

HOUSE BILL 2770

State of Washington                      62nd Legislature                      2012 Regular Session

By Representatives Dammeier, Alexander, Dahlquist, Taylor, Fagan, Bailey, Zeiger, Orcutt, and Asay

Read first time 02/03/12. Referred to Committee on Ways & Means.

1            AN ACT Relating to appropriations for K-12 education; amending 2011  
2 2nd sp.s. c 9 ss 501, 502, 503, 504, 505, 507, 508, 510, 511, 513, 514,  
3 515, and 516 (uncodified); making appropriations; and declaring an  
4 emergency.

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

6            **Sec. 1.** 2011 2nd sp.s. c 9 s 501 (uncodified) is amended to read  
7 as follows:

8 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

9	General Fund--State Appropriation (FY 2012) . . . . .	(( <del>\$25,406,000</del> ))
10		<u>\$25,145,000</u>
11	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$22,502,000</del> ))
12		<u>\$15,306,000</u>
13	General Fund--Federal Appropriation . . . . .	\$77,065,000
14	General Fund--Private/Local Appropriation . . . . .	\$4,000,000
15	TOTAL APPROPRIATION . . . . .	(( <del>\$128,973,000</del> ))
16		<u>\$121,516,000</u>

17            The appropriations in this section are subject to the following  
18 conditions and limitations:

1 (1) A maximum of (~~(\$16,139,000)~~) \$15,878,000 of the general  
2 fund--state appropriation for fiscal year 2012 and (~~(\$13,335,000)~~)  
3 \$11,666,000 of the general fund--state appropriation for fiscal year  
4 2013 is for state agency operations.

5 (a) \$9,775,000 of the general fund--state appropriation for fiscal  
6 year 2012 and (~~(\$8,532,000)~~) \$8,448,000 of the general fund--state  
7 appropriation for fiscal year 2013 are provided solely for the  
8 operation and expenses of the office of the superintendent of public  
9 instruction.

10 (i) Within the amounts provided in this subsection (1)(a), the  
11 superintendent shall recognize the extraordinary accomplishments of  
12 four students who have demonstrated a strong understanding of the  
13 civics essential learning requirements to receive the Daniel J. Evans  
14 civic education award.

15 (ii) By January 1, 2012, the office of the superintendent of public  
16 instruction shall issue a report to the legislature with a timeline and  
17 an estimate of costs for implementation of the common core standards.  
18 The report must incorporate feedback from an open public forum for  
19 recommendations to enhance the standards, particularly in math.

20 (iii) Within the amounts provided, and in consultation with the  
21 public school employees of Washington and the Washington school  
22 counselors' association, the office of the superintendent of public  
23 instruction shall develop a model policy that further defines the  
24 recommended roles and responsibilities of graduation coaches and  
25 identifies best practices for how graduation coaches work in  
26 coordination with school counselors and in the context of a  
27 comprehensive school guidance and counseling program.

28 (iv) The office of the superintendent of public instruction shall,  
29 no later than August 1, 2011, establish a standard statewide definition  
30 of unexcused absence. The definition shall be reported to the ways and  
31 means committees of the senate and house of representatives for  
32 legislative review in the 2012 legislative session. Beginning no later  
33 than January 1, 2012, districts shall report to the office of the  
34 superintendent of public instruction, daily student unexcused absence  
35 data by school.

36 (b) \$1,964,000 of the general fund--state appropriation for fiscal  
37 year 2012 (~~(and \$1,017,000 of the general fund--state appropriation for~~  
38 ~~fiscal year 2013 are))~~ is provided solely for activities associated

1 with the implementation of new school finance systems required by  
2 chapter 236, Laws of 2010 (K-12 education funding) and chapter 548,  
3 Laws of 2009 (state's education system), including technical staff,  
4 systems reprogramming, and workgroup deliberations, including the  
5 quality education council and the data governance working group.

6 (c) (~~(\$851,000)~~) \$808,000 of the general fund--state appropriation  
7 for fiscal year 2012 and (~~(\$851,000)~~) \$766,000 of the general fund--  
8 state appropriation for fiscal year 2013 are provided solely for the  
9 operation and expenses of the state board of education, including basic  
10 education assistance activities.

