

Chapter 392-185 WAC

CERTIFIED EDUCATIONAL CLINICS—DISTRIBUTION OF STATE FUNDS

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

392-185-140	Return to regular school program. [Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-140, filed 2/6/78, effective 3/9/78.] Repealed by WSR 84-05-016 (Order 84-3), filed 2/9/84. Statutory Authority: RCW 28A.97.050.
392-185-360	Fee revision—Appeal procedure. [Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-185-360, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.410.010. WSR 94-03-103 (Order 4-94), § 180-95-060, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. WSR 78-03-014 (Order 2-78), § 180-95-060, filed 2/8/78.] Repealed by WSR 07-06-064, filed 3/5/07, effective 4/5/07. Statutory Authority: Chapter 28A.205 RCW.
392-185-370	Additional rules. [Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-185-370, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.205.050 and 1993 c 211. WSR 95-08-029, § 180-95-070, filed 3/29/95, effective 4/29/95.] Repealed by WSR 07-06-064, filed 3/5/07, effective 4/5/07. Statutory Authority: Chapter 28A.205 RCW.

WAC 392-185-003 Authority. The authority for this chapter is RCW 28A.205.050 which authorizes the superintendent of public instruction to adopt rules and regulations to carry out the purpose of chapter 28A.205 RCW, the operation and funding of education centers. (The certification or approval of education centers is the responsibility of the state board of education. See chapter 180-95 WAC.)

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-003, filed 11/10/93, effective 12/11/93. Statutory Authority: 1990 c 33. WSR 90-16-002 (Order 18), § 392-185-003, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.97.050. WSR 84-05-016 (Order 84-3), § 392-185-003, filed 2/9/84.]

(3/5/07)

WAC 392-185-005 Purpose. The purpose of this chapter is to establish the policies and procedures necessary to distribute funds to certified education centers as provided in chapter 28A.205 RCW.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-005, filed 11/10/93, effective 12/11/93. Statutory Authority: 1990 c 33. WSR 90-16-002 (Order 18), § 392-185-005, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.97.050. WSR 84-05-016 (Order 84-3), § 392-185-005, filed 2/9/84. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-005, filed 2/6/78, effective 3/9/78.]

WAC 392-185-010 Definitions. The following definitions shall apply to terms used in this chapter:

(1) The terms, "education center," "basic academic skills," "a clinical-client centered basis," "individual diagnostic procedures," "general educational development tests," "educational gains," and "employment orientation," as defined in WAC 180-95-010 as adopted or hereafter amended shall apply to the provisions of this chapter.

(2) An "eligible common school dropout" shall mean a person who (a) has not completed high school; (b) has reached his or her thirteenth birthday and not attained his or her twentieth birthday; (c) does not show proficiency beyond the high school level in a test approved by the superintendent of public instruction which has been given as a part of the initial diagnostic procedure; and (d) has dropped out of a common school for at least one month and written verification is received from a school official of the common school last attended stating that such person is no longer in attendance at such school unless (i) the board of directors or its designee submits a written request that such person be admitted, or (ii) the person has been expelled or suspended pursuant to chapter 180-40 WAC. The fact that any person may be subject to the compulsory attendance law, chapter 28A.225 RCW, shall not affect his or her qualifications as an eligible common school dropout under this chapter.

In addition, to qualify as an "eligible common school dropout" a child must have on file with the appropriate certified education center a written waiver allowing the superintendent of public instruction to examine his or her records at the certified educational clinic at any time and for purposes consistent with the intent of this chapter and chapter 180-95 WAC.

(3) "Class size" is defined to be that number of students assigned to a single certificated teacher during the period of time for which reimbursement is requested regardless of whether or not the students are working on similar courses, subjects, or activities.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-010, filed 11/10/93, effective 12/11/93. Statutory Authority: 1990 c 33. WSR 90-16-002 (Order 18), § 392-185-010, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.97.050. WSR 79-

12-004 (Order 8-79), § 392-185-010, filed 11/9/79. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-010, filed 2/6/78, effective 3/9/78.]

