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SENATE BILL 5403

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State of Washington                      52nd Legislature                      1991 Regular Session

By Senators Murray, Gaspard, 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 school staffing ratios through the 2000-01  
2 school year; amending RCW 28A.150.260; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.**            The legislature adopted the present  
5 method of funding basic education in 1977. Under this method, the  
6 legislature has funded districts based upon a state-wide average. The  
7 increasing complexity of the modern world, and its ever changing job  
8 markets, require and demand constant improvement to the education  
9 system. Improvements must be made; average is no longer sufficient if  
10 Washington wishes to provide excellence in education.

11            The legislature finds that smaller classes directly improve  
12 students' educational success. Washington's ratio of teachers to  
13 students is currently among the worst in the country. Though modest  
14 strides have been made in increasing the ratio of faculty to students,  
15 especially in grades kindergarten through three, ratios must continue

1 to increase through a prudent, long-term approach. The next grades to  
2 target are four through six. It is the intent of the legislature to  
3 gradually increase the number of teachers per one thousand students in  
4 grades four through six over the next four biennia. By the year 2001,  
5 Washington will be seen as an example by other states still fighting  
6 the class size battle.

7 **Sec. 2.** RCW 28A.150.260 and 1990 c 33 s 108 are each amended to  
8 read as follows:

9 The basic education allocation for each annual average full time  
10 equivalent student shall be determined in accordance with the following  
11 procedures:

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

20 (a) Certificated instructional staff and their related costs;

21 (b) Certificated administrative staff and their related costs;

22 (c) Classified staff and their related costs;

23 (d) Nonsalary costs;

24 (e) Extraordinary costs of remote and necessary schools and small  
25 high schools, including costs of additional certificated and classified  
26 staff; and

27 (f) The attendance of students pursuant to RCW 28A.335.160 and  
28 28A.225.250 who do not reside within the servicing school district.

1       (2)(a) This formula for distribution of basic education funds shall  
2 be reviewed biennially by the superintendent and governor. The  
3 recommended formula shall be subject to approval, amendment or  
4 rejection by the legislature. The formula shall be for allocation  
5 purposes only. While the legislature intends that the allocations for  
6 additional instructional staff be used to increase the ratio of such  
7 staff to students, nothing in this section shall require districts to  
8 reduce the number of administrative staff below existing levels.

9       (b) The formula adopted by the legislature for the 1987-88 school  
10 year shall reflect the following ratios at a minimum: (i) Forty-eight  
11 certificated instructional staff to one thousand annual average full  
12 time equivalent students enrolled in grades kindergarten through three;  
13 (ii) forty-six certificated instructional staff to one thousand annual  
14 average full time equivalent students enrolled in grades four through  
15 twelve; (iii) four certificated administrative staff to one thousand  
16 annual average full time equivalent students enrolled in grades  
17 kindergarten through twelve; and (iv) sixteen and sixty-seven one-  
18 hundredths classified personnel to one thousand annual average full  
19 time equivalent students enrolled in grades kindergarten through  
20 twelve.

21       (c) Commencing with the 1988-89 school year, the formula adopted by  
22 the legislature shall reflect the following ratios at a minimum: (i)  
23 Forty-nine certificated instructional staff to one thousand annual  
24 average full time equivalent students enrolled in grades kindergarten  
25 through three; (ii) forty-six certificated instructional staff to one  
26 thousand annual average full time equivalent students in grades four  
27 through twelve; (iii) four certificated administrative staff to one  
28 thousand annual average full time equivalent students in grades  
29 kindergarten through twelve; and (iv) sixteen and sixty-seven one-  
30 hundredths classified personnel to one thousand annual average full

1 time equivalent students enrolled in grades kindergarten through  
2 twelve.

3 (d) Commencing with the 1991-92 and 1992-93 school years, the  
4 formula adopted by the legislature shall reflect the following ratios  
5 at a minimum: (i) Fifty-one certificated instructional staff to one  
6 thousand annual average full time equivalent students enrolled in  
7 grades kindergarten through three; (ii) forty-seven certificated  
8 instructional staff to one thousand annual average full time equivalent  
9 students enrolled in grades four through twelve; (iii) four  
10 certificated administrative staff to one thousand annual average full  
11 time equivalent students in grades kindergarten through twelve; and  
12 (iv) sixteen and sixty-seven one-hundredths classified personnel to one  
13 thousand annual average full time equivalent students enrolled in  
14 grades kindergarten through twelve.

