
SENATE BILL 5402

State of Washington

52nd Legislature

1991 Regular Session

By Senators Gaspard, Murray, Rasmussen, Pelz, Rinehart, L. Kreidler, Bauer, Stratton and A. Smith.

Read first time January 30, 1991. Referred to Committee on Education.

1 AN ACT Relating to basic education; and amending RCW 28A.150.260.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 28A.150.260 and 1990 c 33 s 108 are each amended to
4 read as follows:

5 The basic education allocation for each annual average full time
6 equivalent student shall be determined in accordance with the following
7 procedures:

8 (1) The governor shall and the superintendent of public instruction
9 may recommend to the legislature a formula based on a ratio of students
10 to staff for the distribution of a basic education allocation for each
11 annual average full time equivalent student enrolled in a common
12 school. The distribution formula shall have the primary objective of
13 equalizing educational opportunities and shall provide appropriate
14 recognition of the following costs among the various districts within
15 the state:

- 1 (a) Certificated instructional staff and their related costs;
2 (b) Certificated administrative staff and their related costs;
3 (c) Classified staff and their related costs;
4 (d) Nonsalary costs;
5 (e) Extraordinary costs of remote and necessary schools and small
6 high schools, including costs of additional certificated and classified
7 staff; and
8 (f) The attendance of students pursuant to RCW 28A.335.160 and
9 28A.225.250 who do not reside within the servicing school district.

10 (2)(a) This formula for distribution of basic education funds shall
11 be reviewed biennially by the superintendent and governor. The
12 recommended formula shall be subject to approval, amendment or
13 rejection by the legislature. The formula shall be for allocation
14 purposes only. While the legislature intends that the allocations for
15 additional instructional staff be used to increase the ratio of such
16 staff to students, nothing in this section shall require districts to
17 reduce the number of administrative staff below existing levels.

18 ~~(b) ((The formula adopted by the legislature for the 1987-88 school~~
19 ~~year shall reflect the following ratios at a minimum: (i) Forty-eight~~
20 ~~certificated instructional staff to one thousand annual average full~~
21 ~~time equivalent students enrolled in grades kindergarten through three;~~
22 ~~(ii) forty-six certificated instructional staff to one thousand annual~~
23 ~~average full time equivalent students enrolled in grades four through~~
24 ~~twelve; (iii) four certificated administrative staff to one thousand~~
25 ~~annual average full time equivalent students enrolled in grades~~
26 ~~kindergarten through twelve; and (iv) sixteen and sixty-seven one-~~
27 ~~hundredths classified personnel to one thousand annual average full~~
28 ~~time equivalent students enrolled in grades kindergarten through~~
29 ~~twelve.~~

1 (e)) Commencing with the 1988-89 school year, the formula adopted
2 by the legislature shall reflect the following ratios at a minimum:
3 (i) Forty-nine certificated instructional staff to one thousand annual
4 average full time equivalent students enrolled in grades kindergarten
5 through three; (ii) forty-six certificated instructional staff to one
6 thousand annual average full time equivalent students in grades four
7 through twelve; (iii) four certificated administrative staff to one
8 thousand annual average full time equivalent students in grades
9 kindergarten through twelve; and (iv) sixteen and sixty-seven one-
10 hundredths classified personnel to one thousand annual average full
11 time equivalent students enrolled in grades kindergarten through
12 twelve.

13 (c) Each year, beginning with the 1993-94 school year, the
14 legislature shall increase the minimum ratio of certificated
15 instructional staff to annual average full time equivalent students to
16 reflect the ratio of certificated instructional staff to annual average
17 full time equivalent students under the following schedule:

<u>Year</u>	<u>Grades</u>	<u>Grades</u>	<u>Grades</u>
	<u>K-3</u>	<u>4-6</u>	<u>7-12</u>
	<u>Certs/1000</u>	<u>Certs/1000</u>	<u>Certs/1000</u>
21 <u>1993-94</u>	<u>53.3</u>	<u>47</u>	<u>46</u>
22 <u>1994-95</u>	<u>53.3</u>	<u>48</u>	<u>46</u>
23 <u>1995-96</u>	<u>53.3</u>	<u>49</u>	<u>46</u>
24 <u>1996-97</u>	<u>53.3</u>	<u>50</u>	<u>47</u>
25 <u>1997-98</u>	<u>53.3</u>	<u>51</u>	<u>48</u>
26 <u>1998-99</u>	<u>53.3</u>	<u>51</u>	<u>49</u>
27 <u>1999-2000</u>	<u>53.3</u>	<u>51</u>	<u>50</u>
28 <u>2000-01</u>	<u>53.3</u>	<u>51</u>	<u>51</u>

