

## Chapter 392-700 WAC DROPOUT REENGAGEMENT

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### WAC

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### DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

392-700-025	Interlocal agreements. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-025, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-045	Enrollment. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-045, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-055	Student documentation. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-055, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-075	Instructional staff to student ratio. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-075, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-095	District administrative responsibilities. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-095, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-105	Reporting of student data. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-105, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-120	Statewide student assessment. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-120, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-135	Provision of special education and Section 504 of the Rehabilitation Act of 1973 accommodations. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-135, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-145	Award of credit. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-145, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-200	Other agreements. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-200, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.
392-700-225	Operating agreements and OSPI approval. [Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-225, filed 8/11/11, effective 9/11/11.] Repealed by WSR 13-13-005, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100.

**WAC 392-700-001 Purpose and authority.** (1) The purpose of this chapter is to provide a statutory framework for a statewide dropout reengagement system and to provide appropriate educational opportunities and access to services for students age sixteen to twenty-one who have dropped out of high school or are not accumulating sufficient credits to reasonably complete a high school diploma in a public school before the age of twenty-one.

(2) Authority for this chapter is RCW 28A.175.100, which authorizes the superintendent of public instruction to adopt rules and procedures for statewide dropout reengagement programs (hereafter called program).

[Statutory Authority: RCW 28A.175.100. WSR 13-13-005, § 392-700-001, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100

**WAC 392-700-015 Definitions.** The following definitions in this section apply throughout this chapter:

(1) **"Agency"** means an educational service district, nonprofit community-based organization, or public entity other than a college.

(2) **"Annual average full-time equivalent (AAFTE)"** means the total monthly full-time equivalent (FTE) reported for each enrolled student in a school year divided by ten.

(3) **"Attendance period requirement"** is defined as, at minimum, two hours of face-to-face interaction with a designated program staff for the purpose of instruction, academic counseling, career counseling, or case management contact aggregated over the prior month. In-person face-to-face interaction is required for the month that the student was claimed for the first time. Thereafter, the interaction may include an option for digital-synchronous interaction when a student:

(a) Requests digital-synchronous options; or

(b) Requires digital-synchronous access as determined by program staff.

(c) If, after each three months of claimed enrollment, the student has not earned an indicator of academic progress through the utilization of digital-synchronous interaction, then the interaction must return to in-person face-to-face until an indicator of academic progress is earned.

(4) **"CEDARS"** refers to comprehensive educational data and research system, the statewide longitudinal data system of educational data for K-12 student information.

(5) **"College"** means college or technical college pursuant to chapters 28B.20 through 28B.50 RCW.

(6) **"College level class"** is a class provided by a college that is 100 level or above.

(7) **"Consortium"** means a regional group of organizations that consist of districts, tribal compact schools, charter schools and agencies and/or colleges who agree to work together to create and operate a program that will serve students from multiple districts, tribal compact schools, and charter schools and reduce the administrative burden.

(8) **"Consortium agreement"** means the agreement that is signed by the authorized consortium lead and all district, tribal compact school, and charter school superintendents or their authorized officials which are part of the consortium and agree to refer eligible students to the consortium's program. This agreement will clearly outline the responsibilities of the consortium lead and those of the referring districts, tribal compact schools, and charter schools.

(9) **"Consortium lead"** means the lead organization in a consortium that will assume the responsibilities outlined in WAC 392-700-042(3).

(10) **"Count day"** is the instructional day that is used to claim a program's enrollment for state funding pursuant to WAC 392-121-033. For September, the count day is the fourth instructional day. For the remaining months, the count day is the first instructional day.

(11) **"Credential"** is identified as one of the following:

(a) High school diploma; or

(b) Associate degree.

(12) **"Enrolled student"** is an eligible student whose enrollment and attendance meets the criteria outlined in WAC 392-700-035 and 392-700-160, and is reported as an FTE for state funding. An enrolled student can be further defined as one of the following:

(a) **New student** is an enrolled student who is being claimed for state funding for the first time by the program.

(b) **Continuing student** is an enrolled student who has continuously been enrolled in the program and claimed for state funding on at least one count day.

(c) **Returning student** is an enrolled student who has returned to the program after not receiving program services for a period of at least one count day and not more than 10 count days.

(d) **Reenrolling student** is an enrolled student who has reenrolled in the program after not receiving program services for a period of 11 count days or more.

(13) **"ERDC"** refers to education research and data center, which conducts analyses of early learning, K-12, and higher education programs and education issues across the P-20 system that collaborates with legislative evaluation and accountability program and other statutory partner agencies.

(14) **"Full-time equivalent (FTE)"** is the measurement of enrollment that an enrolled student can be claimed on a monthly basis with the maximum being 1.0 FTE per month for each student enrolled in a program.

