

**E2SSB 5315 - H AMD 766**

By Representative Santos

**ADOPTED 04/20/2023**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1)(a)(i) The legislature finds that the  
4 federal individuals with disabilities education act, Title 20 U.S.C.  
5 Sec. 1400 et seq., establishes duties for the state education agency,  
6 which is the office of the superintendent of public instruction in  
7 Washington, with respect to students with disabilities who are placed  
8 in a private school or facility by a school district or other public  
9 agency as a means of providing special education and related  
10 services.

11 (ii) Since 2006, the federal implementing regulations of the  
12 federal individuals with disabilities education act have required  
13 that the office of the superintendent of public instruction ensure  
14 that a student with a disability who is placed in a private school or  
15 facility by a school district or other public agency:

16 (A) Is provided special education and related services in  
17 conformance with an individualized education program that meets the  
18 requirements of federal law and at no cost to the student's parents;

19 (B) Is provided an education that meets the standards that apply  
20 to education provided by a school district or other public agency;  
21 and

22 (C) Has all of the rights of a student with a disability who is  
23 served by a school district or other public agency.

24 (iii) Since 2006, the federal implementing regulations of the  
25 federal individuals with disabilities education act have required  
26 that the office of the superintendent of public instruction, in  
27 implementing the requirements described in (a)(ii) of this  
28 subsection:

29 (A) Monitor compliance through procedures such as written  
30 reports, on-site visits, and parent questionnaires;

31 (B) Disseminate copies of applicable standards to each private  
32 school and facility to which a school district or other public agency  
33 has placed a student with a disability; and

1 (C) Provide an opportunity for those private schools and  
2 facilities to participate in the development and revision of state  
3 standards that apply to them.

4 (iv) The federal implementing regulations of the federal  
5 individuals with disabilities education act require the state to  
6 monitor implementation of the individuals with disabilities education  
7 act to improve educational results and functional outcomes for all  
8 students with disabilities. The state must use indicators to measure  
9 school district performance, identify areas of noncompliance, and use  
10 appropriate enforcement mechanisms, such as technical assistance,  
11 corrective action, or withholding funds.

12 (b) The legislature acknowledges that it has not codified the  
13 federal requirements. Therefore, the legislature intends to codify  
14 the duty and authority of the superintendent of public instruction to  
15 establish standards for authorizing, monitoring, and investigating  
16 private schools approved by the state board of education under RCW  
17 28A.305.130, other private in-state entities, and any out-of-state  
18 entities, that contract with school districts to provide special  
19 education and related services to students with disabilities. The  
20 legislature also intends to codify the requirement that these  
21 standards must ensure that any students with disabilities placed in  
22 the authorized entities by school districts have the same rights,  
23 protections, and access to special education and related services  
24 that they would have if served by school districts.

25 (2) (a) (i) The federal implementing regulations of the federal  
26 individuals with disabilities education act specify that, when a  
27 school district or other public agency has placed a student with  
28 disabilities in a private school or facility, responsibility for  
29 compliance with the federal individuals with disabilities education  
30 act remains with the school district or other public agency and with  
31 the office of the superintendent of public instruction.

32 (ii) State statute permits school districts to contract with  
33 entities authorized by the office of the superintendent of public  
34 instruction to operate special education programs for students with  
35 disabilities and specifies that the approval standards must conform  
36 substantially to those of special education programs in the school  
37 districts.

38 (iii) Rules of the office of the superintendent of public  
39 instruction specify the minimum elements of the written contract that  
40 must be made between a school district and an authorized entity. In

1 addition, these rules specify that the school district remains  
2 responsible for ensuring that any student placed in an authorized  
3 entity is provided a free appropriate public education in conformance  
4 with the individualized education program developed by the school  
5 district.

6 (b) The legislature intends to codify the responsibilities of  
7 school districts placing students with disabilities in authorized  
8 entities, including specifying minimum contract and parent  
9 notification requirements.

10 (3) In addition, the legislature intends to ensure accountability  
11 is properly exercised and shared by directing the state auditor to  
12 conduct a performance audit of the system for overseeing the  
13 authorized entities that provide special education services to  
14 students with disabilities, as well as requiring school districts  
15 contracting with these authorized entities to report concerns about  
16 education overbilling to the office of the superintendent of public  
17 instruction and the office of the state auditor.