11 (d) (~~(\$1,744,000)~~) \$1,526,000 of the general fund--state  
12 appropriation for fiscal year 2012 and (~~(\$1,362,000)~~) \$1,225,000 of the  
13 general fund--state appropriation for fiscal year 2013 are provided  
14 solely to the professional educator standards board for the following:

15 (i) (~~(\$1,050,000)~~) \$1,005,000 in fiscal year 2012 and  
16 (~~(\$1,050,000)~~) \$1,005,000 in fiscal year 2013 are for the operation  
17 and expenses of the Washington professional educator standards board;  
18 and

19 (ii) (~~(\$694,000)~~) \$521,000 of the general fund--state appropriation  
20 for fiscal year 2012 and (~~(\$312,000)~~) \$220,000 of the general  
21 fund--state appropriation for fiscal year 2013 are for conditional  
22 scholarship loans and mentor stipends provided through the alternative  
23 routes to certification program administered by the professional  
24 educator standards board, including the pipeline for paraeducators  
25 program and the retooling to teach conditional loan programs. Funding  
26 within this subsection (1)(d)(ii) is also provided for the recruiting  
27 Washington teachers program. Funding reductions in this subsection  
28 (1)(d)(ii) in the 2011- 2013 fiscal biennium are intended to be one-  
29 time.

30 (e) \$133,000 of the general fund--state appropriation for fiscal  
31 year 2012 (~~and \$133,000 of the general fund--state appropriation for~~  
32 ~~fiscal year 2013 are)) is provided solely for the implementation of  
33 chapter 240, Laws of 2010, including staffing the office of equity and  
34 civil rights.~~

35 (f) \$50,000 of the general fund--state appropriation for fiscal  
36 year 2012 (~~and \$50,000 of the general fund--state appropriation for~~  
37 ~~fiscal year 2013 are)) is provided solely for the ongoing work of the  
38 education opportunity gap oversight and accountability committee.~~

1 (g) \$45,000 of the general fund--state appropriation for fiscal  
2 year 2012 (~~((and \$45,000 of the general fund--state appropriation for~~  
3 ~~fiscal year 2013 are))~~) is provided solely for the implementation of  
4 chapter 380, Laws of 2009 (enacting the interstate compact on  
5 educational opportunity for military children).

6 (h) \$159,000 of the general fund--state appropriation for fiscal  
7 year 2012 (~~((and \$93,000 of the general fund--state appropriation for~~  
8 ~~fiscal year 2013 are))~~) is provided solely for the implementation of  
9 chapter 185, Laws of 2011 (bullying prevention), which requires the  
10 office of the superintendent of public instruction to convene an  
11 ongoing workgroup on school bullying and harassment prevention. Within  
12 the amounts provided, \$140,000 is for youth suicide prevention  
13 activities.

14 (i) \$1,227,000 of the general fund--state appropriation for fiscal  
15 year 2012 and \$1,227,000 of the general fund--state appropriation for  
16 fiscal year 2013 are provided solely for implementing a comprehensive  
17 data system to include financial, student, and educator data, including  
18 development and maintenance of the comprehensive education data and  
19 research system (CEDARS).

20 (j) \$25,000 of the general fund--state appropriation for fiscal  
21 year 2012 (~~((and \$25,000 of the general fund--state appropriation for~~  
22 ~~fiscal year 2013 are))~~) is provided solely for project citizen, a  
23 program sponsored by the national conference of state legislatures and  
24 the center for civic education to promote participation in government  
25 by middle school students.

26 (k) \$166,000 of the general fund--state appropriation for fiscal  
27 year 2012 is provided solely for the implementation of chapter 192,  
28 Laws of 2011 (school district insolvency). Funding is provided to  
29 develop a clear legal framework and process for dissolution of a school  
30 district.

31 (2) \$9,267,000 of the general fund--state appropriation for fiscal  
32 year 2012 and (~~(\$9,167,000))~~ \$3,640,000 of the general fund--state  
33 appropriation for fiscal year 2013 are for statewide programs.

