

**WAC 392-800-835 Application—Assurances.** State-tribal compact applications must include the following assurances:

(1) The compact school will provide a curriculum and conduct an educational program that satisfies the requirements of RCW 28A.150.200 through 28A.150.240 and 28A.230.010 through 28A.230.195;

(2) The compact school will employ certified instructional staff as required in RCW 28A.410.010; however, such schools may hire noncertificated instructional staff of unusual competence and in exceptional cases as specific in RCW 28A.150.230;

(3) The compact school will comply with employee record checks requirements in RCW 28A.400.320, and mandatory termination and notification provisions of RCW 28A.400.320, 28A.400.330, 28A.405.470, and 28A.405.475;

(4) The compact school will comply with nondiscrimination laws;

(5) The compact school will adhere to generally accepted accounting principles and be subject to financial examinations and audits as determined by the state auditor, including annual audits for legal and fiscal compliance;

(6) The compact school will be subject to and comply with legislation enacted after the effective date of the sections governing the operation and management of schools that are the subject of a state-tribal education compact;

(7) The compact school will comply with all applicable federal laws such as the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Educational Act (IDEA), and the Elementary and Secondary Education Act (ESEA) programs, as applicable;

(8) The compact school will not engage in any sectarian practices in its educational program, admission or employment policies, or operations;

(9) The compact school will not charge tuition, except to the same extent school districts may be permitted to do so with respect to out-of-state and adult students pursuant to chapter 28A.225 RCW, but may charge fees for participation in optional extracurricular events and activities;

(10) The compact school will not limit admission on any basis other than age group, grade level, or capacity and must otherwise enroll all students who apply, provided that the compact school may prioritize the enrollment of tribal members and siblings of already enrolled students;

(11) The compact school will report student enrollment data in the same manner and use the same definitions of enrolled students and average full-time equivalent enrollment as required of a school district;

(12) The compact school will adhere to the statewide assessment process;

(13) The compact school will adhere to the student data reporting requirements provided in WAC 392-117-020 and 392-117-038.

[Statutory Authority: RCW 28A.655.061 and 655.065 [28A.655.065]. WSR 14-04-001, § 392-800-835, filed 1/22/14, effective 2/22/14.]