(15) **"Indicator of academic progress"** means a standard academic benchmark that demonstrates academic performance which is attained by a reengagement student. These indicators will be tracked and reported by the program and district, tribal compact school, or charter school for each student and for programs as a whole using definitions and procedures outlined by OSPI. Indicators of academic progress will be reported when a student does one of the following:

(a) Earns at minimum a 0.25 high school credit;

(b) Earns at minimum a whole college credit;

(c) Receives a college certificate after completion of a college program requiring at least 40 hours of instruction;

(d) Receives an industry recognized certificate of completion of training or licensing received after completion of a program requiring at least 40 hours of instruction;

(e) Passes one or more tests or benchmarks that would satisfy the state board of education's graduation requirements as provided in chapter 180-51 WAC;

(f) Passes one or more high school equivalency certificate measures (each measure may only be claimed once per enrolled student), or other state assessment;

(g) Makes a significant gain in a core academic subject based on the assessment tool's determination of significant gain (may be claimed multiple times in a year per enrolled student);

(h) Successfully completes a grade level curriculum in a core academic subject that does not earn high school or college credit;

(i) Successfully completes college readiness course work with documentation of competency attainment;

(j) Successfully completes job search and job retention course work with documentation of competency attainment;

(k) Successfully completes a paid or unpaid cooperative work based learning experience of at least 45 hours. This experience must meet the requirements of WAC 392-410-315(2);

- (l) Enrolls in a college level class for the first time (limited to be claimed once per enrolled student);
- (m) Successfully completes an English as a second language (ESL) class;
- (n) Successfully completes an adult basic education (ABE) class;
- or
- (o) Successfully completes a series of short-term industry recognized certificates equaling at least 40 hours.
- (16) "**Institutional education program**" means a program that meets a definition under WAC 392-122-205.
- (17) "**Instructional staff**" means the following:
- (a) For programs operated by a district, tribal compact school, charter school, or agency, the instructional staff is a certificated instructional staff pursuant to WAC 392-121-205; and
- (b) For programs operated by a college, the instructional staff is one who is employed or appointed by the college whose required credentials are established by the college.
- (18) "**Letter of intent**" means the document signed by the district, tribal compact school, charter school, college or lead agency authorized official that specifically outlines to OSPI the required elements of a program that the district, tribal compact school, charter school, college, or agency agree to implement.
- (19) "**Noninstructional staff**" is any person employed in a position that is not an instructional staff as defined under subsection (17) of this section.
- (20) "**OSPI**" means the office of superintendent of public instruction.
- (21) "**Program**" means a statewide dropout reengagement program approved by OSPI, pursuant to RCW 28A.175.105.
- (22) "**School year**" is the 12-month period that begins September 1st and ends August 31st during which instruction is provided and FTE is reported.
- (23) "**Scope of work**" means the document signed by district, tribal compact school, or charter school superintendent or their authorized official and the authorized official of a program to be included in a contracted services agreement when the program is operated by a provider on behalf of the district, tribal compact school, or charter school, and will receive compensation in accordance with WAC 392-700-165. The scope of work will specifically outline all the required elements of a program that the provider and the district, tribal compact school, or charter school agree to implement.
- (24) "**Resident district**" means the district where the student resides or a district that has accepted full responsibility for a student who lives outside of the district through the choice transfer process pursuant to RCW 28A.225.200 through 28A.225.240. For students enrolled in a tribal compact school or charter school, the tribal compact school or charter school is the student's resident district.
- (25) "**Weekly status check**" means individual communication from a designated program staff to a student. Weekly status check:
- (a) Can be accomplished in person or through the use of telephone, email, instant messaging, interactive video communication, or other means of digital communication;
- (b) Must be for the purposes of instruction, academic counseling, career counseling, or case management;
- (c) Must be documented; and
- (d) Must occur at least once every week that has at least three days of instruction.

(26) **"Tribal compact school"** means a school that is the subject of a state-tribal education compact operated according to the terms of its compact executed in accordance with RCW 28A.715.010.

(27) **"Charter school"** means a public school that is established in accordance with chapter 28A.710 RCW, governed by a charter school board, and operated according to the terms of a charter contract executed under chapter 28A.710 RCW.

[Statutory Authority: RCW 28A.150.290 and 28A.175.115. WSR 22-15-119, § 392-700-015, filed 7/20/22, effective 8/20/22. Statutory Authority: RCW 28A.175.010, 28A.175.115. WSR 17-01-125, § 392-700-015, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-015, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-015, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-015, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-015, filed 8/11/11, effective 9/11/11.]

**WAC 392-700-035 Student eligibility.** (1) A student is eligible to enroll in a program when they meet the following criteria:

(a) Under 21 years of age at the beginning of the school year but whose 16th birthday occurs on or before September 1st;

(b) Has not yet met the high school graduation requirements of either the district, tribal compact school, charter school, or the college under RCW 28B.50.535; and

(c) At the time the student enrolls, is significantly behind in credits based on the student's cohort graduation date. The cohort graduation date is established as the end of the fourth school year after a student first enrolls in the ninth grade.