18 **Sec. 2.** RCW 28A.155.090 and 2007 c 115 s 11 are each amended to  
19 read as follows:

20 The superintendent of public instruction shall have the duty and  
21 authority, through the administrative section or unit for the  
22 education of children with (~~(disabling conditions)~~) disabilities, to:

23 (1) Assist school districts in the formation of programs to meet  
24 the needs of children with disabilities;

25 (2) Develop interdistrict cooperation programs for children with  
26 disabilities as authorized in RCW 28A.225.250;

27 (3) Provide, upon request, to parents or guardians of children  
28 with disabilities, information as to the special education programs  
29 for students with disabilities offered within the state;

30 (4) Assist, upon request, the parent or guardian of any child  
31 with disabilities in the placement of any child with disabilities who  
32 is eligible for but not receiving special educational services for  
33 children with disabilities;

34 (5) Approve school district and agency programs as being eligible  
35 for special excess cost financial aid to students with disabilities;

36 (6) Establish standards for authorizing, monitoring, and  
37 investigating private schools approved by the state board of  
38 education under RCW 28A.305.130, other private in-state entities, and  
39 any out-of-state entities, that contract with school districts under

1 RCW 28A.155.060 to provide special education and related services to  
2 children with disabilities. The standards must ensure that any  
3 children with disabilities placed in authorized entities by school  
4 districts have the same rights, protections, and access to special  
5 education and related services that they would have if served by a  
6 school district;

7 (7) Consistent with the provisions of RCW 28A.150.390,  
8 28A.160.030, and 28A.155.010 through 28A.155.160, and part B of the  
9 federal individuals with disabilities education improvement act,  
10 administer administrative hearings and other procedures to ensure  
11 procedural safeguards of children with disabilities; and

12 ((+7)) (8) Promulgate such rules as are necessary to implement  
13 part B of the federal individuals with disabilities education  
14 improvement act or other federal law providing for special education  
15 services for children with disabilities and the several provisions of  
16 RCW 28A.150.390, 28A.160.030, and 28A.155.010 through 28A.155.160 and  
17 to ensure appropriate access to and participation in the general  
18 education curriculum and participation in statewide assessments for  
19 all students with disabilities.

20 NEW SECTION. Sec. 3. A new section is added to chapter 28A.300  
21 RCW to read as follows:

22 (1) The office of the superintendent of public instruction may  
23 authorize private schools approved by the state board of education  
24 under RCW 28A.305.130, other private in-state entities, and any out-  
25 of-state entities to contract with school districts under RCW  
26 28A.155.060 to provide special education and related services to  
27 students with disabilities. For authorized entities with multiple  
28 locations, the office of the superintendent of public instruction  
29 must approve each location independently.

30 (2) The office of the superintendent of public instruction shall  
31 establish a process for private schools approved by the state board  
32 of education under RCW 28A.305.130 to apply for authorization or  
33 reauthorization for a period of up to five years and for other  
34 entities to apply for authorization or reauthorization for a period  
35 of up to three years.

36 (3) To qualify for authorization or reauthorization, an applicant  
37 must, at a minimum, meet the following requirements:

38 (a) Offer a program of basic education that will provide:

1 (i) Opportunities for students to meet the goals of RCW  
2 28A.150.210, in accordance with an individual assessment of student  
3 strengths and needs as determined by the placing school districts,  
4 and any other requirements established by contract; and

5 (ii) Opportunities for students in grades nine through 12 to  
6 either meet high school graduation requirements under RCW 28A.230.090  
7 or to earn a high school equivalency certificate under RCW 28B.50.536  
8 or laws of the state in which the applicant is located;

9 (b) Maintain applicable facility licenses and applicable agency  
10 approvals of the state in which the applicant is located;

11 (c) Employ or contract with teachers and related services staff  
12 who meet the licensing requirements of the state in which the  
13 applicant is located;

14 (d) Meet applicable fire codes of the local fire marshal or the  
15 fire marshal of the state in which the applicant is located;

16 (e) Meet applicable health and safety standards of the local  
17 jurisdiction and state in which the applicant is located;

18 (f) Demonstrate through audits that the applicant is financially  
19 stable and has accounting systems that allow for separation of school  
20 district funds, including financial safeguards in place to track  
21 revenues and expenditures associated with contracted placements to  
22 ensure that funds are used to provide education and related services  
23 to students placed in the authorized entity by the school district;

24 (g) Demonstrate that the applicant has procedures in place that  
25 address staff employment and contracting, including checking personal  
26 and professional references, conducting state and federal criminal  
27 background checks, and conducting regular staff evaluations that  
28 address staff competencies;

29 (h) Maintain a policy of nondiscrimination and provide procedural  
30 safeguards for students and their families; and

31 (i) Pass an on-site inspection conducted by the office of the  
32 superintendent of public instruction that confirms that the health  
33 and safety of the facilities, the staffing qualifications and levels,  
34 and the procedural safeguards are sufficient to provide a safe and  
35 appropriate learning environment for students.