34 (a) HEALTH AND SAFETY

35 (i) \$2,541,000 of the general fund--state appropriation for fiscal  
36 year 2012 and \$2,541,000 of the general fund--state appropriation for  
37 fiscal year 2013 are provided solely for a corps of nurses located at  
38 educational service districts, as determined by the superintendent of

1 public instruction, to be dispatched to the most needy schools to  
2 provide direct care to students, health education, and training for  
3 school staff.

4 (ii) \$50,000 of the general fund--state appropriation for fiscal  
5 year 2012 (~~((and \$50,000 of the general fund--state appropriation for~~  
6 ~~fiscal year 2013 are))~~) is provided solely for a nonviolence and  
7 leadership training program provided by the institute for community  
8 leadership.

9 (b) TECHNOLOGY

10 \$1,221,000 of the general fund--state appropriation for fiscal year  
11 2012 and (~~(\$1,221,000)~~) \$1,099,000 of the general fund--state  
12 appropriation for fiscal year 2013 are provided solely for K-20  
13 telecommunications network technical support in the K-12 sector to  
14 prevent system failures and avoid interruptions in school utilization  
15 of the data processing and video-conferencing capabilities of the  
16 network. These funds may be used to purchase engineering and advanced  
17 technical support for the network.

18 (c) GRANTS AND ALLOCATIONS

19 (i) \$675,000 of the general fund--state appropriation for fiscal  
20 year 2012 (~~((and \$675,000 of the general fund--state appropriation for~~  
21 ~~fiscal year 2013 are))~~) is provided solely for the Washington state  
22 achievers scholarship program. The funds shall be used to support  
23 community involvement officers that recruit, train, and match community  
24 volunteer mentors with students selected as achievers scholars.

25 (ii) \$1,000,000 of the general fund--state appropriation for fiscal  
26 year 2012 (~~((and \$1,000,000 of the general fund--state appropriation for~~  
27 ~~fiscal year 2013 are))~~) is provided solely for contracting with a  
28 college scholarship organization with expertise in conducting outreach  
29 to students concerning eligibility for the Washington college bound  
30 scholarship consistent with chapter 405, Laws of 2007.

31 (iii) \$2,808,000 of the general fund--state appropriation for  
32 fiscal year 2012 (~~((and \$2,808,000 of the general fund--state~~  
33 ~~appropriation for fiscal year 2013 are))~~) is provided solely for the  
34 dissemination of the navigation 101 curriculum to all districts. The  
35 funding shall support electronic student planning tools and software  
36 for analyzing the impact of navigation 101 on student performance, as  
37 well as grants to a maximum of one hundred school districts each year,  
38 based on progress and need for the implementation of the navigation 101

1 program. The implementation grants shall be awarded to a cross-section  
2 of school districts reflecting a balance of geographic and demographic  
3 characteristics. Within the amounts provided, the office of the  
4 superintendent of public instruction will create a navigation 101  
5 accountability model to analyze the impact of the program.

6 (iv) \$337,000 of the general fund--state appropriation for fiscal  
7 year 2012 (~~and \$337,000 of the general fund--state appropriation for~~  
8 ~~fiscal year 2013 are~~) is provided solely for implementation of the  
9 building bridges statewide program for comprehensive dropout  
10 prevention, intervention, and reengagement strategies.

11 (v) \$135,000 of the general fund--state appropriation for fiscal  
12 year 2012 (~~and \$135,000 of the general fund--state appropriation for~~  
13 ~~fiscal year 2013 are~~) is provided solely for dropout prevention  
14 programs at the office of the superintendent of public instruction,  
15 including the jobs for America's graduates (JAG) program.

16 (vi) \$500,000 of the general fund--state appropriation for fiscal  
17 year 2012 (~~and \$400,000 of the general fund--state appropriation for~~  
18 ~~fiscal year 2013 are~~) is provided solely for the implementation of  
19 chapter 340, Laws of 2011 (assessment of students in state-funded full-  
20 day kindergarten classrooms), including the development and  
21 implementation of the Washington kindergarten inventory of developing  
22 skills (WaKIDS).