29 Districts shall use the additional certificated unit allocations to
30 provide certificated instructional staff to reduce the student to

1 teacher ratio. Subject to considerations including but not limited to
2 programmatic constraints, facility limitations, and the availability of
3 certificated instructional staff with appropriate endorsements,
4 districts may use the additional certificated unit allocations to
5 provide additional certificated or classified personnel whose primary
6 duty is the daily educational instruction of students.

7 (d) In the event the legislature rejects the distribution formula
8 recommended by the governor, without adopting a new distribution
9 formula, the distribution formula for the previous school year shall
10 remain in effect: PROVIDED, That the distribution formula developed
11 pursuant to this section shall be for state apportionment and
12 equalization purposes only and shall not be construed as mandating
13 specific operational functions of local school districts other than
14 those program requirements identified in RCW 28A.150.220 and
15 28A.150.100. The enrollment of any district shall be the annual
16 average number of full time equivalent students and part time students
17 as provided in RCW 28A.150.350, enrolled on the first school day of
18 each month and shall exclude full time equivalent handicapped students
19 recognized for the purposes of allocation of state funds for programs
20 under RCW 28A.155.010 through 28A.155.100. The definition of full time
21 equivalent student shall be determined by rules and regulations of the
22 superintendent of public instruction: PROVIDED, That the definition
23 shall be included as part of the superintendent's biennial budget
24 request: PROVIDED, FURTHER, That any revision of the present
25 definition shall not take effect until approved by the house
26 appropriations committee and the senate ways and means committee:
27 PROVIDED, FURTHER, That the office of financial management shall make
28 a monthly review of the superintendent's reported full time equivalent
29 students in the common schools in conjunction with RCW 43.62.050.

1 (3)(a) Certificated instructional staff shall include those persons
2 employed by a school district who are nonsupervisory employees within
3 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,
4 people of unusual competence but without certification may teach
5 students so long as a certificated person exercises general
6 supervision: PROVIDED, FURTHER, That the hiring of such
7 noncertificated people shall not occur during a labor dispute and such
8 noncertificated people shall not be hired to replace certificated
9 employees during a labor dispute.

10 (b) Certificated administrative staff shall include all those
11 persons who are chief executive officers, chief administrative
12 officers, confidential employees, supervisors, principals, or assistant
13 principals within the meaning of RCW 41.59.020(4).

14 (4) Each annual average full time equivalent certificated classroom
15 teacher's direct classroom contact hours shall average at least twenty-
16 five hours per week. Direct classroom contact hours shall be exclusive
17 of time required to be spent for preparation, conferences, or any other
18 nonclassroom instruction duties. Up to two hundred minutes per week
19 may be deducted from the twenty-five contact hour requirement, at the
20 discretion of the school district board of directors, to accommodate
21 authorized teacher/parent-guardian conferences, recess, passing time
22 between classes, and informal instructional activity. Implementing
23 rules to be adopted by the state board of education pursuant to RCW
24 28A.150.220(6) shall provide that compliance with the direct contact
25 hour requirement shall be based upon teachers' normally assigned weekly
26 instructional schedules, as assigned by the district administration.
27 Additional record-keeping by classroom teachers as a means of
28 accounting for contact hours shall not be required. However, upon
29 request from the board of directors of any school district, the
30 provisions relating to direct classroom contact hours for individual

1 teachers in that district may be waived by the state board of education
2 if the waiver is necessary to implement a locally approved plan for
3 educational excellence and the waiver is limited to those individual
4 teachers approved in the local plan for educational excellence. The
5 state board of education shall develop criteria to evaluate the need
6 for the waiver. Granting of the waiver shall depend upon verification
7 that: (a) The students' classroom instructional time will not be
8 reduced; and (b) the teacher's expertise is critical to the success of
9 the local plan for excellence.