

FINAL BILL REPORT

SSB 5239

C 278 L 11
Synopsis as Enacted

Brief Description: Requiring a definition of "resident" for purposes of the allocation method used to distribute federal forest revenue to schools.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Honeyford, Morton, Swecker and Becker; by request of Superintendent of Public Instruction).

Senate Committee on Early Learning & K-12 Education

Senate Committee on Ways & Means

House Committee on Education

House Committee on Education Appropriations & Oversight

Background: The Washington State Constitution requires the state to provide basic education for its citizens. In fulfillment of this responsibility, the Superintendent of Public Instruction (SPI) calculates for each of the school districts a basic education allocation (BEA). Under current Washington State practices, Federal Forest Funds received from the federal government pursuant to federal law for the benefit of any particular school district are deducted from its total BEA. In other words, for every dollar received by a school district under federal law, there is a corresponding dollar reduction in the BEA received by that school district from the state up to the full amount of the district's BEA.

In 1989 the courts held that Congress intended to single out Skamania County and its school districts for a special benefit. It held that the school districts in Skamania county may use the Federal Forest Funds allotted to them without being penalized by a corresponding complete reduction in their BEAs as it would violate the Supremacy Clause of the United States Constitution. Therefore, 30 percent of the federal forest revenue is deducted from Skamania County school districts' BEA, leaving 70 percent to be distributed among the districts.

Currently, the distribution of Skamania County Federal Forest Funds to districts within the county is affected by enrollments of non-resident students in alternative learning education (ALE) programs. A district with high ALE enrollments originating from other parts of the state receive a larger proportional share of county revenues than would otherwise be received.

Summary: SPI must distribute funds received from the federal government to counties for school districts in their respective counties in proportion of the number of resident full-time

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equivalent students enrolled in each public school district to the number of resident full-time equivalent students enrolled in public schools in the county. SPI must adopt rules regarding the definition of resident provided that the impact of federal funds distribution be considered with regard to alternative learning experience students. This must be completed by September 1, 2011.

Votes on Final Passage:

Senate	48	0	
House	94	0	(House amended)
Senate	48	0	(Senate concurred)

Effective: July 22, 2011.
September 1, 2011 (Section 1).