23 (3) Within the amounts provided in this section, the superintendent  
24 shall implement House Bill No. 1414 (waivers for school districts).

25 (4) Within the amounts provided in this section, the superintendent  
26 shall implement House Bill No. 2506 (categorical school programs).

27 **Sec. 2.** 2011 2nd sp.s. c 9 s 502 (uncodified) is amended to read  
28 as follows:

29 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR GENERAL APPORTIONMENT**

30	General Fund--State Appropriation (FY 2012) . . . . .	\$5,253,769,000
31	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$5,205,868,000)</del>
32		<u>\$5,188,061,000</u>
33	General Fund--Federal Appropriation . . . . .	\$22,078,000
34	TOTAL APPROPRIATION . . . . .	<del>(\$10,481,715,000)</del>
35		<u>\$10,463,908,000</u>

36 The appropriations in this section are subject to the following  
37 conditions and limitations:

1 (1)(a) Each general fund fiscal year appropriation includes such  
2 funds as are necessary to complete the school year ending in the fiscal  
3 year and for prior fiscal year adjustments.

4 (b) For the 2011-12 and 2012-13 school years, the superintendent  
5 shall allocate general apportionment funding to school districts as  
6 provided in the funding formulas and salary schedules in sections 502  
7 and 503 of this act, excluding (c) of this subsection.

8 (c) From July 1, 2011 to August 31, 2011, the superintendent shall  
9 allocate general apportionment funding to school districts programs as  
10 provided in sections 502 and 504, chapter 564, Laws of 2009, as amended  
11 through sections 1402 and 1403 of this act.

12 (d) The appropriations in this section include federal funds  
13 provided through section 101 of P.L. No. 111-226 (education jobs fund),  
14 which shall be used to support general apportionment program funding.  
15 In distributing general apportionment allocations under this section  
16 for the 2011-12 school year, the superintendent shall include the  
17 additional amount of \$3,078,000 allocated by the United States  
18 department of education on September 16, 2011, provided through 101 of  
19 P.L. No. 111-226 (education jobs fund) as part of each district's  
20 general apportionment allocation.

21 (e) The enrollment of any district shall be the annual average  
22 number of full-time equivalent students and part-time students as  
23 provided in RCW 28A.150.350, enrolled on the fourth day of school in  
24 September and on the first school day of each month October through  
25 June, including students who are in attendance pursuant to RCW  
26 28A.335.160 and 28A.225.250 who do not reside within the servicing  
27 school district. Any school district concluding its basic education  
28 program in May must report the enrollment of the last school day held  
29 in May in lieu of a June enrollment.

30 (2) CERTIFICATED INSTRUCTIONAL STAFF ALLOCATIONS

31 Allocations for certificated instructional staff salaries for the  
32 2011-12 and 2012-13 school years are determined using formula-generated  
33 staff units calculated pursuant to this subsection.

34 (a) Certificated instructional staff units, as defined in RCW  
35 28A.150.410, shall be allocated to reflect the minimum class size  
36 allocations, requirements, and school prototypes assumptions as  
37 provided in RCW 28A.150.260. The superintendent shall make allocations

1 to school districts based on the district's annual average full-time  
2 equivalent student enrollment in each grade.

3 (b) Additional certificated instructional staff units provided in  
4 this subsection (2) that exceed the minimum requirements in RCW  
5 28A.150.260 are enhancements outside the program of basic education,  
6 except as otherwise provided in this section.

7 (c)(i) The superintendent shall base allocations for each level of  
8 prototypical school on the following regular education average class  
9 size of full-time equivalent students per teacher, except as provided  
10 in (c)(ii) of this subsection:

11 General education class size:

12	Grade	RCW 28A.150.260
13	Grades K-3	25.23
14	Grade 4	27.00
15	Grades 5-6	27.00
16	Grades 7-8	28.53
17	Grades 9-12	28.74

18 The superintendent shall base allocations for career and technical  
19 education (CTE) and skill center programs average class size as  
20 provided in RCW 28A.150.260.

