]

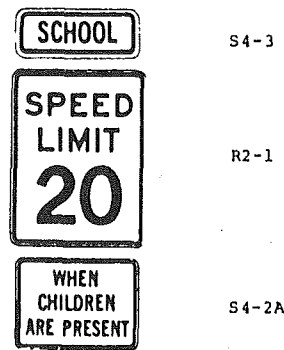
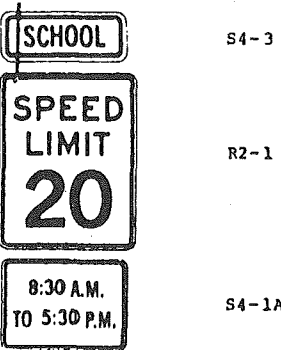
WAC 392-151-035 School crossing warning and speed limit signs.



SCHOOL CROSSING

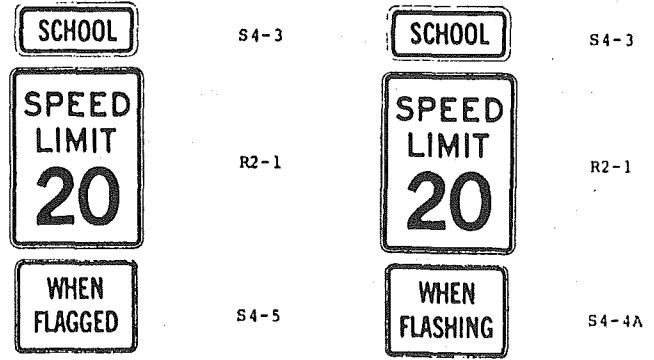


SCHOOL AHEAD



Note: The department of transportation defines when children are present as:
1. School children are occupying or walking within the marked

- crosswalk.
- 2. School children are occupying or waiting at the curb or on the shoulder of the roadway and are about to cross the roadway by way of the marked crosswalk.
- 3. School children are present or walking along the roadway, either on the adjacent sidewalk or, in the absence of sidewalks, on the shoulder within the posted school speed limit zone which extends three hundred feet in either direction from the marked crosswalk.



[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-035, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-035, filed 12/22/75. Formerly WAC 392-24-245.]

WAC 392-151-040 Organization, instruction, and supervision. The building principal or a member of the staff appointed by the principal shall supervise the school patrol. Criteria for the selection of a school patrol supervisor shall include:

- (a) Interest in safety
- (b) Ability to organize
- (c) Ability to lead
- (d) Ability to discipline
- (e) Attitude toward work
- (f) Efficiency on job
- (g) Ability to recognize individual differences
- (h) Ability to hold respect of pupils
- (i) Dependability

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-040, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-040, filed 12/22/75. Formerly WAC 392-24-250 (part).]

WAC 392-151-045 Duties of patrol supervisor. Duties of a school patrol supervisor shall include:

- (1) Being knowledgeable in all areas of the school patrol.
- (2) Selection of school patrol members according to school policy.
- (3) Instruction of all school patrol members and officers in their respective duties.
- (4) Supervision of the work of the school patrol in such manner as to develop the greatest initiative, leadership, and effectiveness on the part of each patrol officer and member.
- (5) Hold regular meetings of the school patrol for the purpose of instruction in safety practices, discussions concerning infractions of rules, and stimulating and inspiring the members in the performance of their duties.

(6) Serve as advisor to the school safety advisory committee.

An officer of the state patrol, sheriff's office, or local police department shall be requested to assist in the instruction of school patrol members in the performance of their duties and thereafter make visits to street and highway crossings where school patrol members are stationed.

Instruction in traffic rules and regulations shall be given to all children attending the school. Written rules and regulations shall be distributed to parents and students.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-045, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-045, filed 12/22/75. Formerly WAC 392-24-250 (part).]

WAC 392-151-050 Selection, appointment and suspension of patrol members. Student school patrol members shall be selected from the upper grade levels and preferably not below age ten. Qualities such as leadership and reliability shall be considered in the selection of any patrol member. School patrol service shall be voluntary.

Written approval of a parent or guardian shall be secured in the case of student patrol members. Each prospective patrol member shall be given a vision and hearing examination. After selection, each school patrol member candidate shall be formally appointed by the principal. The parent(s) or guardian(s) of a student patrol member shall be notified in writing or via a personal interview of the student's suspension from duty as a school patrol member.

New patrol members may be selected thirty days before the school term terminates. Additional patrol members may be recruited in the fall of each year and, thereafter, as necessary to fill open positions. New members shall work with trained school patrol members for a long enough period to learn their duties.

A captain of the school patrol may be selected. Instructions shall be given each new school patrol member so that he or she can begin effective duty at a specific post the morning the next school term commences.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-050, filed 7/10/91, effective 8/10/91; 80-09-015 (Order 80-22), § 392-151-050, filed 7/9/80; Order 7-75, § 392-151-050, filed 12/22/75. Formerly WAC 392-24-255.]

WAC 392-151-055 Utilization of adult patrol members. Schools possess the authority to appoint adults as members of a school patrol. The following criteria may be used to determine at which locations adult patrol members shall be stationed:

(1) When there is a lack of adequate gaps due to a high volume of traffic.

(2) When 85 percent of the traffic speed exceeds the speed limit by 5 miles an hour.

(3) When there is a restricted sight distance.

(4) When the location or distance from the school building is such that poor supervision of students would otherwise result.