(i) A student who is more than 24 months from their cohort graduation date and has earned less than 65 percent of the high school credits expected to be earned by their cohort or has a ratio of earned credits to attempted credits that is less than 65 percent. A cohort is the group of students that enter the ninth grade in the same school year;

(ii) A student who is between 12 and 24 months from their cohort graduation date and has earned less than 70 percent of the high school credits expected to be earned by their cohort or has a ratio of earned credits to attempted credits that is less than 70 percent;

(iii) A student who is less than 12 months from their cohort graduation date or who has passed their cohort graduation date by less than 12 months and has earned less than 75 percent of the high school credits expected to be earned by their cohort or has a ratio of earned credits to attempted credits that is less than 75 percent;

(iv) A student who is passed their cohort graduation date by 12 months or more and has not met their district, tribal compact school, or charter school graduation requirements; or

(v) A student who has never attended the ninth grade and has earned zero high school credits.

(d) If determined not to be credit deficient as outlined in (c) of this subsection, has been recommended for enrollment by case managers from the department of social and health services, the juvenile justice system, a district, tribal compact school, or charter school designated school personnel, or staff from community agencies which provide educational advocacy services;

(e) Are not currently enrolled in any high school classes that receive state basic education funding, excluding an approved skill center program, a Jobs for Washington's Graduates program, running start program, or institutional education program under WAC 392-122-205;

(f) Students who are claimed for state funding by a district, tribal compact school, or charter school outside the district they live in, must be released by either a choice transfer or interdistrict agreement. When a choice transfer is in place, the student's resident district as defined in WAC 392-700-015(24) becomes the district operating the program.

(2) Once determined eligible for enrolling in the program, a student will retain eligibility, regardless of breaks in enrollment, until the student does one of the following:

(a) Earns a high school diploma;

(b) Earns an associate degree; or

(c) Becomes ineligible because of age which occurs when a student is 21 years of age as of September 1st.

(3) A student's eligibility does not guarantee enrollment or continued enrollment in specific programs if the program determines that the student does not meet the program's enrollment criteria or if, after enrollment, a student's academic performance or conduct does not meet established program guidelines.

[Statutory Authority: RCW 28A.150.290 and 28A.175.115. WSR 22-15-119, § 392-700-035, filed 7/20/22, effective 8/20/22. Statutory Authority: RCW 28A.175.010 and 28A.175.115. WSR 18-17-031, § 392-700-035, filed 8/6/18, effective 9/6/18; WSR 17-01-125, § 392-700-035, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-035, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-035, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-035, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-035, filed 8/11/11, effective 9/11/11.]

**WAC 392-700-042 Program operating agreements and OSPI approval.**

(1) Districts, tribal compact schools, charter schools, agencies, and colleges are encouraged to work together to design programs and collaborations that will best serve students. Many models of operation are authorized as part of the statewide dropout reengagement system.

Regardless of the model of operation, the state funding is allocated to the district, tribal compact school, charter school, or direct funded technical college that is reporting the student's enrollment for the program.

(2) A district, tribal compact school, or charter school may enter into one of the following models of operations through the OSPI approval process:

(a) Directly operate a program where the services are provided by the district, tribal compact school, or charter school resources;

(b) Enter into a partnership with an agency or college that will provide the services through a defined scope of work or contracted services agreement; or

(c) Become part of a consortium with other districts, tribal compact schools, charter schools, colleges, and/or agencies by executing a consortium agreement that is signed by all members.

(3) The purpose of the consortium will be to create and operate a program that will serve students enrolled in multiple districts including tribal compact schools and charter schools, and reduce the administrative burden. If such a regional reengagement consortium is implemented, a consortium lead agency will be identified and assume the following responsibilities:

(a) Take the lead in organizing and managing the regional consortium;

(b) Provide information and technical assistance to districts, tribal compact schools, and charter schools interested in participating in the consortium and providing the opportunity for their students to enroll;

(c) Develop scopes of work with agencies and colleges to operate the programs;

(d) Provide oversight and technical assistance to the program to align with all requirements of this chapter and the delivery of quality programming;

(e) Assist the program with the preparation of required reports, enrollment data, and course records needed to enroll students, award credit, and report FTE and performance to OSPI;

(f) Facilitate data entry of required student data into each district, tribal compact school, or charter school's statewide student information system related to enrollment; and

(g) Work with the districts, tribal compact schools, and charter schools to facilitate the provision of special education, accommodations under Section 504 of the Rehabilitation Act of 1973, and transitional bilingual instruction pursuant to WAC 392-700-147.

(4) A technical college receiving direct funding and authorized to enroll students under WAC 392-121-187 may directly operate a program and serve students referred from multiple districts. The technical college will assume the responsibilities of operating the program as described in this chapter and will meet all responsibilities outlined in WAC 392-121-187.

(5) All programs must be approved by OSPI as follows:

(a) If the program is run by a district, tribal compact school, charter school, agency or college, the program must be approved.

(b) If the program is run by a consortium, both the program and participating districts, tribal compact school, or charter school must be approved.

(c) Any program which meets the definition of an online school program in RCW 28A.250.010 must be approved as an online provider, pursuant to RCW 28A.250.060(2).

(6) Dependent on the model of operations, OSPI will specify the necessary documentation required for approval.