WAC 392-185-020 Application for funding. Any certified education center shall be eligible to apply for state reimbursement for costs pursuant to WAC 392-185-040 and 392-185-050 incurred in diagnostic screening of and/or instructional activities provided to eligible common school dropouts. Such applications shall be prepared in accordance with guidelines provided by the superintendent of public instruction. Neither certification of an education center nor completion of required application materials shall guarantee receipt of funds.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-020, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-020, filed 2/6/78, effective 3/9/78.]

WAC 392-185-030 Reimbursement eligibility—Contracts. The superintendent of public instruction shall provide reimbursement pursuant to contractual agreements with certified centers. Contracts may be awarded by the superintendent of public instruction to private educational institutions which (1) are certified as education centers by the state board of education pursuant to chapter 180-95 WAC, (2) are nonsectarian, (3) are financially sound pursuant to WAC 180-95-020(8), (4) are capable of fulfilling their educational commitment and (5) demonstrate past superior performance. Superior performance shall be based upon consideration of individual educational gains achieved by students, the backgrounds of those students, and the cost effectiveness of the center's program, as follows:

(a) Educational gains shall be evaluated by considering:

(1) Measured increases in academic achievement as determined by instruments approved by the superintendent of public instruction, and

(2) The student's subsequent participation in constructive activities, such as enrollment in a common or private school, employment, attendance at an institution of higher or vocational education, or military service.

(b) In evaluating educational gains, consideration shall be given to those factors in each student's background which might tend to reduce the cost effectiveness of those educational gains.

(c) In determining cost effectiveness of any education center, the cost of services provided to students shall be computed by taking into consideration the reasonable value of all sources of support which are used in whole or in part, directly or indirectly, to provide services to students, including payments made under this chapter, and for nonprofit centers, tax exemptions and any other costs to taxpayers at any level of government which result from such nonprofit status.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-030, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-030, filed 2/6/78, effective 3/9/78.]

WAC 392-185-040 Initial diagnostic procedure—Fees and records. (1) For each initial diagnosis completed for an eligible student applicant, a certified education center, consistent with the terms of its contract with the superintendent

of public instruction, shall be entitled to a fee of not more than fifty dollars per eligible student: Provided, That the administration of any general education development test shall not be a part of such initial diagnostic procedures.

(2) A written record of the initial diagnostic process for each student served shall be available. This record shall include, but not be limited to: (a) A transcript of the student's previous academic history when available; (b) a description of the assessment processes used to determine ability, achievement, interest and aptitudes; (c) a summary of all diagnostic findings; and (d) a listing of the specific instructional objectives and program placement recommendations.

(3) The records of each student shall be signed and dated by the qualified person(s) conducting the diagnosis and making program recommendations.

(4) The records shall be completed prior to student admission to education center classes for which state reimbursement for costs is sought under this chapter.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-040, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 28A.97.050. WSR 79-12-004 (Order 8-79), § 392-185-040, filed 11/9/79. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-040, filed 2/6/78, effective 3/9/78.]

WAC 392-185-050 Instruction—Fees. The fees paid for each 60 minute hour of instruction shall be as follows:

(1) Sixteen dollars per hour per enrollee if the class size is no greater than one; or

(2) Ten dollars per hour per enrollee if the class size is at least two and no greater than five; or

(3) Five dollars per hour per enrollee if the class size is at least six. Revisions in such fees proposed by an education center shall be allowed pursuant to WAC 392-185-070.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-050, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-050, filed 2/6/78, effective 3/9/78.]

WAC 392-185-060 Fees—Payment and procedures. Consistent with the provisions of chapter 28A.205 RCW as enacted or hereafter amended, fee reimbursements made to certified education centers shall be made in accordance with the following:

(1) There shall be no reimbursement prior to the actual delivery of services.

(2) Payments related to diagnostic procedures and course activities shall be made from available funds first to those clinics which demonstrate superior performance in the judgment of the superintendent of public instruction in accordance with WAC 392-185-030.

(3) No certified education center shall be entitled to receive payment for any student's course work undertaken prior to the completion of the initial diagnostic procedure.

(4) Upon submission of vouchers, the superintendent of public instruction shall reimburse certified education centers under contract for services provided to identified, eligible common school dropouts on the basis of records of diagnostic and instructional services rendered.