36 (4) The office of the superintendent of public instruction must  
37 prohibit authorized entities from charging tuition or fees to  
38 students placed in the authorized entity by a school district.

39 (5) As used in this section, the term "authorized entity" means a  
40 private school approved by the state board of education under RCW

1 28A.305.130, another private in-state entity, or any out-of-state  
2 entity, that has been authorized by the office of the superintendent  
3 of public instruction to contract with a school district to provide a  
4 program of special education for students with disabilities.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.155  
6 RCW to read as follows:

7 (1) On its webpage related to special education, the office of  
8 the superintendent of public instruction must develop and publish a  
9 complaint process for individuals to report noncompliance with local,  
10 state, or federal laws or violation of students rights by authorized  
11 entities. The webpage may include additional instructions for  
12 submitting complaints to the resident school district and for using  
13 the special education community complaint processes, when applicable.

14 (2) When an authorized entity notifies the office of the  
15 superintendent of public instruction about major program changes, the  
16 office shall review the changes with affected school districts to  
17 determine whether the entity remains authorized to provide contracted  
18 services.

19 (3) The office of the superintendent of public instruction must  
20 monitor and investigate authorized entities and contracting school  
21 districts to ensure compliance with the requirements of RCW  
22 28A.155.060 and section 3 of this act. In completing this duty, the  
23 office of the superintendent of public instruction must use  
24 information and data gathered during on-site visits, submitted  
25 through the complaint processes, and provided by authorized entities  
26 and school districts. The office of the superintendent of public  
27 instruction must use this process to identify and address patterns of  
28 misconduct, including issuing corrective action or revoking an  
29 entity's authorization under section 3 of this act to contract with  
30 school districts.

31 (4) The office of the superintendent of public instruction may  
32 suspend, revoke, or refuse to renew the authorization of an entity  
33 under section 3 of this act if the entity:

34 (a) Fails to maintain authorization standards under section 3 of  
35 this act;

36 (b) Violates the rights of students placed in the authorized  
37 entity by a school district;

38 (c) Fails to adhere to applicable local, state, and federal laws,  
39 including health, safety, and civil rights laws;

1 (d) Fails to comply with contract requirements under RCW  
2 28A.155.060; or

3 (e) Refuses to implement any corrective actions ordered by the  
4 office of the superintendent of public instruction.

5 (5) As used in this section, "authorized entity" and "entity" has  
6 the same meaning as in section 3 of this act.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.155  
8 RCW to read as follows:

9 (1) The office of the superintendent of public instruction shall  
10 notify the state board of education if any private school authorized  
11 by the office of the superintendent of public instruction under  
12 section 3 of this act that is also approved by the state board of  
13 education under chapter 28A.195 RCW is investigated for  
14 noncompliance, is directed to complete corrective action, or fails to  
15 maintain authorization.

16 (2) The state board of education shall notify the office of the  
17 superintendent of public instruction of any unresolved concerns,  
18 deficiencies, or deviations related to a private school authorized by  
19 the office of the superintendent of public instruction under section  
20 3 of this act that is also approved by the state board of education  
21 under chapter 28A.195 RCW.

22 **Sec. 6.** RCW 28A.155.060 and 2007 c 115 s 6 are each amended to  
23 read as follows:

24 (1) For the purpose of carrying out the provisions of RCW  
25 28A.155.020 through 28A.155.050, the board of directors of every  
26 school district shall be authorized to contract with ((agencies  
27 approved by the superintendent of public instruction for operating  
28 special education programs for students with disabilities. Approval  
29 standards for such agencies shall conform substantially with those of  
30 special education programs in the common schools)) private schools  
31 approved by the state board of education under RCW 28A.305.130, other  
32 private in-state entities, and any out-of-state entities authorized  
33 by the office of the superintendent of public instruction under  
34 section 3 of this act to provide special education and related  
35 services to students with disabilities placed in the authorized  
36 entities by school districts.

