
HOUSE BILL 2157

State of Washington 58th Legislature 2003 Regular Session

By Representatives Hunt and Armstrong

Read first time 02/27/2003. Referred to Committee on Capital Budget.

1 AN ACT Relating to state assistance for common school construction;
2 amending RCW 28A.520.020 and 28A.150.250; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the traditional
5 state revenue sources for providing state assistance for common school
6 construction are insufficient for the level of support the state would
7 prefer to provide. One method the legislature intends to use to
8 increase available resources in the future is to endow the permanent
9 common school fund so that investment income provides more significant
10 revenues for common school construction in the future. While this
11 process will take several years, the legislature intends to begin by
12 depositing revenue from the following sources into the permanent common
13 school fund: (1) The amount of federal forest revenue currently
14 credited against the state basic education allocation; (2) five percent
15 of the lottery revenue going into the education construction account;
16 and (3) project savings going into the common school construction
17 account under chapter . . . , (House Bill No. 1789) Laws of 2003. The
18 federal forest revenue deposit into the permanent common school fund is

1 intended to be accomplished in this act. The lottery revenue and
2 project savings are intended to be done in each biennial capital
3 budget.

4 **Sec. 2.** RCW 28A.520.020 and 1991 sp.s. c 13 s 113 are each amended
5 to read as follows:

6 (1) There shall be a fund known as the federal forest revolving
7 account. The state treasurer, who shall be custodian of the revolving
8 account, shall deposit into the revolving account the funds for each
9 county received by the state in accordance with Title 16, section 500,
10 United States Code. The state treasurer shall distribute these moneys
11 to the counties according to the determined proportional area. The
12 county legislative authority shall expend fifty percent of the money
13 for the benefit of the public roads and other public purposes as
14 authorized by federal statute or public schools of such county and not
15 otherwise. Disbursements by the counties of the remaining fifty
16 percent of the money shall be as authorized by the superintendent of
17 public instruction, or the superintendent's designee, and shall occur
18 in the manner provided in subsection (2) of this section.

19 (2) No later than thirty days following receipt of the funds from
20 the federal government, the superintendent of public instruction shall
21 apportion moneys distributed to counties for schools to public school
22 districts in the respective counties in proportion to the number of
23 full time equivalent students enrolled in each public school district
24 to the number of full time equivalent students enrolled in public
25 schools in the county. In apportioning these funds, the superintendent
26 of public instruction shall utilize the October enrollment count.

27 (3) ~~((If))~~ The amount received by any public school district
28 pursuant to subsection (2) of this section is ~~((less than the basic~~
29 ~~education allocation to which the district would otherwise be entitled,~~
30 ~~the superintendent of public instruction shall apportion to the~~
31 ~~district, in the manner provided by RCW 28A.510.250, an amount which~~
32 ~~shall be the difference between the amount received pursuant to~~
33 ~~subsection (2) of this section and))~~ in addition to the basic education
34 allocation to which the district would otherwise be entitled.

35 (4) All federal forest funds shall be expended in accordance with
36 the requirements of Title 16, section 500, United States Code, as now
37 existing or hereafter amended.

1 **Sec. 3.** RCW 28A.150.250 and 1990 c 33 s 107 are each amended to
2 read as follows:

3 From those funds made available by the legislature for the current
4 use of the common schools, the superintendent of public instruction
5 shall distribute annually as provided in RCW 28A.510.250 to each school
6 district of the state operating a program approved by the state board
7 of education an amount which, when combined with an appropriate portion
8 of such locally available revenues, (~~other than receipts from federal
9 forest revenues distributed to school districts pursuant to RCW
10 28A.520.010 and 28A.520.020,~~) as the superintendent of public
11 instruction may deem appropriate for consideration in computing state
12 equalization support, excluding excess property tax levies, will
13 constitute a basic education allocation in dollars for each annual
14 average full time equivalent student enrolled, based upon one full
15 school year of one hundred eighty days, except that for kindergartens
16 one full school year shall be one hundred eighty half days of
17 instruction, or the equivalent as provided in RCW 28A.150.220.
18 However, the superintendent of public instruction shall subtract from
19 the distribution to school districts an amount equal to the amount of
20 receipts from federal forest revenues distributed to the school
21 districts under RCW 28A.520.010 and 28A.520.020 and this amount shall
22 be deposited into the permanent common school fund in RCW 28A.515.300.

23 Basic education shall be considered to be fully funded by those
24 amounts of dollars appropriated by the legislature pursuant to RCW
25 28A.150.250 and 28A.150.260 to fund those program requirements
26 identified in RCW 28A.150.220 in accordance with the formula and ratios
27 provided in RCW 28A.150.260 and those amounts of dollars appropriated
28 by the legislature to fund the salary requirements of RCW 28A.150.100
29 and 28A.150.410.

30 Operation of a program approved by the state board of education,
31 for the purposes of this section, shall include a finding that the
32 ratio of students per classroom teacher in grades kindergarten through
33 three is not greater than the ratio of students per classroom teacher
34 in grades four and above for such district: PROVIDED, That for the
35 purposes of this section, "classroom teacher" shall be defined as an
36 instructional employee possessing at least a provisional certificate,
37 but not necessarily employed as a certificated employee, whose primary
38 duty is the daily educational instruction of students: PROVIDED

1 FURTHER, That the state board of education shall adopt rules and
2 regulations to insure compliance with the student/teacher ratio
3 provisions of this section, and such rules and regulations shall allow
4 for exemptions for those special programs and/or school districts which
5 may be deemed unable to practicably meet the student/teacher ratio
6 requirements of this section by virtue of a small number of students.

7 If a school district's basic education program fails to meet the
8 basic education requirements enumerated in RCW 28A.150.250,
9 28A.150.260, and 28A.150.220, the state board of education shall
10 require the superintendent of public instruction to withhold state
11 funds in whole or in part for the basic education allocation until
12 program compliance is assured: PROVIDED, That the state board of
13 education may waive this requirement in the event of substantial lack
14 of classroom space.

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