(5) When there is a high volume of turning traffic over a crosswalk.

(6) When the location has been determined by either school or law enforcement authorities to be beyond the capability of a student to make rational decisions concerning safety.

(7) When there is an excessive volume of pedestrian traffic over a highway.

(8) When any of the above criteria exists and there is a lack of an alternate school route plan.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-055, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-055, filed 12/22/75. Formerly WAC 392-24-225 and WAC 392-24-230.]

WAC 392-151-060 Good character references for adult patrol members. Prior to any assignment, good character references shall be obtained on every adult who is being considered as a school patrol member. Good moral character is defined in WAC 180-75-081. In addition, a Washington state patrol criminal history request shall be obtained on each new adult candidate.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-060, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-060, filed 12/22/75. Formerly WAC 392-24-235.]

WAC 392-151-095 Equipment. Each school patrol member, while on duty, shall have a fluorescent flame orange or a red flag of color-fast material not less than 14 inches by 16 inches bearing the word "STOP" in white lettering and attached to a staff not less than 40 inches long.

All flags shall be displayed by the school patrol at a 45-degree angle extending toward the center of the street or highway. The purpose of the flag is to increase visibility and give warning to approaching motorists.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-095, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-095, filed 12/22/75. Formerly WAC 392-24-290.]

WAC 392-151-105 Instruction of patrol members. Each school patrol member shall be thoroughly trained in his or her duties before being permitted to take assigned posts. Instruction shall include the fundamentals of patrol operation — where and how to stand when on duty, how to handle the patrol flag, and what constitutes a sufficient gap in vehicular traffic to permit safe crossing by students. Emphasis shall be placed on special hazards and the need for constant alertness. Types of training which shall be given members are:

(1) On-the-job training for at least one week under the direction of an experienced patrol member or for a longer period to learn their duties.

(2) Personal instruction by the patrol supervisor, a police officer, or a designated school district safety official.

(3) Reading and understanding written instructions which the school has compiled for the specific purpose of instructing new members.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-105, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-105, filed 12/22/75. Formerly WAC 392-24-300.]

WAC 392-151-120 Basic crossing position and flag operation. Each school patrol member shall stand back

of the curb or roadway edge—not in the street—and remind students to wait behind the flag until there is an adequate gap in traffic. A safe distance from the roadway edge shall be one length of the flag staff. When the traffic gap occurs, a patrol member may step two paces into the street or far enough to see clearly beyond any obstruction but should not go beyond the edge of the roadway. They will then extend the flag over the roadway. The flag shall be displayed in a forty-five degree position with the word "STOP" level to the ground. When it is safe to cross, patrol members shall give a signal enabling students to cross in a group.

Students shall remain in back of the curb until allowed to cross. After the students have crossed, the patrol member shall lower the flag and return to basic position which is one length of the flag staff behind the curb.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-120, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-120, filed 12/22/75. Formerly WAC 392-24-320.]

WAC 392-151-125 Operation with school patrol members. (1) Single posts. On a narrow street with light vehicular traffic and little or no turning problems, a single school patrol member may be able to handle the crossing adequately. The patrol post in this case shall be on the side of the street where students approach the crossing. While primarily responsible for traffic approaching from the left, the patrol member shall look to both left and right and for turning cars.

(2) Dual posts. School patrol members shall be stationed on opposite sides of the street. One patrol member shall act as a "sender" and the other as "receiver." The patrol member first approached by pedestrians shall decide when it is safe to cross. Each member shall watch primarily to the left for approaching traffic. The patrol members shall face directly across the street toward their partner while students are crossing to enable them to see cars coming from either left or right. Both patrol members shall be alert to possible curb-turning cars before stepping into the crosswalk.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-125, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-125, filed 12/22/75. Formerly WAC 392-24-325.]

WAC 392-151-130 Operation with an adult patrol member or police officer or traffic signal. When the vehicular traffic is such that control by a police officer, an adult school patrol member, or traffic signal is required, student school patrol members shall assist by directing students to cross in conformance with the direction given by the police officer or adult patrol member assigned to the crossing or in conformance with the time cycle of the signal.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-130, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-130, filed 12/22/75. Formerly WAC 392-24-330.]

WAC 392-151-135 Operation at an intersection with traffic signal. At an intersection with a traffic signal, the light shall govern school patrol operation and the movement of students.

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When the light turns green in the direction the students are to cross, the patrol members shall be certain that all approaching cars are stopping for their red light. When the patrol members are sure that traffic does not constitute a hazard, the patrol members shall follow the basic crossing procedure.

Before the red signal comes back on, patrol members shall stop all stragglers. Patrol members shall know the length of time the green is on and be able to estimate the correct moment to stop the flow of pedestrians.

When the signal is a pedestrian - actuated light, it shall be controlled by the "sender" patrol member. The "WALK" phase of this type of light is shorter than the green phase of the regular traffic light so that small compact groups of pedestrians may be allowed to cross at one time.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-135, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-135, filed 12/22/75. Formerly WAC 392-24-335.]

WAC 392-151-140 Violation reports and accidents. Moving motor vehicle violations at school crossings shall be reported to the appropriate law enforcement agency. School patrol members shall report all incidents which occur on or near their crossings which appear to involve unsafe practices on the part of anyone. Such reports shall be made to the patrol supervisor.