37 (2) A school district that chooses to contract with an authorized  
38 entity must enter into a written contract to establish the

1 responsibilities of the school district and the authorized entity,  
2 and set forth the rights of students with disabilities placed in the  
3 authorized entity by the school district as a means of providing  
4 special education and related services. The contract must include, at  
5 a minimum, the following elements:

6 (a) The names of the parties involved and the name of the student  
7 placed in the authorized entity by the school district;

8 (b) The locations and settings of the education and related  
9 services to be provided;

10 (c) (i) A description of the opportunities for the student to meet  
11 a program of basic education that meets the goals of RCW 28A.150.210,  
12 in accordance with an individual assessment of student strengths and  
13 needs initially performed by the placing school districts and updated  
14 by the authorized entity; and

15 (ii) When applicable, a description of the opportunities for the  
16 student to either meet high school graduation requirements under RCW  
17 28A.230.090 or to earn a high school equivalency certificate under  
18 RCW 28B.50.536 or laws of the state in which the authorized entity is  
19 located;

20 (d) A schedule, of at least once per academic term, for the  
21 authorized entity to provide to the school district student progress  
22 reports. The progress reports must describe how the student is  
23 meeting personalized learning outcomes;

24 (e) The total contract cost and applicable charge and  
25 reimbursement systems, including billing and payment procedures;

26 (f) Acknowledgment that the authorized entity is responsible for  
27 full reimbursement to the school district of any overpayments  
28 determined to have been made by the school district;

29 (g) Acknowledgment that the authorized entity has a list of staff  
30 members providing the education and related services and a copy of  
31 the license that qualifies each staff member to provide the services;

32 (h) An agreement by the authorized entity to employ or contract  
33 with at least one licensed teacher with a special education  
34 endorsement;

35 (i) Acknowledgment that the staff of the authorized entity are  
36 regularly trained on the following topics:

37 (i) The constitutional and civil rights of students in schools;

38 (ii) Child and adolescent development;

39 (iii) Trauma-informed approaches to working with children and  
40 youth;



1 (iv) Cultural competency, diversity, equity, and inclusion,  
2 including best practices for interacting with students from  
3 particular backgrounds, including English learner, LGBTQ, immigrant,  
4 female, and nonbinary students. For the purposes of this subsection,  
5 "cultural competency," "diversity," "equity," and "inclusion" have  
6 the same meanings as in RCW 28A.415.443;

7 (v) Student isolation and restraint requirements under RCW  
8 28A.600.485;

9 (vi) The federal family educational rights and privacy act (Title  
10 20 U.S.C. Sec. 1232g) requirements including limits on access to and  
11 dissemination of student records for noneducational purposes;

12 (vii) Recognizing and responding to student mental health issues;  
13 and

14 (viii) Educational rights of students with disabilities, the  
15 relationship of disability to behavior, and best practices for  
16 interacting with students with disabilities;

17 (j) Acknowledgment that the school district and the authorized  
18 entity have clearly established their respective responsibilities and  
19 processes for student data collection and reporting;

20 (k) Acknowledgment that the authorized entity will promptly  
21 submit to the school district any complaints it receives;

22 (l) Acknowledgment that the authorized entity will submit other  
23 information required by the school district or the office of the  
24 superintendent of public instruction;

25 (m) Acknowledgment that the authorized entity must comply with  
26 student isolation and restraint requirements under RCW 28A.600.485;

27 (n) Acknowledgment that the authorized entity will notify:

28 (i) The office of the superintendent of public instruction and  
29 every school district with which it contracts of any major program  
30 changes that occur during the authorization period, including adding  
31 or eliminating services or changing the type of programs available to  
32 students;

33 (ii) The office of the superintendent of public instruction,  
34 every school district with which it contracts, and every parent or  
35 guardian of an affected student of any conditions that would affect  
36 the authorized entity's ability to continue to provide the contracted  
37 services; and

38 (iii) The office of the superintendent of public instruction and  
39 every school district with which it contracts of any complaints it  
40 receives regarding services to students, as well as any law

1 enforcement incident reports involving the authorized entity and its  
2 enrolled students;

3 (o) Acknowledgment that the authorized entity must comply with  
4 all relevant Washington state and federal laws that are applicable to  
5 the school district; and

6 (p) Acknowledgment that the school district must provide the  
7 office of the superintendent of public instruction with the  
8 opportunity to review the contract and related documentation upon  
9 request.

10 (3) (a) A school district that contracts with an authorized entity  
11 under this section shall conduct an annual on-site visit to confirm  
12 that the health and safety of the facilities, the staffing  
13 qualifications and levels, and the procedural safeguards are  
14 sufficient to provide a safe and appropriate learning environment for  
15 students.