21 (ii) For each level of prototypical school at which more than fifty  
22 percent of the students were eligible for free and reduced-price meals  
23 in the prior school year, the superintendent shall allocate funding  
24 based on the following average class size of full-time equivalent  
25 students per teacher:

26

27 General education class size in high poverty  
28 school:

29	Grades K-3	24.10
30	Grade 4	27.00
31	Grades 5-6	27.00
32	Grades 7-8	28.53
33	Grades 9-12	28.74



1 (iii) Pursuant to RCW 28A.150.260(4)(a), the assumed teacher  
2 planning period, expressed as a percentage of a teacher work day, is  
3 13.42 percent in grades K-6, and 16.67 percent in grades 7-12; and

4 (iv) Laboratory science, advanced placement, and international  
5 baccalaureate courses are funded at the same class size assumptions as  
6 general education schools in the same grade; and

7 (d)(i) Funding for teacher librarians, school nurses, social  
8 workers, school psychologists, and guidance counselors is allocated  
9 based on the school prototypes as provided in RCW 28A.150.260 and is  
10 considered certificated instructional staff, except as provided in  
11 (d)(ii) of this subsection.

12 (ii) Students in approved career and technical education and skill  
13 center programs generate certificated instructional staff units to  
14 provide for the services of teacher librarians, school nurses, social  
15 workers, school psychologists, and guidance counselors at the following  
16 combined rate per 1000 students:

17 Career and Technical Education

18 students . . . . .	2.02 per 1000 student FTE's
19 Skill Center students . . . . .	2.36 per 1000 student FTE's

20 (3) ADMINISTRATIVE STAFF ALLOCATIONS

21 (a) Allocations for school building-level certificated  
22 administrative staff salaries for the 2011-12 and 2012-13 school years  
23 for general education students are determined using the formula-  
24 generated staff units provided in RCW 28A.150.260, and adjusted based  
25 on a district's annual average full-time equivalent student enrollment  
26 in each grade.

27 (b) Students in approved career and technical education and skill  
28 center programs generate certificated school building-level  
29 administrator staff units at per student rates that exceed the general  
30 education rate in (a) of this subsection by the following percentages:

31 Career and Technical Education students . . . . .	2.5 percent
32 Skill Center students . . . . .	19.75 percent

33 (4) CLASSIFIED STAFF ALLOCATIONS

34 Allocations for classified staff units providing school building-  
35 level and district-wide support services for the 2011-12 and 2012-13  
36 school years are determined using the formula-generated staff units

1 provided in RCW 28A.150.260, and adjusted based on each district's  
2 annual average full-time equivalent student enrollment in each grade.

3  
4 (5) CENTRAL OFFICE ALLOCATIONS

5 In addition to classified and administrative staff units allocated  
6 in subsections (3) and (4) of this section, classified and  
7 administrative staff units are provided for the 2011-12 and 2012-13  
8 school year for the central office administrative costs of operating a  
9 school district, at the following rates:

10 (a) The total central office staff units provided in this  
11 subsection (5) are calculated by first multiplying the total number of  
12 eligible certificated instructional, certificated administrative, and  
13 classified staff units providing school-based or district-wide support  
14 services, as identified in RCW 28A.150.260(6)(b), by 5.3 percent.

15 (b) Of the central office staff units calculated in (a) of this  
16 subsection, 74.53 percent are allocated as classified staff units, as  
17 generated in subsection (4) of this section, and (~~(25.47)~~) 25.48  
18 percent shall be allocated as administrative staff units, as generated  
19 in subsection (3) of this section.

20 (c) Staff units generated as enhancements outside the program of  
21 basic education to the minimum requirements of RCW 28A.150.260, and  
22 staff units generated by skill center and career-technical students,  
23 are excluded from the total central office staff units calculation in  
24 (a) of this subsection.

25 (d) For students in approved career-technical and skill center  
26 programs, central office classified units are allocated at the same  
27 staff unit per student rate as those generated for general education  
28 students of the same grade in this subsection (5), and central office  
29 administrative staff units are allocated at staff unit per student  
30 rates that exceed the general education rate established for students  
31 in the same grade in this subsection (5) by 3.69 percent for career and  
32 technical education students, and 21.92 percent for skill center  
33 students.