If the incident involves a driver violation, the license number of the car shall be written down immediately. Reports shall be reviewed by the patrol supervisor and principal. When the principal feels that a particular violation has occurred which requires follow-up by the police department, a violation report shall be filled out.

In the event of an injury accident or emergency at their post, patrol members shall observe the following directions:

(1) If the accident was caused by a vehicle, obtain license number, time of violation, and whether male or female driver.

(2) Never leave the crossing. Dispatch messengers to the school office stating location, nature, and seriousness of accident.

(3) Keep all students back away from the curb.

(4) Obtain name and address of victim and witnesses.

(5) Make a report to the patrol supervisor.

[Statutory Authority: RCW 46.61.385. 91-15-016, § 392-151-140, filed 7/10/91, effective 8/10/91; Order 7-75, § 392-151-140, filed 12/22/75. Formerly WAC 392-24-340.]

WAC 392-151-145 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-151-150 Repealed. See Disposition Table at beginning of this chapter.

Chapter 392-160 WAC

SPECIAL SERVICE PROGRAM—TRANSITIONAL BILINGUAL

WAC
392-160-015 Identification of eligible students.

- 392-160-020 Approved tests for determining initial eligibility—English proficiency scores.
 392-160-040 Alternative instructional program.

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) Provisions for the identification of a student's primary language pursuant to an interview with or a written questionnaire directed to the student and the student's parent(s) or guardian(s), or a combination of interviews and written questionnaires; and

(b) Provisions for testing students as provided for in this section, WAC 392-160-020, and 392-160-035.

(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 twentieth school day after the date upon which the student commences attendance at a particular school district.

(3) Newly enrolled students who speak little or no English—Determination of eligibility: The eligibility of a newly enrolled student whose eligibility is reasonably apparent by reason of:

(a) The student's ability to communicate reasonably well in his or her non-English primary language; and

(b) The student's inability to communicate in English to any practical extent as determined by an interview with the student by appropriate school district staff. No other approved test need be administered if the professional judgment of the school personnel is that the student is eligible as defined in WAC 392-160-005(3).

(4) All other newly enrolled students—Determination of eligibility: The eligibility of all newly enrolled students:

(a) Who have a primary language other than English; and

(b) Whose eligibility is not reasonably apparent by reason of the standards established by subsection (3) shall be determined pursuant to WAC 392-160-020.

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

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

WAC 392-160-020 Approved tests for determining initial eligibility—English proficiency scores. (1) Approved English proficiency tests: The following tests are approved for the purpose of annually determining the English proficiency of newly enrolled students (other than those who speak little or no English) whose primary language is other than English:

(a) Language assessment scales (LAS and Pre-LAS);

(b) Basic inventory of natural language (BINL);

(c) Bilingual syntax measure (BSM); and

(d) Secondary level English proficiency test (SLEP). (To be used only at 8-12 level).

(2) Scores which establish an English skills deficiency: In the event a student scores within the appropriate range provided by the test maker to establish such English skill deficiency, the student's English skills shall be deemed sufficiently deficient or absent to impair learning

(3) The superintendent of public instruction may approve a school district request for use of a test other than those approved for use in this section when such request is supported by evidence that:

(a) The approved tests for use identified in this section are either unsuitable, inappropriate, or impractical for use by the school district;

(b) The scores that establish English skills deficiency for the requested test correspond with the scores that establish English skills deficiency for approved tests identified in this section; and

(c) The skills being measured by the requested test correspond to the skills measured by the approved tests identified in this section.

[Statutory Authority: Chapter 28A.180 RCW. 91-17-008 (Order 12), § 392-160-020, filed 8/12/91, effective 9/12/91. Statutory Authority: RCW 28A.58.808. 84-20-083 (Order 84-41), § 392-160-020, filed 10/2/84. Statutory Authority: RCW 28A.58.800 through 28A.58.810. 84-13-027 (Order 84-17), § 392-160-020, filed 6/13/84. Statutory Authority: RCW 28A.58.808. 80-07-039 (Order 80-21), § 392-160-020, filed 6/17/80.]

WAC 392-160-040 Alternative instructional program. School districts under one or more of the following conditions may elect to provide an alternative instructional program:

(1) Necessary instructional materials are unavailable and the district has made reasonable efforts to obtain necessary materials without success;

(2) The capacity of the district's bilingual instruction program is temporarily exceeded by an unexpected increase in the enrollment of eligible students;

(3) Bilingual instruction cannot be provided affected students without substantially impairing their basic education program because of their distribution throughout many grade levels or schools, or both; or

(4) Teachers who are trained in bilingual education methods and sufficiently skilled in the non-English primary language(s) are unavailable, and the district has made reasonable attempts to obtain the services of such teachers.

[Statutory Authority: Chapter 28A.180 RCW. 91-17-008 (Order 12), § 392-160-040, filed 8/12/91, effective 9/12/91. Statutory Authority: RCW 28A.58.808. 84-20-083 (Order 84-41), § 392-160-040, filed

10/2/84. Statutory Authority: RCW 28A.58.800 through 28A.58.810. 84-13-027 (Order 84-17), § 392-160-040, filed 6/13/84. Statutory Authority: RCW 28A.58.804. 81-15-089 (Order 81-4), § 392-160-040, filed 7/22/81. Statutory Authority: RCW 28A.58.808. 80-07-039 (Order 80-21), § 392-160-040, filed 6/17/80.]