(7) OSPI will provide model documents that can be modified to include district-, tribal compact school-, charter school-, college-, or agency-specific language and will indicate which elements of these standard documents must be submitted to OSPI for review and approval.

(8) Upon initial approval, OSPI will specify the duration of the approval and indicate the necessary criteria to obtain reapproval.

(9) After receiving a notice of approval, OSPI will assign a code to be used when reporting students enrolled in the program.

(10) This chapter does not affect the authority of districts, tribal compact schools, and charter schools under RCW 28A.150.305, 28A.320.035, or any other provision of law to contract for educational services other than reengagement programs as defined by WAC 392-700-015(21).

[Statutory Authority: RCW 28A.150.290 and 28A.175.115. WSR 22-15-119, § 392-700-042, filed 7/20/22, effective 8/20/22. Statutory Authority: RCW 28A.175.010, 28A.175.115. WSR 17-01-125, § 392-700-042, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-042, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-042, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-042, filed 6/6/13, effective 7/7/13.]

**WAC 392-700-065 Instruction.** (1) All program instruction will meet the following criteria:

(a) Instruction will be designed to help students acquire high school credits, acquire at least high school level skills, and be academically prepared for success in college and/or work.

(b) Instruction will be provided in accordance with the skills level and learning needs of individual students and not the student's chronological age or associated grade level. Therefore:

(i) Instruction that is at the ninth grade level or higher shall generate credits that can be applied to a high school diploma; and

(ii) Instruction that is below the ninth grade level shall not generate high school credits but will be counted as part of the program's instructional programming for the purposes of calculating FTE and will be designed to prepare students for course work that is at the ninth grade level or higher.

(c) Instruction in which each student is enrolled will not be limited to only those courses or subject areas in which they are deficient in high school credits.

(d) The program will administer standardized tests to new students, as defined in WAC 392-700-015 (12)(a), and reenrolling student, as defined in WAC 392-700-015 (12)(d), within one month of enrollment or secure test results from no more than six months prior to enrollment in order to determine a student's initial math and reading level upon entering the program.

(e) The program will provide all instruction, tuition, and required academic skills assessments at no cost to the students, but may collect mandatory fees as established by each program.

(i) Consumable supplies, textbooks, and other materials that are retained by the student do not constitute tuition or a fee.

(ii) Programs are encouraged to offer a waiver or scholarship process.

(2) Instruction for students enrolled in programs operated by a district, tribal compact school, charter school, or agency will meet the following criteria:

(a) Instruction must include:

(i) Academic skills instruction and high school equivalency certificate preparation course work with curriculum and instruction appropriate to each student's skills levels and academic goals; and

(ii) College readiness and work readiness preparation course work.

(b) Instruction may include:

(i) Competency based academic and/or vocational training;

(ii) College preparation math or writing instruction;

(iii) Subject specific high school credit recovery instruction;

(iv) English language learners instruction (ELL); and

(v) Other course work approved by the district, tribal compact school, or charter school including cooperative work experience.



(c) Instruction will be scheduled so that enrolled students have the opportunity to attend and work with instructional staff during the hours of the program's standard instructional day.

(d) The program will maintain an instructor to student ratio as follows:

(i) The scheduled teaching hours of an instructional staff will equal or exceed the hours of the program's standard instructional day plus one additional hour per every five teaching hours for planning, curriculum development, recordkeeping, and required coordination of services with case management staff.

(ii) For any one instructional session, the program will assign instructional staff as needed to maintain an instructional staff to student ratio that does not exceed 1:25.

(iii) For programs that use noninstructional staff as part of the calculated instructional staff to student ratio, the following conditions must be met:

(A) Noninstructional staff may not be a replacement for the instructional staff and must work under the guidance and direct supervision of the instructional staff; and

(B) The ratio of total instructional and noninstructional staff to students may not exceed 2:50.

(3) Instruction for students enrolled in programs operated by a college will meet the following criteria:

(a) Instruction will be provided through courses approved by the college, identifiable by course title, course number, quarter, number of credits, and, for vocational course, the classification of instructional program (CIP) code number assigned by OSPI to the approved career and technical education (CTE) course.

(b) The following instruction will be offered to all students, as appropriate for their goals, skills levels, and completion of prerequisites:

(i) Basic skills courses and high school equivalency certificate preparation courses;

(ii) Courses that will lead to a postsecondary degree or certificate;

(iii) Course work that will lead to a high school diploma; and

(iv) College and work readiness preparation course work.

(c) The program will maintain an instructor to student ratio as follows:

(i) Instructor to student ratio for any course open to both program students and nonprogram students will be determined by the college; and

(ii) Instructor to student ratio for classes designed exclusively for program students will not exceed 1:35.

[Statutory Authority: RCW 28A.175.010 and 28A.175.115. WSR 18-17-031, § 392-700-065, filed 8/6/18, effective 9/6/18; WSR 17-01-125, § 392-700-065, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-065, filed 7/16/15, effective 8/16/15; WSR 13-13-005, § 392-700-065, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-065, filed 8/11/11, effective 9/11/11.]

