

2 **SSB 5797** - S AMD - 098

3 By Senators Finkbeiner and Horn

4 NOT ADOPTED - ROLL CALL VOTE 20-28; 3/10/99

5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 28A.150.260 and 1997 c 13 s 1 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.

29 (2)(a) This formula for distribution of basic education funds shall
30 be reviewed biennially by the superintendent and governor. The
31 recommended formula shall be subject to approval, amendment or
32 rejection by the legislature. The formula shall be for allocation
33 purposes only. While the legislature intends that the allocations for
34 additional instructional staff be used to increase the ratio of such
35 staff to students, nothing in this section shall require districts to
36 reduce the number of administrative staff below existing levels.

1 (b) The formula adopted by the legislature shall reflect the
2 following ratios at a minimum:

3 (i) Forty-nine certificated instructional staff to one thousand
4 annual average full-time equivalent students enrolled in grades
5 kindergarten through three;

6 (ii) Forty-six certificated instructional staff to one thousand
7 annual average full-time equivalent students in grades four through
8 ((twelve)) six. An additional maximum of four certificated
9 instructional staff per one thousand full-time equivalent students in
10 grades four through six for the addition of teachers solely to reduce
11 class size. Any funds provided for these additional four certificated
12 instructional staff units shall not be considered basic education
13 funding and shall be allocated only if the district documents an actual
14 ratio equal to or greater than fifty certificated instructional staff
15 per thousand full-time equivalent students in grades four through six.
16 For any school district documenting a lower certificated staff ratio,
17 the allocation shall be based on the higher of the district's actual
18 fourth through sixth grade ratio or forty-six certificated
19 instructional staff per thousand;

20 (iii) Forty-six certificated instructional staff to one thousand
21 annual average full-time equivalent students in grades seven through
22 twelve;

23 (iv) Four certificated administrative staff to one thousand annual
24 average full-time equivalent students in grades kindergarten through
25 twelve; and

26 ~~((iv))~~ (v) Sixteen and sixty-seven one-hundredths classified
27 personnel to one thousand annual average full-time equivalent students
28 enrolled in grades kindergarten through twelve.

29 (c) In the event the legislature rejects the distribution formula
30 recommended by the governor, without adopting a new distribution
31 formula, the distribution formula for the previous school year shall
32 remain in effect: PROVIDED, That the distribution formula developed
33 pursuant to this section shall be for state apportionment and
34 equalization purposes only and shall not be construed as mandating
35 specific operational functions of local school districts other than
36 those program requirements identified in RCW 28A.150.220 and
37 28A.150.100. The enrollment of any district shall be the annual
38 average number of full-time equivalent students and part-time students
39 as provided in RCW 28A.150.350, enrolled on the first school day of

1 each month and shall exclude full-time equivalent students with
2 disabilities recognized for the purposes of allocation of state funds
3 for programs under RCW 28A.155.010 through 28A.155.100. The definition
4 of full-time equivalent student shall be determined by rules of the
5 superintendent of public instruction: PROVIDED, That the definition
6 shall be included as part of the superintendent's biennial budget
7 request: PROVIDED, FURTHER, That any revision of the present
8 definition shall not take effect until approved by the house
9 appropriations committee and the senate ways and means committee:
10 PROVIDED, FURTHER, That the office of financial management shall make
11 a monthly review of the superintendent's reported full-time equivalent
12 students in the common schools in conjunction with RCW 43.62.050.

13 (3)(a) Certificated instructional staff shall include those persons
14 employed by a school district who are nonsupervisory employees within
15 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,
16 people of unusual competence but without certification may teach
17 students so long as a certificated person exercises general
18 supervision: PROVIDED, FURTHER, That the hiring of such classified
19 people shall not occur during a labor dispute and such classified
20 people shall not be hired to replace certificated employees during a
21 labor dispute.

22 (b) Certificated administrative staff shall include all those
23 persons who are chief executive officers, chief administrative
24 officers, confidential employees, supervisors, principals, or assistant
25 principals within the meaning of RCW 41.59.020(4).

26 (4) Each annual average full-time equivalent certificated classroom
27 teacher's direct classroom contact hours shall average at least twenty-
28 five hours per week. Direct classroom contact hours shall be exclusive
29 of time required to be spent for preparation, conferences, or any other
30 nonclassroom instruction duties. Up to two hundred minutes per week
31 may be deducted from the twenty-five contact hour requirement, at the
32 discretion of the school district board of directors, to accommodate
33 authorized teacher/parent-guardian conferences, recess, passing time
34 between classes, and informal instructional activity. Implementing
35 rules to be adopted by the state board of education pursuant to RCW
36 28A.150.220(4) shall provide that compliance with the direct contact
37 hour requirement shall be based upon teachers' normally assigned weekly
38 instructional schedules, as assigned by the district administration.
39 Additional record-keeping by classroom teachers as a means of

1 accounting for contact hours shall not be required. Waivers from
2 contact hours may be requested under RCW 28A.305.140.