Chapter 392-162 WAC

SPECIAL SERVICE PROGRAM--LEARNING ASSISTANCE

WAC

392-162-095 Program requirement--Allowable expenditures.

WAC 392-162-095 Program requirement--Allowable expenditures. Only allowed expenditures shall be reimbursed by the superintendent of public instruction. Allowed expenditures shall include direct and indirect expenditures included on the approved program budget: *Provided*, That beginning with expenditures for the 1990-91 school year, the allowed indirect expenditure rate for each school district shall not exceed the rate calculated for Program 55 "Remediation" for the most recently completed fiscal year using the federal restrictive rate methodology.

[Statutory Authority: 1987 c 478. 91-18-005 (Order 91-15), § 392-162-095, filed 8/23/91, effective 8/23/91; 87-22-001 (Order 87-14), § 392-162-095, filed 10/22/87. Statutory Authority: RCW 28A.41-408. 84-14-038 (Order 84-21), § 392-162-095, filed 6/28/84.]

Chapter 392-163 WAC

SPECIAL SERVICE PROGRAM--CHAPTER 1 REGULAR OF THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981, FINANCIAL ASSISTANCE TO LOCAL SCHOOL DISTRICTS

WAC

392-163-340 Budget revision--Ten percent allowed.
392-163-345 Budget revisions--Updating planned expenditures.
392-163-355 Program update.
392-163-435 Program compliance review.

WAC 392-163-340 Budget revision--Ten percent allowed. Using the subtotal from Form 1000B Ch-1 as a base, school districts may make annual expenditure adjustments of up to ten percent of that total in any of the previously budgeted activity or object totals within the approved annual application without filing a request for a budget revision with the superintendent of public instruction.

[Statutory Authority: RCW 28A.02.100. 91-18-040 (Order 91-20), § 392-163-340, filed 8/30/91, effective 8/30/91; 83-08-030 (Order 83-2), § 392-163-340, filed 3/30/83.]

WAC 392-163-345 Budget revisions--Updating planned expenditures. Except as provided in WAC 392-163-340, each school district shall expend Chapter 1 Regular moneys in accordance with planned expenditures and program description included in the application submitted to and approved by the superintendent of public instruction. A school district shall be required to file a request for a budget revision whenever necessary with the superintendent of public instruction in order to:

- (1) Increase the total expenditure of Chapter 1 Regular moneys; or
- (2) Change by more than ten percent of the subtotal the expenditures among activity or object totals; or
- (3) Expend money in any object or activity where no moneys were budgeted in the original application.

[Statutory Authority: RCW 28A.02.100. 91-18-040 (Order 91-20), § 392-163-345, filed 8/30/91, effective 8/30/91; 83-08-030 (Order 83-2), § 392-163-345, filed 3/30/83.]

WAC 392-163-355 Program update. No later than thirty calendar days following a substantial program change, a school district shall submit to the superintendent of public instruction a description of such changes. "Substantial changes" shall mean:

- (1) Removal of Chapter 1 Regular services from an attendance area listed as "served" on the application;
- (2) Addition of Chapter 1 Regular services to an attendance area not listed as "served" in the application;
- (3) Modification of the Chapter 1 Regular program in any served attendance area by adding a new program focus, by changing grade levels, or by changing program service delivery models; and/or
- (4) Increasing the number of students served in the Chapter 1 Regular program to such an extent that the district must exceed the ten percent budget variance to accommodate serving the additional eligible students.

Notwithstanding the thirty-day provision for notification to the superintendent of public instruction of substantial program changes, if such changes necessitate a budget revision said revision shall be submitted to the superintendent of public instruction for approval prior to implementation of proposed changes.

[Statutory Authority: RCW 28A.02.100. 91-18-040 (Order 91-20), § 392-163-355, filed 8/30/91, effective 8/30/91; 83-08-030 (Order 83-2), § 392-163-355, filed 3/30/83.]

WAC 392-163-435 Program compliance review. The superintendent of public instruction shall conduct program compliance reviews of all school districts receiving Chapter 1 Regular moneys. Review of each school district shall occur at least once within a three-year plan as established by the superintendent of public instruction. The plan will ensure that no more than three years lapse between reviews for each school district: *Provided*, That in the case of school districts not reviewed due to exceptional or uncontrollable circumstances, these districts will have first priority for review in the immediate following year. Upon receipt of the compliance review report from the superintendent of public instruction the school district shall have three weeks to respond to the superintendent of public instruction if there are exceptions noted in the report. Substantial noncompliance or failure by the school district to respond and/or initiate corrective action in a timely manner shall be subject to actions prescribed in WAC 392-163-450 and 392-163-455.

[Statutory Authority: RCW 28A.02.100. 91-18-040 (Order 91-20), § 392-163-435, filed 8/30/91, effective 8/30/91; 84-20-089 (Order 84-49), § 392-163-435, filed 10/2/84.]

Chapter 392-171 WAC

SPECIAL EDUCATION PROGRAMS—EDUCATION
FOR ALL HANDICAPPED CHILDREN

WAC

392-171-321 Definition—Transition services.
392-171-461 Individualized education program.

WAC 392-171-321 Definition—Transition services.

(1) As used in this chapter, the term "transition services" means a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post school activities. Some examples of appropriate post school outcomes include:

- (a) Postsecondary education;
- (b) Integrated employment;
- (c) Supported employment;
- (d) Continuing and adult education;
- (e) Adult services; and
- (f) Independent living and/or community participation.