16 (b) A contracting school district may arrange for another school  
17 district to complete the annual on-site visit on its behalf, so long  
18 as the school district conducting the on-site visit provides a  
19 written report to the contracting school district that documents the  
20 results of the on-site visit and any concerns about the learning  
21 environment.

22 (4) Each school district contracting with an authorized entity  
23 under this section shall provide the following documents to the  
24 parents or guardians of each student placed in the authorized entity  
25 by the school district:

26 (a) A summary of the school district's and the authorized  
27 entity's responsibilities and processes for reporting incidents of  
28 student isolation and restraint under RCW 28A.600.485; and

29 (b) A copy of the complaint procedure developed by the office of  
30 the superintendent of public instruction under section 4 of this act.

31 (5) Each school district contracting with an authorized entity  
32 under this section shall report to the office of the superintendent  
33 of public instruction and the office of the Washington state auditor  
34 any concerns the school district has about overbilling by the  
35 authorized entity.

36 (6) Each school district contracting with an authorized entity  
37 under this section shall remain responsible for ensuring that the  
38 students with disabilities placed in the authorized entity are:

1 (a) Provided a free appropriate public education in accordance  
2 with the federal individuals with disabilities education act, Title  
3 20 U.S.C. Sec. 1400 et seq. and this chapter;

4 (b) Provided with special education and related services at no  
5 cost to the student's parents and in conformance with an  
6 individualized education program as required by law, including  
7 evaluations and individualized education program team meetings that  
8 meet all applicable requirements; and

9 (c) Provided with an opportunity to participate in Washington  
10 state and school district assessments.

11 (7) As used in this section, the term "authorized entity" has the  
12 same meaning as in section 3 of this act.

13 **Sec. 7.** RCW 28A.155.210 and 2013 c 202 s 3 are each amended to  
14 read as follows:

15 A ~~((school that is required to develop an))~~ student's  
16 individualized education program ((as required by federal law)) must  
17 include ~~((within the plan))~~ procedures for notification of a parent  
18 or guardian regarding the use of restraint or isolation under RCW  
19 28A.600.485. If a student is placed in an authorized entity under RCW  
20 28A.155.060, the student's individualized education program must also  
21 specify any additional procedures required to ensure the authorized  
22 entity fully complies with RCW 28A.600.485.

23 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.155  
24 RCW to read as follows:

25 (1) Beginning December 1, 2023, and in compliance with RCW  
26 43.01.036, the office of the superintendent of public instruction  
27 shall annually submit a report to the education committees of the  
28 legislature regarding placements of students with disabilities at  
29 authorized entities under RCW 28A.155.060. A summary of the report,  
30 including a link to the full report content, must also be posted on  
31 the office of the superintendent of public instruction's website. The  
32 report must include:

33 (a) The academic progress of students receiving special education  
34 services from authorized entities, using the results of the two most  
35 recent state assessments;

36 (b) The graduation rates of students who have received special  
37 education services from authorized entities;

1 (c) The rate at which students receiving special education  
2 services from authorized entities return to their resident school  
3 districts;

4 (d) Data on student restraint and isolation incidents,  
5 discipline, and attendance at authorized entities; and

6 (e) Any corrective action or change in an entity's authorization  
7 status, as ordered by the office of the superintendent of public  
8 instruction.

9 (2) The data published under subsection (1) of this section must  
10 be disaggregated by each authorized entity when it is possible to do  
11 so without disclosing, directly or indirectly, a student's personally  
12 identifiable information as protected under the federal family  
13 educational rights and privacy act (Title 20 U.S.C. Sec. 1232g).

14 (3) As used in this section, "authorized entity" has the same  
15 meaning as in section 3 of this act.

16 NEW SECTION. **Sec. 9.** (1) The state auditor shall conduct a  
17 performance audit of the authorization, monitoring, and investigation  
18 of authorized entities and the school districts that contract with  
19 authorized entities under RCW 28A.155.060 to provide special  
20 education and related services to students with disabilities. As  
21 appropriate, the state auditor shall make recommendations for  
22 improving the system for overseeing authorized entities. The state  
23 auditor may conduct the performance audit at a sample of school  
24 districts and authorized nonpublic entities as needed.

25 (2) By November 30, 2026, and in compliance with RCW 43.01.036,  
26 the state auditor shall report the performance audit's findings and  
27 recommendations to the governor and the education committees of the  
28 legislature.