(5) Vouchers shall include the following:

(a) A roster of names of students;

(b) Diagnostic fees; and

(c) Fees for instruction based upon class sizes, subject areas and other pertinent data to allow for computation of reimbursement: Provided, That in the event of changes in class size, vouchers shall reflect appropriate changes and documentation shall appear in the records of the education center: Provided further, That this information is submitted on voucher claim forms as provided by the superintendent of public instruction in accordance with written instructions.

(6) After a student has attended an education center, for all or a portion of one hundred thirty-five instructional days, no further reimbursement fees shall be paid by the superintendent of public instruction for that student.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-060, filed 11/10/93, effective 12/11/93. Statutory Authority: 1990 c 33. WSR 90-16-002 (Order 18), § 392-185-060, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.97.050. WSR 87-16-034 (Order 87-8), § 392-185-060, filed 7/27/87. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-060, filed 2/6/78, effective 3/9/78.]

WAC 392-185-070 Fee revisions. A certified education center may submit a written request for fee revision to the superintendent of public instruction. A proposed fee revision must be accompanied by documentation supporting the need for the fee revision, including documentation of increased employee costs, increased nonemployee related costs, and must include or be supplemented by such other information as the superintendent of public instruction may request.

The superintendent of public instruction may allow fee revisions if he or she finds that the proposed fee revision is reasonable. The superintendent of public instruction shall notify the center of approval or disapproval of such request within 30 days of receipt of the request: Provided, That no revision of fees shall be allowed during a contract period which shall not exceed one year from date of execution.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-070, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-070, filed 2/6/78, effective 3/9/78.]

WAC 392-185-080 Fee revision—Appeal procedure. A decision of the superintendent of public instruction to deny a request for fee revision may be appealed by a certified education center to the state board of education. The notification of appeal must be filed with the secretary of the state board of education within 15 days following the date of the superintendent's decision. The appeal will be conducted pursuant to WAC 180-95-060.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-080, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-080, filed 2/6/78, effective 3/9/78.]

WAC 392-185-090 Enrollment and absences. Student records shall include entry and withdrawal dates. No reimbursement shall be made for students who are absent: Provided, That students may be reenrolled at any time.

[Statutory Authority: RCW 28A.97.050. WSR 79-12-004 (Order 8-79), § 392-185-090, filed 11/9/79. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-090, filed 2/6/78, effective 3/9/78.]

(3/5/07)

WAC 392-185-100 Tuition—Limitations. No certified education center shall make any charge to any student or his or her parent, guardian, or custodian for whom a fee is being received under the provisions of chapter 28A.205 RCW and this chapter.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-100, filed 11/10/93, effective 12/11/93. Statutory Authority: 1990 c 33. WSR 90-16-002 (Order 18), § 392-185-100, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-100, filed 2/6/78, effective 3/9/78.]

WAC 392-185-110 On-site monitoring. The instructional program activities and procedures and records of students for whom fees are paid shall be monitored on-site on a schedule established by the superintendent of public instruction.

[Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-110, filed 2/6/78, effective 3/9/78.]

WAC 392-185-120 State audit review. Any certified education center under contract with the superintendent of public instruction pursuant to chapter 28A.205 RCW and this chapter shall permit, without prior notice, a review of its records by the state auditor and/or the superintendent of public instruction during normal business hours.

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-120, filed 11/10/93, effective 12/11/93. Statutory Authority: 1990 c 33. WSR 90-16-002 (Order 18), § 392-185-120, filed 7/19/90, effective 8/19/90. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-120, filed 2/6/78, effective 3/9/78.]

WAC 392-185-130 Fund reallocation. Any fund balances remaining in a contract which is not fully performed shall revert to the original fund for reallocation by the superintendent of public instruction.

[Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-130, filed 2/6/78, effective 3/9/78.]

WAC 392-185-150 Eligibility to take the general educational development (GED) tests. Any student of a certified education center, upon completion of an individual student program, shall be eligible to take the general educational development (GED) tests at an authorized testing center as defined in WAC 180-95-010(5).