(2) The coordinated set of activities shall be based upon the individual student needs, and shall include:

- (a) Functional vocational evaluation;
- (b) Instruction;
- (c) Vocational education/training;
- (d) Community experiences; and
- (e) Where appropriate, acquisition of daily living skills.

The following terms used in the definition of "transition services" are defined as follows:

(i) "Coordinated set of activities" means a planned and organized sequence of activities which promotes the movement of a student from school to post school adult living.

(ii) "Outcome oriented process" means a series of events unique to an individual student's needs which lead directly to integrated employment, supported employment, postsecondary education, continuing and adult education, adult services, independent living, and/or community participation.

(3) "Postsecondary education" means organized educational programs provided by qualified personnel which are available beyond grades 9-12. The term includes:

- (a) Community colleges;
- (b) Vocational-technical institutes;
- (c) Four-year colleges and universities.

(4) "Vocational education" means a planned series of learning experiences, the specific objectives of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations not designated as professionals or requiring a baccalaureate or higher degree.

(5) "Vocational training" means the acquisition of specific skills through specialized instruction and practice, and provided by qualified personnel.

(6) "Integrated employment" means paid work in sites and settings that are not unique to individuals with disabilities.

(7) "Supported employment" means paid work that requires the use of designated personnel to assist individuals with disabilities in acquiring and maintaining site specific skills.

(8) "Continuing and adult education" means organized educational programs conducted by qualified personnel for individuals who have graduated or left high school.

(9) "Adult services" means health, social, housing, transportation, and/or employment opportunities normally provided for persons beyond age eighteen through public, nonprofit agencies.

(10) "Independent living" means initiating, maintaining, and/or actively participating in a household using self-generated resources.

(11) "Community participation" means integrated and active involvement in the local community.

(12) "Functional vocational evaluation" means the assessment of occupational interests, aptitudes, and preparation opportunities.

[Statutory Authority: RCW 28A.155.090. 91-18-004 (Order 91-18), § 392-171-321, filed 8/23/91, effective 9/23/91.]

WAC 392-171-461 Individualized education program. (1) Each handicapped student's individualized education program shall be developed on the basis of assessment analysis and parent input, where it is provided, and shall include:

(a) For each orthopedically impaired and health impaired student under the age of eligibility to first grade, current medical evaluation by a qualified medical practitioner which describes and confirms the student's health circumstance and which provides any medical implications for educational planning;

(b) A statement of the student's present levels of educational performance;

(c) A statement of specific annual goals including short-term instructional objectives which are stated in terms that provide for measurement of progress, expected levels of performance, and the schedules for their accomplishments;

(d) A statement of the specific special education and related services needed by the student, and the extent to which the student will be able to participate in the regular educational program, including physical education. If the student is unable to participate in the regular physical education program, a description of the specially designed physical education to be provided to the student shall be included;

(e) The IEP developed for a student with a disability shall also include a statement of the needed transition services including goals and objectives, based on a functional vocational evaluation and anticipated post school outcome(s) beginning no later than age sixteen and annually thereafter (and when determined appropriate for an individual student, beginning at age fourteen or younger), including, when appropriate, a statement of the interagency responsibilities or linkages (or both) before the student leaves the school setting. In the case where a participating agency fails to provide agreed upon services, the educational agency shall reconvene

the IEP team to identify alternative strategies to meet transition objectives, as long as the student is eligible for services;

(f) The projected dates for the initiation of services and the anticipated duration of the services, including the number of school days, the number of hours per day, and the length of the school year over which such services shall be provided: *Provided*, That in the event the individualized educational program is the first in the district for such student and the multidisciplinary team has not made a determination as to the need for an extended school year for such child, the individualized educational program team shall make its recommendation on the length of the school year over which such services shall be provided prior to the conclusion of the regular one hundred eighty school days; and

(g) Appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether the short-term instructional objectives are being met.

(2) The school district shall provide the parent (or the adult student) a copy of the individualized education program.

(3) Nothing in this chapter may be construed as promising or guaranteeing that a handicapped student will in fact achieve the growth projected in his or her annual goals and short-term objectives.

[Statutory Authority: RCW 28A.155.090. 91-18-004 (Order 91-18), § 392-171-461, filed 8/23/91, effective 9/23/91. Statutory Authority: RCW 34.05.220 [(1)](a). 89-23-001 (Order 15), § 392-171-461, filed 11/2/89, effective 12/3/89. Statutory Authority: RCW 28A.13.070(7). 84-14-036 (Order 84-19), § 392-171-461, filed 6/28/84; 80-11-054 (Order 80-31), § 392-171-461, filed 8/19/80. Formerly WAC 392-171-445.]

Chapter 392-191 WAC

SCHOOL PERSONNEL--EVALUATION OF THE PROFESSIONAL PERFORMANCE CAPABILITIES

WAC

392-191-001	Authority.
392-191-007	Evaluation requirements.
392-191-030	Minimum procedural standards—Frequency of evaluation.
392-191-035	Minimum procedural standards—Conduct of the evaluation.
392-191-040	Minimum procedural standards—Procedures to be used in making evaluations.
392-191-060	Repealed.
392-191-065	Repealed.
392-191-070	Repealed.
392-191-075	Repealed.
392-191-080	Repealed.
392-191-085	Repealed.
392-191-090	Repealed.
392-191-095	Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

392-191-060	Professional growth component. [Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-060, filed 1/2/90, effective 2/2/90.] Repealed by 91-16-026 (Order 91-13), filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065.
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392-191-065 Professional growth component—Purpose. [Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-065, filed 1/2/90, effective 2/2/90.] Repealed by 91-16-026 (Order 91-13), filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065.