**WAC 392-700-085 Case management and student support.** (1) Case management staff will be employed or assigned to the program to provide accessible, consistent support to students, as well as, academic

advising, career guidance information, employment assistance or referrals, and referrals to social and health services.

(2) The program will maintain a case management staff to student ratio not to exceed 1:75 (one case manager to seventy-five enrolled students) on a full-time continuous basis throughout the school year.

(3) Only the percent of each staff member's time that is allocated to fulfilling case management responsibilities for reengagement students will be included in the calculation of a program's case management staff to student ratio.

(4) Even though the provision of case management services may require case management staff to work in the community to meet client needs, case management staff will be primarily based at the program's instructional site(s).

(5) The program will ensure that case management services and instruction are integrated and coordinated and that procedures are in places that facilitate timely relevant communication about student progress.

(6) Case management staff will be assigned to provide services to students on a continuous basis throughout the school year.

(7) All case management staff will have at least a bachelor's degree in social work, counseling, education, or a related field **or** at least two years' experience providing case management, counseling, or related direct services to at-risk individuals or sixteen to twenty-one year old youth.

[Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-085, filed 7/16/15, effective 8/16/15; WSR 13-13-005, § 392-700-085, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-085, filed 8/11/11, effective 9/11/11.]

**WAC 392-700-137 Award of credit.** (1) For programs operated by districts, tribal compact schools, charter schools, and agencies, high school credit will be awarded for all course work in which students are enrolled, including high school equivalency certificate preparation, in accordance with the following:

(a) Determination of credit will take place on a quarterly basis with quarters defined as follows:

- (i) September through December;
- (ii) January through March;
- (iii) April through June; and
- (iv) July through August.

(b) Credit will be awarded at the end of each quarter, in accordance with the following guidelines, if the student has been enrolled for at least one month of the quarter:

(i) A maximum of 1.0 high school subject area credit will be awarded when a student passes a standardized high school equivalency certificate test in the subject matter. Additional credits may be awarded if the student has completed a course(s) of study to prepare for the test.

(ii) A 0.5 high school subject matter credit will be awarded when a student makes a statistically significant standardized assessment post-test gain in a specific subject area during the quarter and the following conditions are met:

(A) The student's standardized skills assessment score at the beginning of the quarter demonstrated high school level skills; and

(B) The instructional staff has assessed student learning and determined that a course of study has been successfully completed. A maximum of 1.0 credit may be awarded for such subject gains in a quarter.

(iii) A minimum of 0.25 high school elective credits will be awarded for completion of a work readiness or college readiness curriculum in which the student has demonstrated mastery of specific competencies.

(iv) For students taking part in district-, tribal compact school-, or charter school-approved subject-specific credit recovery course work, the amount and type of credit to be awarded will be defined by the district, tribal compact school, or charter school.

(v) The district, tribal compact school, or charter school must award credit for other course work provided by the agency with amount of credit to be awarded determined in advance, based on the agency's instructional staff's recommendation and on a district, tribal compact school, or charter school review of the curriculum and intended learning outcomes. Credit will only be awarded when:

(A) The student's standardized skills assessment score at the start of the quarter demonstrates high school level skills; and

(B) The instructional staff has assessed student learning and determined that the course of study has been successfully completed.

(2) For programs operated by colleges, high school credit will be awarded for course work in which students are enrolled, in accordance with the following:

(a) The district, tribal compact school, or charter school, and the college will determine whether the high school diploma will be awarded by the district, tribal compact school, or charter school or by the college as part of the college's high school completion program.

(b) If the college is awarding the diploma:

(i) 1.0 high school credit will be awarded for successful completion of every five quarter or three semester hours of college course work at or above the one hundred level. The college will determine the type of credit;

(ii) 1.0 high school credit will be awarded for successful completion of every five quarter or three semester hours of below one hundred level course work at a college. The college will determine the type of credit; and

(iii) 0.5 subject-specific credits will be awarded for successful completion of every five quarter or three semester hours of high school equivalency certificate course work which is aligned to the common core standards.

(c) If the district, tribal compact school, or charter school is awarding the diploma:

(i) 1.0 high school credit will be awarded for successful completion of every five quarter or three semester hours of below one hundred level course work at a college. The district, tribal compact school, or charter school will determine the type of credit based on the articulation agreement between the college and district, tribal compact school, or charter school;

(ii) 0.5 or 1.0 high school credit will be awarded for successful completion of every five quarter or three semester hours of below one hundred level course work at a college. The district, tribal compact school, or charter school will determine the type and amount of credit for each class based on the articulation agreement between the college and district, tribal compact school, or charter school; and

(iii) 0.5 subject-specific credits will be awarded for successful completion of every five quarter or three semester hours of high school equivalency certificate course work.

(3) The district, tribal compact school, or charter school is responsible for reporting all high school credits earned by students in accordance with OSPI regulations. College transcripts and other student records requested by the district, tribal compact school, or charter school will be provided by the college or agency as needed to facilitate this process.