3 **Sec. 2.** RCW 28A.150.260 and 1997 c 13 s 2 are each amended to read
4 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:

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

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

18 (c) Classified staff and their related costs;

19 (d) Nonsalary costs;

20 (e) Extraordinary costs of remote and necessary schools and small
21 high schools, including costs of additional certificated and classified
22 staff; and

23 (f) The attendance of students pursuant to RCW 28A.335.160 and
24 28A.225.250 who do not reside within the servicing school district.

25 (2)(a) This formula for distribution of basic education funds shall
26 be reviewed biennially by the superintendent and governor. The
27 recommended formula shall be subject to approval, amendment or
28 rejection by the legislature. The formula shall be for allocation
29 purposes only. While the legislature intends that the allocations for
30 additional instructional staff be used to increase the ratio of such
31 staff to students, nothing in this section shall require districts to
32 reduce the number of administrative staff below existing levels.

33 (b) The formula adopted by the legislature shall reflect the
34 following ratios at a minimum:

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36 annual average full-time equivalent students enrolled in grades
37 kindergarten through three;

1 (ii) Forty-six certificated instructional staff to one thousand
2 annual average full-time equivalent students in grades four through
3 ((twelve)) six. An additional maximum of four certificated
4 instructional staff per one thousand full-time equivalent students in
5 grades four through six for the addition of teachers solely to reduce
6 class size. Any funds provided for these additional four certificated
7 instructional staff units shall not be considered basic education
8 funding and shall be allocated only if the district documents an actual
9 ratio equal to or greater than fifty certificated instructional staff
10 per thousand full-time equivalent students in grades four through six.
11 For any school district documenting a lower certificated staff ratio,
12 the allocation shall be based on the higher of the district's actual
13 fourth through sixth grade ratio or forty-six certificated
14 instructional staff per thousand;

15 (iii) Forty-six certificated instructional staff to one thousand
16 annual average full-time equivalent students in grades seven through
17 twelve;

18 (iv) Four certificated administrative staff to one thousand annual
19 average full-time equivalent students in grades kindergarten through
20 twelve; and

21 (~~(iv)~~) (v) Sixteen and sixty-seven one-hundredths classified
22 personnel to one thousand annual average full-time equivalent students
23 enrolled in grades kindergarten through twelve.

24 (c) In the event the legislature rejects the distribution formula
25 recommended by the governor, without adopting a new distribution
26 formula, the distribution formula for the previous school year shall
27 remain in effect: PROVIDED, That the distribution formula developed
28 pursuant to this section shall be for state apportionment and
29 equalization purposes only and shall not be construed as mandating
30 specific operational functions of local school districts other than
31 those program requirements identified in RCW 28A.150.220 and
32 28A.150.100. The enrollment of any district shall be the annual
33 average number of full-time equivalent students and part-time students
34 as provided in RCW 28A.150.350, enrolled on the first school day of
35 each month and shall exclude full-time equivalent students with
36 disabilities recognized for the purposes of allocation of state funds
37 for programs under RCW 28A.155.010 through 28A.155.100. The definition
38 of full-time equivalent student shall be determined by rules of the
39 superintendent of public instruction: PROVIDED, That the definition

1 shall be included as part of the superintendent's biennial budget
2 request: PROVIDED, FURTHER, That any revision of the present
3 definition shall not take effect until approved by the house
4 appropriations committee and the senate ways and means committee:
5 PROVIDED, FURTHER, That the office of financial management shall make
6 a monthly review of the superintendent's reported full-time equivalent
7 students in the common schools in conjunction with RCW 43.62.050.

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

17 (b) Certificated administrative staff shall include all those
18 persons who are chief executive officers, chief administrative
19 officers, confidential employees, supervisors, principals, or assistant
20 principals within the meaning of RCW 41.59.020(4).

21 NEW SECTION. **Sec. 3.** The sum of ninety-two million dollars, or as
22 much thereof as may be necessary, is appropriated for the biennium
23 ending June 30, 2001, from the general fund to the office of the
24 superintendent of public instruction for the purposes of this act.

25 NEW SECTION. **Sec. 4.** Section 1 of this act takes effect September
26 1, 1999.

27 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect September
28 1, 2000. However, section 2 of this act shall not take effect if, by
29 September 1, 2000, a law is enacted stating that a school
30 accountability and academic assessment system is not in place."

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4 On page 1, beginning on line 1 of the title, after "size;" strike
5 the remainder of the title and insert "amending RCW 28A.150.260 and
6 28A.150.260; making an appropriation; providing an effective date; and
7 providing a contingent effective date."

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