15 (e) Commencing with the 1993-94 and 1994-95 school years, the  
16 formula adopted by the legislature shall reflect the following ratios  
17 at a minimum: (i) Fifty-one certificated instructional staff to one  
18 thousand annual average full time equivalent students enrolled in  
19 grades kindergarten through three; (ii) forty-eight certificated  
20 instructional staff to one thousand annual average full time equivalent  
21 students enrolled in grades four through six; (iii) forty-seven  
22 certificated instructional staff to one thousand annual average full  
23 time equivalent students enrolled in grades seven through twelve; (iv)  
24 four certificated administrative staff to one thousand annual average  
25 full time equivalent students in grades kindergarten through twelve;  
26 and (v) sixteen and sixty-seven one-hundredths classified personnel to  
27 one thousand annual average full time equivalent students enrolled in  
28 grades kindergarten through twelve.

29 (f) Commencing with the 1995-96 and 1996-97 school years, the  
30 formula adopted by the legislature shall reflect the following ratios

1 at a minimum: (i) Fifty-one certificated instructional staff to one  
2 thousand annual average full time equivalent students enrolled in  
3 grades kindergarten through three; (ii) forty-nine certificated  
4 instructional staff to one thousand annual average full time equivalent  
5 students enrolled in grades four through six; (iii) forty-seven  
6 certificated instructional staff to one thousand annual average full  
7 time equivalent students enrolled in grades seven through twelve; (iv)  
8 four certificated administrative staff to one thousand annual average  
9 full time equivalent students in grades kindergarten through twelve;  
10 and (v) sixteen and sixty-seven one-hundredths classified personnel to  
11 one thousand annual average full time equivalent students enrolled in  
12 grades kindergarten through twelve.

13 (g) Commencing with the 1997-98 and 1998-99 school years, the  
14 formula adopted by the legislature shall reflect the following ratios  
15 at a minimum: (i) Fifty-one certificated instructional staff to one  
16 thousand annual average full time equivalent students enrolled in  
17 grades kindergarten through three; (ii) fifty certificated  
18 instructional staff to one thousand annual average full time equivalent  
19 students enrolled in grades four through six; (iii) forty-seven  
20 certificated instructional staff to one thousand annual average full  
21 time equivalent students enrolled in grades seven through twelve; (iv)  
22 four certificated administrative staff to one thousand annual average  
23 full time equivalent students in grades kindergarten through twelve;  
24 and (v) sixteen and sixty-seven one-hundredths classified personnel to  
25 one thousand annual average full time equivalent students enrolled in  
26 grades kindergarten through twelve.

27 (h) Commencing with the 1999-2000 and 2000-01 school years, the  
28 formula adopted by the legislature shall reflect the following ratios  
29 at a minimum: (i) Fifty-one certificated instructional staff to one  
30 thousand annual average full time equivalent students enrolled in

1 grades kindergarten through three; (ii) fifty-one certificated  
2 instructional staff to one thousand annual average full time equivalent  
3 students enrolled in grades four through six; (iii) forty-seven  
4 certificated instructional staff to one thousand annual average full  
5 time equivalent students enrolled in grades seven through twelve; (iv)  
6 four certificated administrative staff to one thousand annual average  
7 full time equivalent students in grades kindergarten through twelve;  
8 and (v) sixteen and sixty-seven one-hundredths classified personnel to  
9 one thousand annual average full time equivalent students enrolled in  
10 grades kindergarten through twelve.

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

1 PROVIDED, FURTHER, That the office of financial management shall make  
2 a monthly review of the superintendent's reported full time equivalent  
3 students in the common schools in conjunction with RCW 43.62.050.

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

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

17 (4) Each annual average full time equivalent certificated classroom  
18 teacher's direct classroom contact hours shall average at least twenty-  
19 five hours per week. Direct classroom contact hours shall be exclusive  
20 of time required to be spent for preparation, conferences, or any other  
21 nonclassroom instruction duties. Up to two hundred minutes per week  
22 may be deducted from the twenty-five contact hour requirement, at the  
23 discretion of the school district board of directors, to accommodate  
24 authorized teacher/parent-guardian conferences, recess, passing time  
25 between classes, and informal instructional activity. Implementing  
26 rules to be adopted by the state board of education pursuant to RCW  
27 28A.150.220(6) shall provide that compliance with the direct contact  
28 hour requirement shall be based upon teachers' normally assigned weekly  
29 instructional schedules, as assigned by the district administration.  
30 Additional record-keeping by classroom teachers as a means of

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