(4) The district, tribal compact school, or charter school will ensure that the process for awarding high school credits under this scope of work is implemented as part of its policy regarding award of credits per WAC 180-51-050 (5) and (6).

[Statutory Authority: RCW 28A.175.010 and 28A.175.115. WSR 18-17-031, § 392-700-137, filed 8/6/18, effective 9/6/18; WSR 17-01-125, § 392-700-137, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-137, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-137, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-137, filed 6/6/13, effective 7/7/13.]

**WAC 392-700-147 Provision of special education, Section 504 of the Rehabilitation Act of 1973 accommodations, and transitional bilingual instructional program.**

(1) The resident district is responsible for the provision of special education services in a properly formulated individualized education program (IEP) for students aged sixteen and older who have been determined eligible for special educational services, and are otherwise qualified for participation in the program. The provision of special education services by the resident district must be consistent with state and federal law pursuant to WAC 392-172A-01190, and includes the identification, evaluation, education, and placement of eligible students consistent with chapter 392-172A WAC.

(2) The resident district is responsible for the provision of accommodations in a properly formulated 504 plan for students who have been determined eligible for services related to Section 504 of the Rehabilitation Act of 1973, and are otherwise qualified for participation in the program.

(3) The resident district is responsible for the provision of services to students who are eligible for transitional bilingual services, and are otherwise qualified for participation in the program.

[Statutory Authority: RCW 28A.175.010, 28A.175.115. WSR 17-01-125, § 392-700-147, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 13-13-005, § 392-700-147, filed 6/6/13, effective 7/7/13.]

**WAC 392-700-152 Statewide student assessment.** (1) All reengagement programs will ensure that students participate in the statewide assessment of student learning to fulfill the minimum requirements for high school graduation and comply with state and federal school accountability requirements.

(2) A district, tribal compact school, charter school, direct funded technical college, or educational service district that has

been assigned a school code by OSPI is required to administer the required statewide assessments for each enrolled student and cohort as defined by WAC 392-700-035 (1)(c).

(3) The program staff is not required to be direct-test administrators but may act in this capacity with the approval of the district, tribal compact school, charter school, direct funded technical college, or educational service district that has been assigned a school code, which will be responsible for the appropriate training of agency or college staff.

(4) Program students will be included when calculating school and state statistics in relation to the statewide assessments.

[Statutory Authority: RCW 28A.175.010, 28A.175.115. WSR 17-01-125, § 392-700-152, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-152, filed 7/16/15, effective 8/16/15; WSR 13-13-005, § 392-700-152, filed 6/6/13, effective 7/7/13.]

**WAC 392-700-155 Annual reporting calendar.** (1) For programs operated by districts, tribal compact schools, charter schools or agencies and for below one hundred level classes offered in a college-operated program, the following requirements will be met in relation to the school calendar:

(a) A school year begins September 1st and ends August 31st.

(b) The program will provide the reporting district, tribal compact school, or charter school a calendar of the school year prior to the beginning of the program's start date for that school year.

(c) The school year calendar must meet the following criteria:

(i) The specific planned days of instruction will be identified; and

(ii) There must be a minimum of ten instructional months.

(d) The number of hours of instruction as defined in WAC 392-700-065 must meet the following criteria:

(i) The calculation for standard instructional day may not exceed six hours per day even when instruction is provided for more than six hours per day; and

(ii) The standard instructional day may not be less than two hours per day.

(e) The total planned hours of instruction for the school year:

(i) Is the sum of the instructional hours for all instructional months of the school year; and

(ii) Prior to the 2018-19 school year, must have at a minimum of nine hundred planned hours of instruction for the school year. Beginning with the 2018-19 school year, must have at a minimum of one thousand planned hours of instruction for the school year.

(2) For programs operated by colleges and for college level classes, the school year calendar shall meet the following criteria:

(a) The specific planned days of instruction will be identified; and

(b) There must be a minimum of ten instructional months.

[Statutory Authority: RCW 28A.175.010 and 28A.175.115. WSR 18-17-031, § 392-700-155, filed 8/6/18, effective 9/6/18; WSR 17-01-125, § 392-700-155, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-155, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-155, filed 11/3/14, effective

12/4/14; WSR 13-13-005, § 392-700-155, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-155, filed 8/11/11, effective 9/11/11.]

**WAC 392-700-160 Reporting of student enrollment.** (1) For all programs, the following will apply when reporting student enrollment for each monthly count day:

