

Nonpublic Agency (NPA) Updates and General Information

Presented by:

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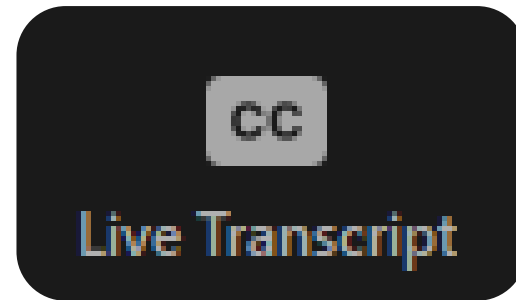


Washington Office of Superintendent of
PUBLIC INSTRUCTION

March 30, 2021

Engagement Options for This Session

- This session will be recorded and posted to the [OSPI Website HERE](#)
- The link to the slides will be dropped into the chat
- Use the Q & A button to ask a question or comment on a question
- We are joined by an American Sign Language interpreter, Teri Bennett
- Live captioning is also available; click on the "CC" button:



Land Acknowledgement



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Equity Statement

Each student, family, and community possesses strengths and cultural knowledge that benefits their peers, educators, and schools.

Ensuring educational equity:

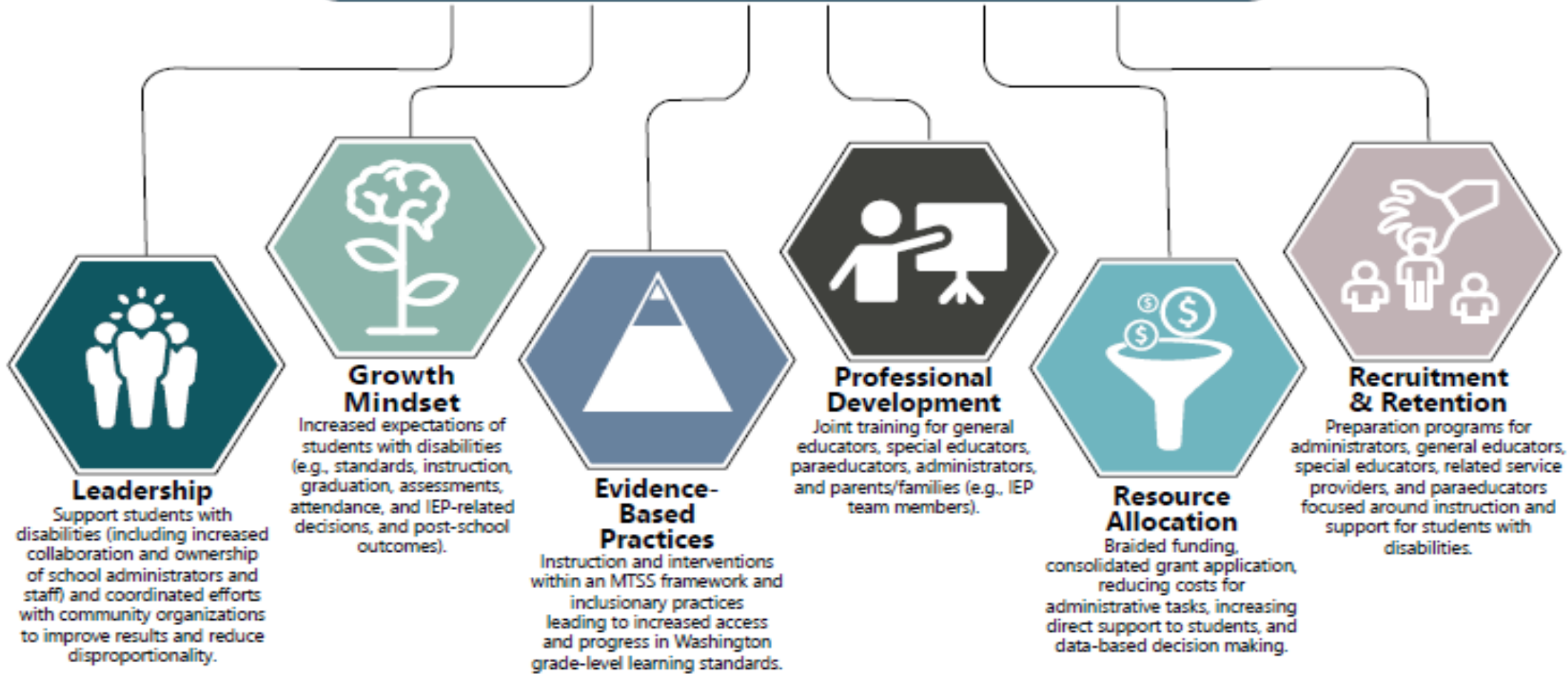
- Goes beyond equality; it requires education leaders to examine the ways current policies and practices result in disparate outcomes for our students of color, students living in poverty, students receiving special education and English Learner services, students who identify as LGBTQ+, and highly mobile student populations.
- Requires education leaders to develop an understanding of historical contexts; engage students, families, and community representatives as partners in decision-making; and actively dismantle systemic barriers, replacing them with policies and practices that ensure all students have access to the instruction and support they need to succeed in our schools.