34 (6) FRINGE BENEFIT ALLOCATIONS

35 Fringe benefit allocations shall be calculated at a rate of 16.33  
36 percent in the 2011-12 school year and (~~(16.33)~~) 16.34 percent in the  
37 2012-13 school year for certificated salary allocations provided under  
38 subsections (2), (3), and (5) of this section, and a rate of 18.73

1 percent in the 2011-12 school year and 18.73 percent in the 2012-13  
2 school year for classified salary allocations provided under  
3 subsections (4) and (5) of this section.

4  
5 (7) INSURANCE BENEFIT ALLOCATIONS

6 Insurance benefit allocations shall be calculated at the  
7 maintenance rate specified in section 504 of this act, based on the  
8 number of benefit units determined as follows:

9 (a) The number of certificated staff units determined in  
10 subsections (2), (3), and (5) of this section; and

11 (b) The number of classified staff units determined in subsections  
12 (4) and (5) of this section multiplied by 1.152. This factor is  
13 intended to adjust allocations so that, for the purposes of  
14 distributing insurance benefits, full-time equivalent classified  
15 employees may be calculated on the basis of 1440 hours of work per  
16 year, with no individual employee counted as more than one full-time  
17 equivalent.

18 (8) MATERIALS, SUPPLIES, AND OPERATING COSTS (MSOC) ALLOCATIONS

19 Funding is allocated per annual average full-time equivalent  
20 student for the materials, supplies, and operating costs (MSOC)  
21 incurred by school districts, consistent with the requirements of RCW  
22 28A.150.260.

23 (a) MSOC funding for general education students are allocated at  
24 the following per student rates:

25 MSOC RATES/STUDENT FTE

26		27	28
	MSOC Component	2011-12	2012-13
		SCHOOL YEAR	SCHOOL YEAR
29			
30	Technology	\$57.42	\$58.17
31	Utilities and Insurance	\$156.03	\$158.05
32	Curriculum and Textbooks	\$61.65	\$62.45
33	Other Supplies and Library Materials	\$130.89	\$132.59
34	Instructional Professional Development for Certificated and Classified Staff	\$9.53	\$9.66
35	Facilities Maintenance	\$77.30	\$78.30

1	Security and Central Office	\$53.55	\$54.25
2	TOTAL BASIC EDUCATION MSOC/STUDENT FTE	\$546.37	\$553.47

3 (b) Students in approved skill center programs generate per student  
4 FTE MSOC allocations which equal the rate for general education  
5 students calculated in (a) of this subsection, multiplied by a factor  
6 of 2.171.

7 (c) Students in approved exploratory and preparatory career and  
8 technical education programs generate a per student MSOC allocation  
9 that is equal to the rate for general education students calculated in  
10 (a) of this subsection, multiplied by a factor of 2.442.

11 (d) Students in laboratory science courses generate per student FTE  
12 MSOC allocations which equal the per student FTE rate for general  
13 education students established in (a) of this subsection.

14 (9) SUBSTITUTE TEACHER ALLOCATIONS

15 For the 2011-12 and 2012-13 school years, funding for substitute  
16 costs for classroom teachers is based on four (4) funded substitute  
17 days per classroom teacher unit generated under subsection (2) of this  
18 section, at a daily substitute rate of \$151.86.

19 (10) ALTERNATIVE LEARNING EXPERIENCE PROGRAM FUNDING

20 (a) Amounts provided in this section are adjusted to reflect  
21 provisions of House Bill No. 2065 (allocation of funding for funding  
22 for students enrolled in alternative learning experiences).

23 (b) The superintendent of public instruction shall require all  
24 districts receiving general apportionment funding for alternative  
25 learning experience (ALE) programs as defined in WAC 392-121-182 to  
26 provide separate financial accounting of expenditures for the ALE  
27 programs offered in district or with a provider, including but not  
28 limited to private companies and multidistrict cooperatives, as well as  
29 accurate, monthly headcount and FTE enrollment claimed for basic  
30 education, including separate counts of resident and nonresident  
31 students.