[Statutory Authority: RCW 28A.205.010 - [28A.205.]090. WSR 93-23-036 (Order 93-22), § 392-185-150, filed 11/10/93, effective 12/11/93. Statutory Authority: RCW 28A.97.050 and 1977 ex.s. c 339 § 95 (uncodified). WSR 78-03-008 (Order 1-78), § 392-185-150, filed 2/6/78, effective 3/9/78.]

WAC 392-185-305 Purpose. The purpose of this chapter is to implement RCW 28A.205.010, 28A.205.020, 28A.205.030, 28A.205.040, 28A.205.050 and to establish the criteria and procedures to be used in certification of an education center.

[Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-185-305, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.205.050 and 1993 c 211. WSR 95-08-029, § 180-95-005, filed 3/29/95, effective 4/29/95. Statutory Authority: 1990 c 33. WSR 90-17-009, § 180-95-005, filed 8/6/90, effective 9/6/90. Statutory Authority: RCW 28A.04.120. WSR 78-03-014 (Order 2-78), § 180-95-005, filed 2/8/78.]

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WAC 392-185-310 Definitions. The following definitions shall apply to terms used in this chapter:

(1) "Education center" shall mean a private educational institution certified by the superintendent of public instruction which employs a clinical, client-centered approach and is devoted to (a) teaching the basic academic skills including specific attention to improvement of student motivation for achieving and (b) employment orientation: Provided, That no education center certified by the superintendent of public instruction pursuant to this section shall be deemed a common school under RCW 28A.150.020 or a private school for the purposes of RCW 28A.195.010 through 28A.195.050.

(2) "Basic academic skills" shall mean the study of mathematics, speech, language, reading and composition, science, history, literature and political science or civics; it shall not include courses of a vocational training nature and courses deemed nonessential to the accrediting or the approval of private schools under RCW 28A.305.130.

(3) "A clinical, client-centered basis" shall mean an approach to education which includes the individual diagnosis of the person's educational abilities, determining and setting of individual goals, prescribing and providing individual programs of instruction, and evaluating the individual student's progress in his or her educational program.

(4) "Individual diagnostic procedure" shall mean the individual assessment by a certified teacher, or when deemed necessary, by a psychometrist, psychologist, and/or another professional who is appropriately certificated or licensed to conduct specific diagnostic evaluations and to prescribe an individual educational and instructional program in conjunction with the teacher, student, parents, and others as necessary.

(5) "General educational development (GED) tests" shall mean that battery of tests designed and published by the GED testing service of the American council on education to measure the major outcomes and concepts generally associated with four years of high school education. Each GED testing center must have a current contract with the American council on education and be authorized by the state board for community and technical colleges.

(6) "Educational gain" shall mean (a) measurable increases in the student's achievement, (b) increased motivation for achieving, and/or (c) increased knowledge and skills relevant to employment orientation as defined in (8) below: Provided, That consideration is given to the student's background in determining the extent of such gain.

(7) "Eligible common school dropout" shall be defined as set forth in WAC 392-185-010(2).

(8) "Employment orientation" shall normally include, but not be restricted to instruction and practical experience in the following areas: Job applications, interview techniques, expectations for attendance and production, learning to translate skills and abilities in terms of job needs, examination by the student of job descriptions and exploration of the student's ability to fulfill the job needs.

[Statutory Authority: Chapter 28A.205 RCW. WSR 07-06-064, § 392-185-310, filed 3/5/07, effective 4/5/07. Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-185-310, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.410.010. WSR 94-03-103 (Order 4-94), § 180-95-010, filed 1/19/94, effective 2/19/94. Statutory Authority: 1990 c 33. WSR 90-17-009, § 180-95-010, filed 8/6/90, effective 9/6/90. Statutory Authority:

RCW 28A.04.120. WSR 78-03-014 (Order 2-78), § 180-95-010, filed 2/8/78.]

WAC 392-185-320 Criteria for certification of education centers. To be certified as an education center, a private educational institution must apply to the superintendent of public instruction and provide evidence that it:

(1) Qualifies under the definition set forth in WAC 180-95-010(1).

(2) Offers instruction in the basic academic skills as defined in WAC 180-95-010(2) and employment orientation as defined in WAC 180-95-010(8).

