

**SB 6048** - S AMD TO S AMD (S-2422.3/09) **129**  
By Senator Jarrett

PULLED 03/09/2009

1 Beginning on page 10, line 19 of the amendment, strike all of  
2 section 106 and insert the following:

3 "Sec. 106. RCW 28A.150.260 and 2006 c 263 s 322 are each amended  
4 to read as follows:

5 ALLOCATION FOR INSTRUCTIONAL PROGRAM OF BASIC EDUCATION. ((The  
6 basic education allocation for each annual average full time equivalent  
7 student shall be determined in accordance with the following  
8 procedures)) The purpose of this section is to provide for the  
9 allocation of state funding that the legislature deems necessary to  
10 support school districts in offering the minimum instructional program  
11 of basic education under RCW 28A.150.220. The allocation shall be  
12 determined as follows:

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

21 (a) ~~Certificated instructional staff and their related costs;~~

22 (b) ~~Certificated administrative staff and their related costs;~~

23 (c) ~~Classified staff and their related costs;~~

24 (d) ~~Nonsalary costs;~~

25 (e) ~~Extraordinary costs, including school facilities, of remote and~~  
26 ~~necessary schools as judged by the superintendent of public~~  
27 ~~instruction, with recommendations from the school facilities citizen~~  
28 ~~advisory panel under RCW 28A.525.025, and small high schools, including~~  
29 ~~costs of additional certificated and classified staff; and~~

1       ~~(f) The attendance of students pursuant to RCW 28A.335.160 and~~  
2 ~~28A.225.250 who do not reside within the servicing school district.)~~

3       (2)((+)) The distribution formula under this section shall be for  
4 allocation purposes only. Except as may be required under chapter  
5 28A.165, 28A.180, or 28A.155 RCW, or federal laws and regulations,  
6 nothing in this section requires school districts to use basic  
7 education instructional funds to implement a particular instructional  
8 approach or service. Nothing in this section requires school districts  
9 to maintain a particular classroom teacher-to-student ratio or other  
10 staff-to-student ratio or to use allocated funds to pay for particular  
11 types or classifications of staff. Nothing in this section entitles an  
12 individual teacher to a particular teacher planning period.

13       (3)(a) The distribution formula for the basic education  
14 instructional allocation shall be based on minimum staffing and  
15 nonstaff costs the legislature deems necessary to support instruction  
16 and operations in prototypical schools serving high, middle, and  
17 elementary school students as provided in this section. The use of  
18 prototypical schools for the distribution formula does not constitute  
19 legislative intent that schools should be operated or structured in a  
20 similar fashion as the prototypes. Prototypical schools illustrate the  
21 level of resources needed to operate a school of a particular size with  
22 particular types and grade levels of students using commonly understood  
23 terms and inputs, such as class size, hours of instruction, and various  
24 categories of school staff. Funding allocations to school districts  
25 shall be adjusted from the school prototypes based on the actual number  
26 of annual average full-time equivalent students in each grade level at  
27 each school in the district and not based on the grade-level  
28 configuration of the school. The allocations shall be further adjusted  
29 from the school prototypes with minimum allocations for small schools  
30 and to reflect other factors identified in the omnibus appropriations  
31 act.

32       (b) For the purposes of this section, prototypical schools are  
33 defined as follows:

34       (i) A prototypical high school has six hundred average annual full-  
35 time equivalent students in grades nine through twelve;

36       (ii) A prototypical middle school has four hundred thirty-two  
37 average annual full-time equivalent students in grades seven and eight;

38 and

1 (iii) A prototypical elementary school has four hundred average  
2 annual full-time equivalent students in grades kindergarten through  
3 six.

4 (c) The minimum allocation for each level of prototypical school  
5 shall be based on the number of full-time equivalent classroom teachers  
6 needed to provide instruction over the minimum required annual  
7 instructional hours under RCW 28A.150.220 and provide at least one  
8 teacher planning period per school day, and based on an average class  
9 size as specified in the omnibus appropriations act. The omnibus  
10 appropriations act shall specify:

11 (i) Basic average class size;

12 (ii) Basic average class size in schools where more than fifty  
13 percent of the students are eligible for free and reduced-price meals;

14 (iii) Average class size for exploratory and preparatory career and  
15 technical education, laboratory science, advanced placement, and  
16 international baccalaureate courses; and

17 (iv) Average class size in grades kindergarten through three.