32 (11) VOLUNTARY FULL DAY KINDERGARTEN PROGRAMS

33 Funding in this section is sufficient to fund voluntary full day  
34 kindergarten programs in qualifying high poverty schools, pursuant to  
35 RCW 28A.150.220 and 28A.150.315. Each kindergarten student who enrolls  
36 for the voluntary full-day program in a qualifying school shall count

1 as one-half of one full-time equivalent student for purpose of making  
2 allocations under this section. Funding in this section provides full-  
3 day kindergarten programs for 21 percent of kindergarten enrollment in  
4 the 2011-12 school year, and 22 percent in the 2012-13 school year.  
5 Funding priority shall be given to schools with the highest poverty  
6 levels, as measured by prior year free and reduced price lunch  
7 eligibility rates in each school. Funding in this section is  
8 sufficient to fund voluntary full day kindergarten programs for July  
9 and August of the 2010-11 school year.

10 (12) ADDITIONAL FUNDING FOR SMALL SCHOOL DISTRICTS AND REMOTE AND  
11 NECESSARY PLANTS

12 For small school districts and remote and necessary school plants  
13 within any district which have been judged to be remote and necessary  
14 by the superintendent of public instruction, additional staff units are  
15 provided to ensure a minimum level of staffing support. Additional  
16 administrative and certificated instructional staff units provided to  
17 districts in this subsection shall be reduced by the general education  
18 staff units, excluding career and technical education and skills center  
19 enhancement units, otherwise provided in subsections (2) through (5) of  
20 this section on a per district basis.

21 (a) For districts enrolling not more than twenty-five average  
22 annual full-time equivalent students in grades K-8, and for small  
23 school plants within any school district which have been judged to be  
24 remote and necessary by the superintendent of public instruction and  
25 enroll not more than twenty-five average annual full-time equivalent  
26 students in grades K-8:

27 (i) For those enrolling no students in grades 7 and 8, 1.76  
28 certificated instructional staff units and 0.24 certificated  
29 administrative staff units for enrollment of not more than five  
30 students, plus one-twentieth of a certificated instructional staff unit  
31 for each additional student enrolled; and

32 (ii) For those enrolling students in grades 7 or 8, 1.68  
33 certificated instructional staff units and 0.32 certificated  
34 administrative staff units for enrollment of not more than five  
35 students, plus one-tenth of a certificated instructional staff unit for  
36 each additional student enrolled;

37 (b) For specified enrollments in districts enrolling more than  
38 twenty-five but not more than one hundred average annual full-time

1 equivalent students in grades K-8, and for small school plants within  
2 any school district which enroll more than twenty-five average annual  
3 full-time equivalent students in grades K-8 and have been judged to be  
4 remote and necessary by the superintendent of public instruction:

5 (i) For enrollment of up to sixty annual average full-time  
6 equivalent students in grades K-6, 2.76 certificated instructional  
7 staff units and 0.24 certificated administrative staff units; and

8 (ii) For enrollment of up to twenty annual average full-time  
9 equivalent students in grades 7 and 8, 0.92 certificated instructional  
10 staff units and 0.08 certificated administrative staff units;

11 (c) For districts operating no more than two high schools with  
12 enrollments of less than three hundred average annual full-time  
13 equivalent students, for enrollment in grades 9-12 in each such school,  
14 other than alternative schools:

15 (i) For remote and necessary schools enrolling students in any  
16 grades 9-12 but no more than twenty-five average annual full-time  
17 equivalent students in grades K-12, four and one-half certificated  
18 instructional staff units and one-quarter of a certificated  
19 administrative staff unit;

20 (ii) For all other small high schools under this subsection, nine  
21 certificated instructional staff units and one-half of a certificated  
22 administrative staff unit for the first sixty average annual full-time  
23 equivalent students, and additional staff units based on a ratio of  
24 0.8732 certificated instructional staff units and 0.1268 certificated  
25 administrative staff units per each additional forty-three and one-half  
26 average annual full-time equivalent students;