(3) Employs, for purposes of diagnosing and instructing students, professionally trained personnel who meet requirements for certification set forth in chapters 180-80 and/or 180-84 WAC: Provided, That for specific diagnostic evaluations, a professional who is otherwise appropriately licensed does not have to meet certification requirements.

(4) Operates on a clinical, client-centered basis as defined in WAC 180-95-010(3).

(5) Conducts individualized diagnosis and instruction which includes as a minimum:

(a) Consideration by qualified personnel of the student's achievement, abilities, interests, and aptitudes;

(b) Delineation of individual learning objectives and education and/or employment goals;

(c) Development and implementation of curriculum and instruction appropriate to diagnosed needs and specified objectives and goals;

(d) Provision for evaluation of the student's progress toward and attainment of learning objectives and education and/or employment goals.

(6) Produces educational gains in students which relate directly to the individual learning objectives and educational and/or employment goals established for the student.

(7) Maintains accurate and complete financial and personnel records.

(8) Is financially sound and capable of fulfilling its educational commitment, i.e., that it has definite and certain resources to meet its current obligations.

[Statutory Authority: Chapter 28A.205 RCW. WSR 07-06-064, § 392-185-320, filed 3/5/07, effective 4/5/07. Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-185-320, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.410.010. WSR 94-03-103 (Order 4-94), § 180-95-020, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. WSR 78-03-014 (Order 2-78), § 180-95-020, filed 2/8/78.]

WAC 392-185-330 Application procedures for certification as an education center. A private educational institution shall apply for certification to the superintendent of public instruction on a form provided by the superintendent of public instruction. The superintendent of public instruction or its designee(s) shall determine by documentary evidence submitted by the applicant whether all criteria set forth in WAC 180-95-020 are satisfied. The superintendent of public instruction shall notify the applicant institution of its certification status within ten weeks after the date the superintendent of public instruction receives a completed application.

[Statutory Authority: Chapter 28A.205 RCW. WSR 07-06-064, § 392-185-330, filed 3/5/07, effective 4/5/07. Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-185-330, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.410.010. WSR 94-03-103 (Order 4-94), § 180-95-

030, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. WSR 78-03-014 (Order 2-78), § 180-95-030, filed 2/8/78.]

WAC 392-185-340 Length of certification. A private educational institution shall be certified as an education center by the superintendent of public instruction for no more than three years and shall report annually any changes relevant to certification criteria set forth in WAC 180-95-020 to the superintendent of public instruction on a form provided by the superintendent of public instruction.

[Statutory Authority: Chapter 28A.205 RCW. WSR 07-06-064, § 392-185-340, filed 3/5/07, effective 4/5/07. Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-185-440, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.410.010. WSR 94-03-103 (Order 4-94), § 180-95-040, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. WSR 78-03-014 (Order 2-78), § 180-95-040, filed 2/8/78.]

WAC 392-185-350 Withdrawal of certification as an education center. The superintendent of public instruction may withdraw certification if the board finds that a center fails:

(1) To provide adequate instruction in basic academic skills which shall mean:

(a) The center does not offer or make provision for instruction in all the basic skills defined in WAC 180-95-010 (2), or

(b) Evidence/data do not verify educational gains which relate directly to the individual learning objectives and the educational and/or employment goals established, or

(c) The center does not provide opportunities for employment orientation.

(2) To meet any of the criteria for certification of education centers as established in WAC 180-95-020.

[Statutory Authority: Chapter 28A.205 RCW. WSR 07-06-064, § 392-185-350, filed 3/5/07, effective 4/5/07. Statutory Authority: 2006 c 263. WSR 06-14-009, recodified as § 392-185-350, filed 6/22/06, effective 6/22/06. Statutory Authority: RCW 28A.205.050 and 1993 c 211. WSR 95-08-029, § 180-95-050, filed 3/29/95, effective 4/29/95. Statutory Authority: RCW 28A.410.010. WSR 94-03-103 (Order 4-94), § 180-95-050, filed 1/19/94, effective 2/19/94. Statutory Authority: RCW 28A.04.120. WSR 78-03-014 (Order 2-78), § 180-95-050, filed 2/8/78.]