18 (d) The minimum allocation for each level of prototypical school  
19 shall include allocations for the following types of staff in addition  
20 to classroom teachers:

21 (i) Principals, including assistant principals and other  
22 certificated building-level administrators;

23 (ii) Teacher librarians, a function that includes information  
24 literacy, technology, and media to support school library media  
25 programs;

26 (iii) Student health services, a function that includes school  
27 nurses and social workers;

28 (iv) Guidance counselors, a function that includes parent outreach  
29 and graduation advisor;

30 (v) Professional development coaches;

31 (vi) Office support and noninstructional aides;

32 (vii) Custodians and other maintenance; and

33 (viii) Student and staff safety.

34 (4)(a) The minimum allocation for each school district shall  
35 include allocations per annual average full-time equivalent student for  
36 the following materials, supplies, and operating costs: Student  
37 technology; utilities; curriculum, textbooks, library materials, and

1 instructional supplies; instructional professional development; other  
2 building-level costs including maintenance, custodial, and security;  
3 and central office administration.

4 (b) The annual average full-time equivalent student amounts in (a)  
5 of this subsection shall be enhanced based on full-time equivalent  
6 student enrollment in exploratory career and technical education  
7 courses for students in grades seven through twelve; laboratory science  
8 courses for students in grades nine through twelve; preparatory career  
9 and technical education courses for students in grades nine through  
10 twelve offered in a high school; and preparatory career and technical  
11 education courses for students in grades eleven and twelve offered  
12 through a skill center.

13 (5) The allocations provided under subsections (3) and (4) of this  
14 section shall be enhanced as follows to provide additional allocations  
15 for classroom teachers and maintenance, supplies, and operating costs:

16 (a) To provide supplemental instruction and services for  
17 underachieving students through the learning assistance program under  
18 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the  
19 percent of students in each school who are eligible for free and  
20 reduced-price meals. The minimum allocation for the learning  
21 assistance program shall provide an extended school day and extended  
22 school year for each level of prototypical school and a per student  
23 allocation for maintenance, supplies, and operating costs.

24 (b) To provide supplemental instruction and services for students  
25 whose primary language is other than English, allocations shall be  
26 based on the number of students in each school who are eligible for and  
27 enrolled in the transitional bilingual instruction program under RCW  
28 28A.180.010 through 28A.180.080. The minimum allocation for each level  
29 of prototypical school shall provide for supplemental instruction based  
30 on percent of the school day a student is assumed to receive  
31 supplemental instruction and a per student allocation for maintenance,  
32 supplies, and operating costs.

33 (6) The allocations under subsections (3) through (5) of this  
34 section shall be enhanced as provided under RCW 28A.150.390 on an  
35 excess cost basis to provide supplemental instructional resources for  
36 students with disabilities.

37 (7) The distribution formula shall include allocations to school  
38 districts to support staffing of central office administration. The

1 minimum allocation shall be calculated as a percentage, identified in  
2 the omnibus appropriations act, of the total allocations for staff  
3 under subsection (3) of this section for all schools in the district.

4 (8)(a) For the purposes of allocations for prototypical high  
5 schools and middle schools under subsections (3) and (5) of this  
6 section that are based on the percent of students in the school who are  
7 eligible for free and reduced-price meals, the actual percent of such  
8 students in a school shall be adjusted by a factor identified in the  
9 omnibus appropriations act to reflect underreporting of free and  
10 reduced-price meal eligibility among middle and high school students.

11 (b) Allocations or enhancements provided under subsections (3) and  
12 (4) of this section for exploratory and preparatory career and  
13 technical education courses shall be provided only for courses approved  
14 by the office of the superintendent of public instruction under chapter  
15 28A.700 RCW.

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

24 ~~(b) The formula adopted by the legislature shall reflect the~~  
25 ~~following ratios at a minimum: (i) Forty nine certificated~~  
26 ~~instructional staff to one thousand annual average full time equivalent~~  
27 ~~students enrolled in grades kindergarten through three; (ii) forty six~~  
28 ~~certificated instructional staff to one thousand annual average full~~  
29 ~~time equivalent students in grades four through twelve; (iii) four~~  
30 ~~certificated administrative staff to one thousand annual average full~~  
31 ~~time equivalent students in grades kindergarten through twelve; and~~  
32 ~~(iv) sixteen and sixty seven one hundredths classified personnel to one~~  
33 ~~thousand annual average full time equivalent students enrolled in~~  
34 ~~grades kindergarten through twelve.~~

35 ~~(c))~~ (b) In the event the legislature rejects the distribution  
36 formula recommended by the governor, without adopting a new  
37 distribution formula, the distribution formula for the previous school  
38 year shall remain in effect ~~(~~PROVIDED, That the distribution formula~~~~

1 developed pursuant to this section shall be for state apportionment and  
2 equalization purposes only and shall not be construed as mandating  
3 specific operational functions of local school districts other than  
4 those program requirements identified in RCW 28A.150.220 and  
5 28A.150.100)).

