

WAC 392-502-060 Rescinding approvals. (1) Approved online providers that fail to comply with the conditions of approval in WAC 392-502-050, may be subject to rescindment of approval.

(2) Process for rescindment.

(a) The superintendent of public instruction or his or her designee will notify an online provider when there is substantial evidence that the online provider is not meeting one or more of the approval conditions and that the superintendent is considering rescindment. The notification will be in writing and will state the specific areas of concern.

(b) The online provider will be invited to submit a corrective action plan with a timeline to address the specific areas of concern. The corrective action plan must be submitted within fifteen business days of the superintendent's notification. If no corrective action plan is received by the superintendent of public instruction or his or her designee, the provider's approval will be rescinded.

(c) The superintendent of public instruction will consider the corrective action plan and determine whether the plan satisfactorily addresses the specific areas of concern, whether additional actions are necessary, or whether the plan is substantially incomplete and approval must be immediately rescinded. If a corrective action plan is required because of the provider's failure to meet performance targets as specified in WAC 392-502-030, the corrective action plan must include a rate of growth to achieve the performance targets. The corrective action plan may take into account factors including, but not limited to, the specific performance targets that were not met and the provider's student demographics. Before making this decision, the superintendent or his or her designee will provide an opportunity for the online provider to clarify and adjust its plan.

(d) Recognizing the serious nature of rescindment and its potential impact on students, districts and providers, the superintendent of public instruction or his or her designee will only rescind approvals if he or she finds that the online provider is unwilling to take the necessary corrective actions to bring the courses/programs in compliance with the approval assurances and criteria. If the superintendent of public instruction or his or her designee determines that an online provider's approval must be rescinded, the implementation of the rescindment shall, to the greatest extent possible, be timed to prevent unnecessary disruption to the education of the students.

(e) The superintendent of public instruction reserves the right to immediately rescind approval of any provider where conditions exist that jeopardize academic or fiscal integrity or compromise the health and safety of students or staff.

(3) Rescinded providers are responsible for communicating that change in status to their clients. The superintendent of public instruction or his or her designee will remove rescinded providers from the agency's website.

(4) Rescinded providers are permitted to submit for reapproval during subsequent approval application periods.

[Statutory Authority: Chapter 28A.250 RCW and RCW 28A.150.290. WSR 14-21-187, § 392-502-060, filed 10/22/14, effective 11/22/14. Statutory Authority: Chapter 28A.250 RCW. WSR 12-03-067, § 392-502-060, filed 1/12/12, effective 2/12/12. Statutory Authority: 2009 c 542. WSR 10-01-099, § 392-502-060, filed 12/17/09, effective 1/17/10.]