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OSPI Priorities:

Improving Outcomes for Students Receiving Special Education Services



Today's Topics

- Current Data on Students Placed with NPAs
- Updates and Changes to NPA Application and Approval Process
- Review of Updates to Washington State Special Education Regulations for NPAs
- Wrap-up Q&A



Current Data on Students Placed with NPAs

Gender	In-State	Out-of-State	Unknown	Total
Female	70	8	6	84
Male	273	28	12	313
Non-Binary	2			2
Totals	345	36	18	399

- Total number of students placed with NPAs represent less than 1% of total students 3-21 receiving special education services (147,202)

Federal Race Category	In-State	Out-of-State	Unknown	Total
American Indian/Alaskan Native	4		1	5
Asian	13	5		18
Black/African American	34	2		36
Hispanic/Latino of any race(s)	52	2	3	57
Native Hawaiian/Other Pacific Islander	1			1
Two or More Races	37	2		39
White	204	25	14	243
Total	345	36	18	399

Eligibility Category	In-State	Out-of-State	Unknown	Total
Autism	110	16	6	132
Communication Disorders	1			1
Deaf-Blindness	1			1
Deafness	10			10
Developmental Delays	2			2
Emotional/Behavioral Disability	98	10	8	116
Health Impairment	72	7	4	83
Hard of Hearing	12			12
Intellectual Disability	10			10
Multiple Disabilities	24	3		27
Specific Learning Disability	4			4
Traumatic Brain Injury	1			1
Total	345	36	18	399



Updates and Changes to NPA Application and Approval Process

Application Deadlines

- Deadline for all annual renewal and three-year review applications moved to **June 1, 2021**
- Change to June 1st will be permanent for future cycles
- New NPA applications will continue to be accepted on rolling basis from Washington school districts
- List of approved NPAs on OSPI website updated quarterly



Approval Process Adaptations for COVID-19

- Use most recently completed fire or health/safety inspections and note any upcoming scheduled inspections
- Virtual site visits acceptable if health and safety conditions do not permit out-of-state travel
- Share COVID-19 safety protocols and policies in discussions about providing services to students
- Contact OSPI to discuss any concerns or questions about meeting application requirements



Redesigned Applications for 2022 & Beyond

- Initial NPA Application

- Submitted by Washington school districts for new NPAs or NPAs restarting the approval process
- New format will include NPA Profile page to be posted with the list of approved NPAs on OSPI website
- Clearer distinction between primary administrator/signatory and primary contact for questions (if different)



Redesigned Applications for 2022 & Beyond

- Annual Renewal Application
 - Due each year after initial approval and after every three-year recertification
 - Only credentials for new staff hired since last renewal are needed
 - NPAs without a student placement will be allowed to submit renewal application to remain on OSPI approved NPA list for at least one school year
- Three-Year Recertification Application
 - Due every three years after initial approval
 - Requires at least one student placement and onsite visit with recommendation from Washington school district





Review of Updates to Washington State Special Education Regulations for NPAs

OSPI Rulemaking Timeline

- OSPI Special Education [initiated rulemaking in January 2020](#) in order to clarify new and existing requirements and make technical corrections and changes
- Formal public comment period opened from November 2020 to January 2021
- Supplemental comment period planned to open late April-May 2021
- Final rules adopted Summer 2021 to be in effect starting with 2021-2022 school year



Parent Participation & Language Access

- WAC [Section 392-172A-03100](#) Parent participation
 - Changes parent notification and parent participation procedures for IEP meetings in order to align with language access requirements of RCW [Section 28A.155.230](#)
- WAC [Section 392-172A-05001](#) Parent participation in meetings
 - Applies language access requirements to “any meeting under this section, including meetings related to a student's IEP, school discipline, and truancy, in accordance with RCW [Section 28A.155.230](#)”
 - Clarifies the opportunity for parents to observe any current or proposed educational placement for students receiving special education services



Applicability to Out-of-State Placements

- NPA approval required for:
 - Any in-state placement with an approved private elementary and secondary school (K-12) or facility
 - Any public or private out-of-state placement with an approved private elementary and secondary school (K-12) or facility
- NPA approval not required for:
 - Contracts between Washington school districts
 - Contracts for individual services between Washington school districts and in-state or out-of-state private schools or facilities

WAC [Section 392-172A-04080](#)



Applicability of WA Isolation/Restraint Regulations

- Districts must include in contracts with NPAs assurances to:
 - Adhere to conditions and prohibitions on the use of isolation/restraint except when there is an “imminent likelihood of serious harm” as defined under WAC [Section 392-172A-01109](#) and WAC [Section 392-172A-02110](#)
 - Meet requirements for parent notification and reporting any incident of isolation/restraint under RCW [28A.600.485](#)
 - Meet requirements for parent consent and procedures for Emergency Response Protocols under WAC [Section 392-172A-02105](#)
 - Collect data for reporting any incidents of isolation/restraint to OSPI as required under RCW [28A.600.485](#)

WAC [Section 392-172A-04085](#)



Applicability of WA Learning Standards

- Districts must include in contracts with NPAs assurances to:
 - Provide the student with access to Washington state learning standards
 - Provide the student with an opportunity to participate in state and district assessments
 - Provide the student with an opportunity to fulfill the requirements to receive a Washington state diploma (which includes completion of a High School & Beyond Plan)
- Each Washington school district remains responsible for ensuring that the student placed with an NPA is provided Free Appropriate Public Education (FAPE)

WAC [Section 392-172A-04085](#)





Questions?

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