6 (c) The enrollment of any district shall be the annual average  
7 number of full-time equivalent students and part-time students as  
8 provided in RCW 28A.150.350, enrolled on the first school day of each  
9 month (~~and shall exclude full-time equivalent students with~~  
10 ~~disabilities recognized for the purposes of allocation of state funds~~  
11 ~~for programs under RCW 28A.155.010 through 28A.155.100)), including  
12 students who are in attendance pursuant to RCW 28A.335.160 and  
13 28A.225.250 who do not reside within the servicing school district.  
14 The definition of full-time equivalent student shall be determined by  
15 rules of the superintendent of public instruction(~~(: PROVIDED, That~~  
16 ~~the definition)) and shall be included as part of the superintendent's~~  
17 ~~biennial budget request((: PROVIDED, FURTHER, That)).~~ The definition  
18 shall be based on the minimum instructional hour offerings required  
19 under RCW 28A.150.220. Any revision of the present definition shall  
20 not take effect until approved by the house appropriations committee  
21 and the senate ways and means committee(~~(: PROVIDED, FURTHER, That))~~).~~

22 (d) The office of financial management shall make a monthly review  
23 of the superintendent's reported full-time equivalent students in the  
24 common schools in conjunction with RCW 43.62.050.

25 (~~((3)(a) Certificated instructional staff shall include those~~  
26 ~~persons employed by a school district who are nonsupervisory employees~~  
27 ~~within the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional~~  
28 ~~cases, people of unusual competence but without certification may teach~~  
29 ~~students so long as a certificated person exercises general~~  
30 ~~supervision: PROVIDED, FURTHER, That the hiring of such classified~~  
31 ~~people shall not occur during a labor dispute and such classified~~  
32 ~~people shall not be hired to replace certificated employees during a~~  
33 ~~labor dispute.~~

34 (b) ~~Certificated administrative staff shall include all those~~  
35 ~~persons who are chief executive officers, chief administrative~~  
36 ~~officers, confidential employees, supervisors, principals, or assistant~~  
37 ~~principals within the meaning of RCW 41.59.020(4).)) "~~

1           Beginning on page 21, line 1 of the amendment, strike all of  
2 section 111 and insert the following:

3           "NEW SECTION.   **Sec. 111.**   PROGRAM AND FUNDING WORKING GROUP.   (1)  
4 The legislature intends to redefine the instructional program of  
5 education under RCW 28A.150.220 that fulfills the obligations and  
6 requirements of Article IX of the state Constitution.   The funding  
7 formulas under RCW 28A.150.260 to support the instructional program  
8 shall be implemented beginning in the 2011-12 school year and are  
9 intended to be phased in over a six-year period according to an  
10 implementation schedule to be adopted by the legislature.   The object  
11 of the schedule is to assure that increases in funding allocations are  
12 timely, predictable, and occur concurrently with any increases in  
13 program or instructional requirements.

14           (2) The office of financial management and the office of the  
15 superintendent of public instruction shall convene a technical working  
16 group to recommend a revised program of basic education, the details of  
17 the funding formulas, and a concurrent implementation schedule.

18           (3) The working group shall include representatives of the  
19 legislative evaluation and accountability program committee, school  
20 district and educational service district financial managers, the  
21 Washington association of school business officers, the Washington  
22 education association, the Washington association of school  
23 administrators, the association of Washington school principals, the  
24 Washington state school directors' association, and other interested  
25 stakeholders with expertise in education finance.   The working group  
26 may convene advisory subgroups on specific topics as necessary to  
27 assure participation and input from a broad array of diverse  
28 stakeholders.

29           (4) The working group shall be monitored and overseen by the basic  
30 education steering committee under section 3 of this act."

EFFECT:   Reinstates the details for funding using the prototype  
school model but does not provide the numeric values.

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