- (a) Met all eligibility criteria pursuant to WAC 392-700-035;
  - (b) Been accepted for enrollment by the reporting district, tribal compact school, charter school, or the direct-funded technical college;
  - (c) Enrolled in an approved program pursuant to WAC 392-700-042;
  - (d) For continuing students, met the attendance period requirement pursuant to WAC 392-700-015(3);
  - (e) For continuing students, met the weekly status check requirement pursuant to WAC 392-700-015 (25);
  - (f) Has not withdrawn or been dropped from the program on or before the monthly count day;
  - (g) Is not enrolled in course work that has been reported by a college for postsecondary funding;
  - (h) Is not enrolled in a high school class, including alternative learning experience, college in the high school, or another reengagement program, excluding Jobs for Washington's Graduates, special education and/or transitional bilingual instructional program;
  - (i) If concurrently enrolled in a special education, transitional bilingual instruction, skills center, running start, or institutional education programs, does not exceed the FTE limitation under WAC 392-121-136; and
  - (j) A student's enrollment in the program is limited to the following:
    - (i) May not exceed 1.0 FTE in any month (including nonvocational and vocational FTE). If concurrently enrolled in Jobs for Washington's Graduates, special education or transitional bilingual instructional programs, the combined FTE does not exceed 1.0 FTE in any month.
    - (ii) May not exceed 1.00 AAFTE in any school year as defined in WAC 392-700-015(2). If concurrently enrolled in Jobs for Washington's Graduates, special education or transitional bilingual instructional programs, the combined AAFTE does not exceed 1.0 AAFTE for the school year.
- (2) For all below 100 level classes, the student enrollment is dependent upon attaining satisfactory progress.
- (a) Satisfactory progress is defined as the documented attainment of at least one indicator of academic progress identified in WAC 392-700-015(16).
  - (b) Continuing students and returning students who, after being claimed for state funding for three count days excluding the September count day, have not earned an indicator of academic progress cannot be claimed for state funding until an indicator of academic progress is earned.
    - (i) During this reporting funding exclusion period, the program may permit the student to continue to attend;
    - (ii) When the student achieves an indicator of academic progress, the student may be claimed for state funding on the following count day; and
    - (iii) Rules governing the calculation of the three count day period are:

(A) The September count day is excluded from the three count day period for the indicator of academic attainment. Students whose enrollment spans over the September count day have an additional month to earn an indicator of academic progress.

(B) The three count days may occur in two different school years, if the student is enrolled in consecutive school years; and

(C) The three count days are not limited to consecutive months, if there is a break in the student being claimed for state funding.

(3) For below 100 level classes, student enrollment will be reported as 1.0 FTE on each monthly count day.

Enrollment in below 100 level classes is limited to nonvocational funding and the FTE cannot be claimed as vocational.

(4) For college level classes, student enrollment will be reported as follows:

(a) The FTE is determined by the student's enrolled credits on each monthly count day.

(i) Fifteen college credits equal 1.0 FTE;

(ii) A student enrolled in more than 15 college credits is limited to be reported as 1.0 FTE for that month; and

(iii) If a student is enrolled for less than 15 college credits, the FTE is calculated by dividing the enrolled college credits by 15.

(b) Enrollment in state approved vocational college level classes and taught by a certified vocational instructor can be claimed for enhanced vocational funding as a vocational FTE.

[Statutory Authority: RCW 28A.150.290 and 28A.175.115. WSR 22-15-119, § 392-700-160, filed 7/20/22, effective 8/20/22. Statutory Authority: RCW 28A.175.010, 28A.175.115. WSR 17-01-125, § 392-700-160, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-160, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-160, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-160, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-160, filed 8/11/11, effective 9/11/11.]

**WAC 392-700-165 Funding and reimbursement.** (1) OSPI shall apportion funding for an approved program to districts, tribal compact schools, charter schools, or direct funded technical colleges based upon the reported nonvocational and vocational FTE enrollment and the standard reimbursement rates. The standard reimbursement rates are the statewide average annual nonvocational and vocational rates as determined by OSPI pursuant to WAC 392-169-095.

(a) The basic education allocation funded to districts, tribal compact schools, and charter schools will be as follows:

(i) Monthly payments for the months September through December are based on estimated student enrollment projected by the district, tribal compact school, or charter school.

(ii) Beginning in January, monthly payments shall be adjusted to reflect actual student enrollment.

(b) Direct funded technical colleges will be paid quarterly pursuant to WAC 392-121-187 (7)(c).

(2) Distribution of state funding for programs is as follows:

(a) For programs directly operated by a district, tribal compact school, or charter school, the district, tribal compact school, or charter school will retain one hundred percent of the basic education allocation.

(b) For programs directly operated by a direct funded technical college pursuant to WAC 392-121-187, the technical college will retain one hundred percent of the basic education allocation.

(c) For programs operated by a college or agency under a scope of work or contracted services agreement with a district, tribal compact school, or charter school:

(i) The district, tribal compact school, or charter school may retain up to seven percent of the basic education allocation; and

(ii) The agency or college will receive the remaining basic education allocation.

(d) For programs operated as part of a consortium with a consortium lead agency:

(i) The district, tribal compact school, or charter school may retain up to five percent of the basic education allocation;

(ii) The consortium lead may retain up to seven percent of the basic education allocation; and

(iii) The operating agency or college will receive the remaining basic education allocation.

(3) Programs and districts, tribal compact school, or charter school may provide transportation for students but additional funds are not generated or provided.

(4) Students identified as eligible for K-12 transitional bilingual instruction, enrolled in a state-approved K-12 transitional bilingual instructional program pursuant to chapter 392-160 WAC, and receiving transitional bilingual instruction services on or before the monthly count day but within the last month they were claimed for transitional bilingual instruction program enhanced funding, can be claimed by the district, tribal compact school, or charter school for transitional bilingual instruction program enhanced funding for the months of September through June.