392-191-070 Professional growth component—Implementation. [Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-070, filed 1/2/90, effective 2/2/90.] Repealed by 91-16-026 (Order 91-13), filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065.

392-191-075 Professional growth component—Committee membership. [Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-191-075, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-075, filed 1/2/90, effective 2/2/90.] Repealed by 91-16-026 (Order 91-13), filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065.

392-191-080 Professional growth component—Sources of information. [Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-080, filed 1/2/90, effective 2/2/90.] Repealed by 91-16-026 (Order 91-13), filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065.

392-191-085 Professional growth component—Short form of evaluation. [Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-191-085, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-085, filed 1/2/90, effective 2/2/90.] Repealed by 91-16-026 (Order 91-13), filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065.

392-191-090 Professional growth component—Records. [Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-090, filed 1/2/90, effective 2/2/90.] Repealed by 91-16-026 (Order 91-13), filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065.

392-191-095 Professional growth component—Timeline. [Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-095, filed 1/2/90, effective 2/2/90.] Repealed by 91-16-026 (Order 91-13), filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065.

WAC 392-191-001 Authority. The general authority for this chapter is RCW 28A.405.100 which authorizes the superintendent of public instruction to adopt minimum criteria for the evaluation by districts of the professional performance capabilities and development of certificated classroom teachers and certificated support personnel. This general authority is supplemented by RCW 28A.405.150 which authorizes the superintendent of public instruction to develop minimum procedural standards for evaluation of certificated classroom teachers and certificated support personnel conducted pursuant to RCW 28A.405.100.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-191-001, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-001, filed 1/2/90, effective 2/2/90. Statutory Authority: RCW 28A.67.065. 84-20-085 (Order 84-45), § 392-191-001, filed 10/2/84.]

WAC 392-191-007 Evaluation requirements. Local school districts shall establish and implement on or before September 1, 1991, an evaluation program consisting of the following:

(1) Evaluation criteria meeting the minimum standards specified in WAC 392-191-010 and 392-191-020;

(2) Evaluation procedures meeting the minimum standards specified in WAC 392-191-025 through 392-191-045;

(3) Evaluation criteria and procedures as specified in RCW 28A.405.100 and 28A.405.150;

(4) Additional criteria and procedural standards as may be established pursuant to the bargaining process set forth in chapter 41.59 RCW.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-191-007, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065. 90-22-045 (Order 41), § 392-191-007, filed 11/2/90, effective 12/3/90.]

WAC 392-191-030 Minimum procedural standards—Frequency of evaluation. Each school year the frequency of evaluation shall be:

(1) All classroom teachers and certificated support personnel shall be observed for the purposes of evaluation at least twice in the performance of their assigned duties.

(2) At least one observation shall be a minimum of thirty minutes.

(3) New employees shall be observed at least once for a total observation time of thirty minutes during the first ninety calendar days of their employment period.

(4) Total observation time for each employee for each school year shall be not less than sixty minutes: *Provided*, That after an employee has four years of satisfactory evaluations, a school district may use a short form of evaluation pursuant to RCW 28A.405.100(5).

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-191-030, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065. 90-22-045 (Order 41), § 392-191-030, filed 11/2/90, effective 12/3/90. Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-030, filed 1/2/90, effective 2/2/90.]

WAC 392-191-035 Minimum procedural standards—Conduct of the evaluation. The conduct of the evaluation of classroom teachers and certificated support personnel shall include, at a minimum, the following:

(1) Observation and written comment pursuant to RCW 28A.405.100 by the principal or his/her designee at the school to which the certificated employee is assigned.

(2) The opportunity for the employee to attach written comments to his/her evaluation report.

(3) For certificated classroom teachers, the minimum criteria set forth in WAC 392-191-010; and for certificated support personnel the minimum criteria set forth in WAC 392-191-020. Nothing in this chapter shall be construed to prohibit a local school district from developing an evaluation instrument which contains criteria in excess of those established by the superintendent of public instruction.

(4) When appropriate, suggestions for improvement should be part of the principal's or his/her designee's comments.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-191-035, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065. 90-22-045 (Order 41), § 392-191-035, filed 11/2/90, effective 12/3/90. Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-035, filed 1/2/90, effective 2/2/90.]

WAC 392-191-040 Minimum procedural standards—Procedures to be used in making evaluations. The following procedures shall be used in making evaluations:

(1) The procedures stipulated in RCW 28A.405.100 shall be used by principals or their designees conducting evaluations of certificated classroom teachers and certificated support personnel.

(2) Following each observation, or series of observations, the principal or his/her designee shall promptly document the results of the evaluation in writing, and shall provide the employee with a copy thereof within three days after such report is prepared.

(3) Each classroom teacher and each certificated support person shall have the opportunity for a minimum of two confidential conferences during each school year with his/her principal or principal's designee either following receipt of the written evaluation results, or at a time mutually satisfactory to the participants. The sole purpose of each such conference shall be to provide additional information to aid the principal or his or her designee in evaluating the teacher or certificated support person (e.g., providing direction, assistance, guidance, encouragement to the employee).