29 (3) As used in this section, "authorized entity" has the same  
30 meaning as in section 3 of this act.

31 (4) This section expires August 1, 2027."

32 Correct the title.

EFFECT: Makes the following changes to the underlying bill:

(1) Adds an intent section.

(2) Replaces the term "nonpublic agency" with the term  
"authorized entity" defined to mean a "private school approved by the  
State Board of Education (SBE), another private in-state entity, or  
any out-of-state entity, that has been authorized by the Office of  
the Superintendent of Public Instruction (OSPI) to contract with a

school district to provide a program of special education for students with disabilities.

(3) Adds to the OSPI approval standards that an applicant for authorization or reauthorization: (a) Offer a program of basic education that will provide: (i) Opportunities for students to meet the four goals of public education, in accordance with an individual assessment of student strengths and needs as determined by the placing school districts, and any other requirements established by contract; and (ii) opportunities for students in grades nine through 12 to either meet Washington high school graduation requirements or to earn a high school equivalency certificate; and (b) provide assurance that it will meet all requirements applicable to authorized entities during the period of approval.

(4) Removes the requirement that authorized entities conduct a Washington State Patrol criminal background check, and instead requires authorized entities to conduct state and federal criminal background checks, as is currently required under rules of the OSPI.

(5) Modifies on-site visit requirements for authorized entities by: (a) Specifying that the OSPI's preapproval inspection must include confirmation of staffing qualifications; and (b) permitting a contracting school district to arrange for another school district to complete the annual on-site visit on its behalf, so long as the school district conducting the on-site visit provides a written report to the contracting school district that documents the results of the on-site visit and any concerns about the learning environment.

(6) Adds to the reasons that the OSPI can suspend, revoke, or refuse to renew authorization of an entity that the entity fails to adhere to local, state, and federal laws, including health, safety, and civil rights laws.

(7) Modifies the requirement that the OSPI use its complaint process to identify and address patterns of misconduct at authorized entities, including issuing corrective action or revoking approval, by instead specifying that the OSPI must monitor and investigate authorized entities and contracting school districts using information and data provided by these entities and districts, gathered during on-site visits, and submitted through the complaint processes.

(8) Adds the following elements to the required school district-authorized entity contract: (a) A description of the opportunities for the student to meet a program of basic education that meets the four goals of public education, in accordance with an individual assessment of student strengths and needs initially performed by the placing school districts and updated by the authorized entity, and, when applicable, a description of the opportunities for the student to either meet Washington high school graduation requirements or to earn a high school equivalency certificate; (b) establish a schedule, of at least once per academic term, for the authorized entity to provide to the school district student progress reports, which must describe how the student is meeting personalized learning outcomes; (c) acknowledgment that the authorized entity is responsible for full reimbursement to the school district of any overpayments determined to have been made by the school district; (d) acknowledgment that staff of the authorized entity are regularly trained on eight specified topics; (e) acknowledgment that the authorized entity will promptly submit to the school district any complaints it receives; and (f) acknowledgment that the authorized entity will submit other information required by the school district or the OSPI.

(9) Removes the requirement that school districts contracting with authorized entities remain responsible for ensuring that the

student being served is provided with the Washington minimum instructional hours and days.

(10) Directs each school district contracting with an authorized entity to report to the OSPI and the Office of the State Auditor any concerns the school district has about overbilling by an authorized entity.

(11) Directs the State Auditor to: (a) Conduct a performance audit of the approval, monitoring, and investigation of authorized entities and contracting school districts; (b) make recommendations for improving the system for overseeing authorized entities; and (c) report to the Governor and the Legislature by November 30, 2026.

(12) Modifies and codifies rules of the OSPI related to notifications authorized entities must make to the OSPI and contracting school districts related to program changes and complaints by: (a) Adding that a change includes eliminating services; (b) specifying that the parent or guardian of an affected student must also be notified in certain circumstances; and (c) requiring notification of law enforcement incident reports involving the authorized entity and its enrolled students.

(13) Directs the SBE to notify the OSPI of any unresolved concerns, deficiencies, or deviations it has with an authorized entity that is also a private school approved by the SBE.

(14) Removes language permitting classroom training provided to school safety and security staff by Educational Service Districts to be provided to nonpublic agencies located in Washington.

(15) Makes nonsubstantive changes, for example restructures the bill provisions, adds legal citations, and makes language clarifications.

--- END ---