WAC 392-160-040 Alternative instructional program. School districts under one or more of the following conditions may elect to provide an alternative instructional program:

1. Necessary instructional materials in the student's primary language are unavailable and the district has made reasonable efforts to obtain necessary materials without success;

2. The capacity of the district's bilingual instructional program is temporarily exceeded by an unexpected increase in the enrollment of eligible students;

3. Bilingual instruction cannot be provided to students without substantially impairing their basic education because of their distribution throughout many grade levels or schools, or both; or

4. Teachers who are trained in bilingual education methods and sufficiently skilled in the non-English primary language(s) are unavailable, and the district has made reasonable attempts to obtain the services of such teachers.