(4) If other evaluators are used, additional procedures may be adopted pursuant to local policy.

[Statutory Authority: 1990 c 33. 91-16-011 (Order 91-12), § 392-191-040, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.065. 90-22-045 (Order 41), § 392-191-040, filed 11/2/90, effective 12/3/90. Statutory Authority: RCW 28A.67.065 and 28A.67.225. 90-02-078 (Order 20), § 392-191-040, filed 1/2/90, effective 2/2/90.]

WAC 392-191-060 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-191-065 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-191-070 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-191-075 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-191-080 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-191-085 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-191-090 Repealed. See Disposition Table at beginning of this chapter.

WAC 392-191-095 Repealed. See Disposition Table at beginning of this chapter.

Chapter 392-192 WAC

PROFESSIONAL DEVELOPMENT PROGRAMS

WAC

392-192-005 Authority.
392-192-040 Professional growth program—Committee.

WAC 392-192-005 Authority. The authority for these standards is RCW 28A.405.150 which authorizes the superintendent of public instruction to develop minimum procedural standards for evaluation of certificated classroom teachers and certified support personnel conducted pursuant to RCW 28A.405.100.

[Statutory Authority: 1990 c 33, 91-16-011 (Order 91-12), § 392-192-005, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.225, 90-22-046 (Order 42), § 392-192-005, filed 11/2/90, effective 12/3/90.]

WAC 392-192-040 Professional growth program—Committee. Each district shall establish a professional growth committee which shall develop the district's professional growth program in accordance with the procedures in this chapter. The professional growth committee shall include, at a minimum, representatives of the following groups:

(1) Certificated classroom teachers. A minimum of one teacher from the K-8 level and one teacher from the high school level if the local school district provides education services to students K-12.

(2) Certificated support personnel. A minimum of one itinerant staff person, if the school district employs itinerant personnel, and a minimum of one other representative of counseling, assessment, library and/or other certificated support staff, if the school district employs nonitinerant certificated support staff.

(3) Central office administrators. A minimum of one representative.

(4) Building level administrators. A minimum of one administrator from the K-8 level and one administrator from the high school level if the local school district provides education services to students K-12.

(5) Additional persons, if the local school district so desires.

(6) *Provided*, That the local school district committee established under the In-Service Training Act, RCW 28A.415.040, may be used by the school district as the professional growth committee.

[Statutory Authority: 1990 c 33, 91-16-011 (Order 91-12), § 392-192-040, filed 7/26/91, effective 8/26/91. Statutory Authority: RCW 28A.67.225, 90-22-046 (Order 42), § 392-192-040, filed 11/2/90, effective 12/3/90.]

Chapter 392-198 WAC

TRAINING--SCHOOL EMPLOYEES--HIV/AIDS

WAC

392-198-005 Authority.
392-198-010 Purposes.
392-198-015 Course content requirements for HIV/AIDS inservice training—Mandatory.
392-198-020 Course content requirements for HIV/AIDS inservice training—Supplemental.

392-198-025 Continuing inservice.
392-198-030 New employee training.

WAC 392-198-005 Authority. The authority for this chapter is RCW 70.24.290 which authorizes the superintendent of public instruction to adopt rules that require appropriate education and training of public school employees about the transmission, prevention, and treatment of HIV/AIDS. The superintendent of public instruction is further required to develop the course content in consultation with the department of health under RCW 70.24.250.

[Statutory Authority: RCW 70.24.290, 91-18-006 (Order 91-16), § 392-198-005, filed 8/23/91, effective 9/23/91.]

WAC 392-198-010 Purposes. The purpose of this chapter is to provide public school districts with the mandatory and supplemental course content requirements for training school district employees regarding the transmission, prevention, and treatment of HIV/AIDS.

[Statutory Authority: RCW 70.24.290, 91-18-006 (Order 91-16), § 392-198-010, filed 8/23/91, effective 9/23/91.]

WAC 392-198-015 Course content requirements for HIV/AIDS inservice training—Mandatory. Pursuant to RCW 70.24.250 and 70.24.290 the HIV/AIDS training provided by public school districts shall include:

- (1) History and epidemiology of HIV/AIDS;
- (2) Methods of transmission of HIV;
- (3) Methods of prevention of HIV including universal precautions for handling of body fluids;
- (4) Current treatment for symptoms of HIV and prognosis of disease progression;
- (5) State and federal laws governing discrimination of persons with HIV/AIDS;
- (6) State and federal laws regulating confidentiality of a person's HIV antibody status.

[Statutory Authority: RCW 70.24.290, 91-18-006 (Order 91-16), § 392-198-015, filed 8/23/91, effective 9/23/91.]

WAC 392-198-020 Course content requirements for HIV/AIDS inservice training—Supplemental. Pursuant to RCW 70.24.250 and 70.24.290 the HIV/AIDS training may include:

- (1) Federal, state, and local resources for HIV/AIDS;
- (2) Impact of HIV/AIDS on infected individuals and their families;
- (3) Global impact of HIV/AIDS;
- (4) Anonymous and confidential testing for HIV antibodies.

[Statutory Authority: RCW 70.24.290, 91-18-006 (Order 91-16), § 392-198-020, filed 8/23/91, effective 9/23/91.]