(5) Students identified as eligible for special education services and receiving special education services on or before the monthly count day but within the last month they were claimed for special education funding, can be claimed by the district, tribal compact school, or charter school for special education funding for the months of September through June.

[Statutory Authority: RCW 28A.175.010, 28A.175.115. WSR 17-01-125, § 392-700-165, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-165, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-165, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-165, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-165, filed 8/11/11, effective 9/11/11.]

**WAC 392-700-175 Required documentation and reporting.** (1) Student documentation:

(a) The program shall submit to the reporting district, tribal compact school, charter school, or direct funded technical college monthly the program's enrollment and maintain and make available upon request the following documentation to support the monthly enrollment claimed:

(i) Each student's eligibility pursuant to WAC 392-700-035;

(ii) Evidence of each student's enrollment requirements under WAC 392-700-160 to include:



- (A) Enrollment in district, tribal compact school, charter school, or direct funded technical college;
- (B) Evidence of minimum attendance period; and
- (C) Earned indicators of academic progress.
- (D) Evidence of weekly status check.

(iii) Case management support pursuant to WAC 392-700-085.

(b) The district, tribal compact school, charter school, agency, or college operating the program shall comply with all state and federal laws related to the privacy, sharing, and retention of student records.

(c) Access to all student records will be provided in accordance with the Family Educational Rights and Privacy Act (FERPA).

(2) CEDARS student reporting. Approved programs are responsible for submitting all required student information to OSPI in accordance with the CEDARS reporting guidance and reengagement operational instructions.

(3) Annual reporting.

(a) The program will prepare and submit an annual performance report to the district, tribal compact school, charter school, agency, or college under which the program is operating no later than October 1st.

(b) The district or direct funded technical college who reports the student enrollment for state funding will review and submit the program's annual performance report to OSPI no later than November 1st. The annual performance must be completed using the designated OSPI reporting tool.

(c)(i) The annual report will provide the previous school year's student level data:

(ii) A list of the program's enrolled students by:

(A) Gender, age, race/ethnicity;

(B) Earned credentials as defined in WAC 392-700-015(11);

(C) Attained indicators of academic progress as defined in WAC 392-700-015(15). For high school and college credit, detail the subject area;

(D) The number of months each enrolled student was claimed for state funding;

(E) The number of months each enrolled student was served;

(F) The status of each enrolled student at the end of the school year (graduated, continuing, exited by student choice, exited by program choice, or turned twenty-one during the school year).

[Statutory Authority: RCW 28A.175.010 and 28A.175.115. WSR 18-17-031, § 392-700-175, filed 8/6/18, effective 9/6/18; WSR 17-01-125, § 392-700-175, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-175, filed 7/16/15, effective 8/16/15; WSR 14-22-073, § 392-700-175, filed 11/3/14, effective 12/4/14; WSR 13-13-005, § 392-700-175, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-175, filed 8/11/11, effective 9/11/11.]

**WAC 392-700-195 Longitudinal performance goals.** (1) Longitudinal performance data for the program and the statewide reengagement system as a whole will be reported through the Washington's P-20 (pre-school to postsecondary and workforce) longitudinal data system maintained by the ERDC.

(2) The district, tribal compact school, or charter school will work with the agency or college to collect and report student data requested by the ERDC in order to accomplish the longitudinal follow-up of reengagement students.

(3) At the end of each school year, the ERDC will identify the cohort of students for each program for whom longitudinal tracking will be done. Standard criteria to determine when students will be included in a longitudinal study cohort will be developed by the ERDC, with input from OSPI, the district, the tribal compact school, the charter school, and program representatives and will apply to all programs.

(4) The ERDC will collect longitudinal data for each specific program cohort on an annual basis for five years. The ERDC will work with the OSPI administrator responsible for programs to prepare annual program specific reports for each cohort and an annual system-wide report for the entire reengagement system including data for the cohorts of all programs.

(5) The ERDC and OSPI will work with the district, tribal compact school, or charter school so that the district, tribal compact school, or charter school, and the agency or college will have the opportunity to review data about the program prior to the release of the annual reports in December of each year. The ERDC and OSPI will develop procedures by which the district, tribal compact school, charter school, or agency can provide supplemental information and backup documentation for review and inclusion as it relates to postsecondary or workforce engagement of specific students in the cohort.

[Statutory Authority: RCW 28A.175.010, 28A.175.115. WSR 17-01-125, § 392-700-195, filed 12/20/16, effective 1/20/17. Statutory Authority: RCW 28A.175.100. WSR 15-15-115, § 392-700-195, filed 7/16/15, effective 8/16/15; WSR 13-13-005, § 392-700-195, filed 6/6/13, effective 7/7/13. Statutory Authority: RCW 28A.175.100 and 2010 c 20. WSR 11-17-045, § 392-700-195, filed 8/11/11, effective 9/11/11.]