WAC 392-198-025 Continuing inservice. Pursuant to RCW 70.24.250, all local school districts shall ensure that significant new discoveries or changes in accepted knowledge of transmission, prevention, and treatment for HIV/AIDS are provided to all public school employees within one calendar year of the date of notification by the superintendent of public instruction as advised by the office on HIV/AIDS, department of health, unless

the department of health notifies the districts that the information is of such an emergent nature that a prompt response is required.

[Statutory Authority: RCW 70.24.290. 91-18-006 (Order 91-16), § 392-198-025, filed 8/23/91, effective 9/23/91.]

WAC 392-198-030 New employee training. Each school district shall ensure that newly hired school district employees shall receive the HIV/AIDS training prescribed in WAC 392-198-015 within six months from the first day of employment in the district.

[Statutory Authority: RCW 70.24.290. 91-18-006 (Order 91-16), § 392-198-030, filed 8/23/91, effective 9/23/91.]

**Chapter 392-202 WAC
SCHOOL PERSONNEL--EXCELLENCE IN
EDUCATION AWARDS**

WAC
392-202-003 Authority.

WAC 392-202-003 Authority. The authority for this chapter is RCW 28A.625.050 which authorizes the superintendent of public instruction to adopt rules relating to administration of a Washington award for excellence in education for teachers, principals, administrators, superintendents, school boards, and classified staff.

[Statutory Authority: RCW 28A.625.050. 91-03-119 (Order 91-03), § 392-202-003, filed 1/23/91, effective 2/23/91. Statutory Authority: 1990 c 33. 90-16-002 (Order 18), § 392-202-003, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.03.532. 89-19-032 (Order 14), § 392-202-003, filed 9/14/89, effective 10/15/89; 87-23-005 (Order 87-15), § 392-202-003, filed 11/5/87.]

**Title 400 WAC
PUGET SOUND WATER QUALITY
AUTHORITY**

- Chapters**
400-06 Procedures--Operations--Communications--Public records.
400-12 Local planning and management of non-point source pollution.

**Chapter 400-06 WAC
PROCEDURES--OPERATIONS--
COMMUNICATIONS--PUBLIC RECORDS**

- WAC
400-06-070 Puget Sound water quality authority--Description of organization.
400-06-170 Communications.

WAC 400-06-070 Puget Sound water quality authority--Description of organization. RCW 90.70.011 provides that the authority shall be composed of eleven members. Nine of these members are appointed by the

governor and confirmed by the senate. The commissioner of public lands and the director of ecology, or their designees, serve as ex-officio members. The administrative office of the authority and its staff is located on the campus of St. Martins College, Lacey, Washington. The mailing address is Mailstop PV-15, P.O. Box 40900, Olympia, Washington 98504-0900.

[Statutory Authority: Chapter 90.70 RCW. 91-20-076, § 400-06-070, filed 9/27/91, effective 10/28/91. Statutory Authority: Chapter 90.70 RCW and RCW 43.21C.120. 90-17-063, § 400-06-070, filed 8/15/90, effective 9/15/90. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-070, filed 2/3/86.]

WAC 400-06-170 Communications. All communications regarding the actions or decisions of the authority:

- (1) Pertaining to the administration or enforcement of chapter 42.17 or these rules shall be addressed to the Public Records Officer, Puget Sound Water Quality Authority, Mailstop PV-15, P.O. Box 40900, Olympia, Washington 98504-0900; and
- (2) Relating to the development of the plan shall be addressed to Director of Planning, Puget Sound Water Quality Authority, Mailstop PV-15, P.O. Box 40900, Olympia, Washington 98504-0900.

[Statutory Authority: Chapter 90.70 RCW. 91-20-076, § 400-06-170, filed 9/27/91, effective 10/28/91. Statutory Authority: RCW 42.17.250 through 42.17.320, 1985 c 451 and chapter 90.70 RCW. 86-04-055 (Order 86-02, Resolution No. 5), § 400-06-170, filed 2/3/86.]

**Chapter 400-12 WAC
LOCAL PLANNING AND MANAGEMENT OF
NONPOINT SOURCE POLLUTION**

- WAC
- 400-12-110 Purpose.
 - 400-12-120 Applicability.
 - 400-12-200 Definitions.
 - 400-12-210 Overview.
 - 400-12-220 Public involvement.
 - 400-12-300 Repealed.
 - 400-12-305 Initial watershed ranking.
 - 400-12-310 Repealed.
 - 400-12-320 Five-year review.
 - 400-12-400 Lead agency for watershed planning.
 - 400-12-410 Watershed management committees.
 - 400-12-415 Planning and implementing entities.
 - 400-12-420 Schedule for preparation and review of action plan.
 - 400-12-500 Overview.
 - 400-12-510 Repealed.
 - 400-12-515 Phase 1--Watershed characterization and goals and objectives development.
 - 400-12-520 Repealed.
 - 400-12-525 Phase 2--Action plan nonpoint pollution control strategy.
 - 400-12-530 Repealed.
 - 400-12-535 Phase 3--Action plan implementation strategy.
 - 400-12-540 Repealed.
 - 400-12-545 Phase 4--Action plan review and approval.
 - 400-12-550 Repealed.
 - 400-12-555 SEPA review.
 - 400-12-560 Repealed.
 - 400-12-565 Revisions.
 - 400-12-570 Repealed.
 - 400-12-600 Repealed.
 - 400-12-605 Decision of department.