27 (d) For each nonhigh school district having an enrollment of more  
28 than seventy annual average full-time equivalent students and less than  
29 one hundred eighty students, operating a grades K-8 program or a grades  
30 1-8 program, an additional one-half of a certificated instructional  
31 staff unit;

32 (e) For each nonhigh school district having an enrollment of more  
33 than fifty annual average full-time equivalent students and less than  
34 one hundred eighty students, operating a grades K-6 program or a grades  
35 1-6 program, an additional one-half of a certificated instructional  
36 staff unit;

37 (f)(i) For enrollments generating certificated staff unit

1 allocations under (a) through (e) of this subsection, one classified  
2 staff unit for each 2.94 certificated staff units allocated under such  
3 subsections;

4 (ii) For each nonhigh school district with an enrollment of more  
5 than fifty annual average full-time equivalent students and less than  
6 one hundred eighty students, an additional one-half of a classified  
7 staff unit; and

8 (g) School districts receiving additional staff units to support  
9 small student enrollments and remote and necessary plants under  
10 subsection (12) of this section shall generate additional MSOC  
11 allocations consistent with the nonemployee related costs (NERC)  
12 allocation formula in place for the 2010-11 school year as provided  
13 section 502, chapter 37, Laws of 2010 1st sp. sess. (2010 supplemental  
14 budget), adjusted annually for inflation.

15 (13) Any school district board of directors may petition the  
16 superintendent of public instruction by submission of a resolution  
17 adopted in a public meeting to reduce or delay any portion of its basic  
18 education allocation for any school year. The superintendent of public  
19 instruction shall approve such reduction or delay if it does not impair  
20 the district's financial condition. Any delay shall not be for more  
21 than two school years. Any reduction or delay shall have no impact on  
22 levy authority pursuant to RCW 84.52.0531 and local effort assistance  
23 pursuant to chapter 28A.500 RCW.

24 (14) The superintendent may distribute funding for the following  
25 programs outside the basic education formula during fiscal years 2012  
26 and 2013 as follows:

27 (a) \$589,000 of the general fund--state appropriation for fiscal  
28 year 2012 and \$597,000 of the general fund--state appropriation for  
29 fiscal year 2013 are provided solely for fire protection for school  
30 districts located in a fire protection district as now or hereafter  
31 established pursuant to chapter 52.04 RCW.

32 (b) \$436,000 of the general fund--state appropriation for fiscal  
33 year 2012 and \$436,000 of the general fund--state appropriation for  
34 fiscal year 2013 are provided solely for programs providing skills  
35 training for secondary students who are enrolled in extended day  
36 school-to-work programs, as approved by the superintendent of public  
37 instruction. The funds shall be allocated at a rate not to exceed \$500  
38 per full-time equivalent student enrolled in those programs.

1 (c) Funding in this section is sufficient to fund adjustments to  
2 school districts' allocations resulting from the implementation of the  
3 prototypical school funding formula, pursuant to chapter 236, Laws of  
4 2010 (K-12 education funding). The funding in this section is intended  
5 to hold school districts harmless in total for funding changes  
6 resulting from conversion to the prototypical school formula in the  
7 general apportionment program, the learning assistance program, the  
8 transitional bilingual program, and the highly capable program, after  
9 adjustment for changes in enrollment and other caseload adjustments.

10 (15) \$208,000 of the general fund--state appropriation for fiscal  
11 year 2012 and \$211,000 of the general fund--state appropriation for  
12 fiscal year 2013 are provided solely for school district emergencies as  
13 certified by the superintendent of public instruction. At the close of  
14 the fiscal year the superintendent of public instruction shall report  
15 to the office of financial management and the appropriate fiscal  
16 committees of the legislature on the allocations provided to districts  
17 and the nature of the emergency.

18 (16) Funding in this section is sufficient to fund a maximum of  
19 1.6 FTE enrollment for skills center students pursuant to chapter 463,  
20 Laws of 2007.

21 (17) Beginning in the 2011-12 school year, students participating  
22 in running start programs may be funded up to a combined maximum  
23 enrollment of 1.2 FTE including school district and institution of  
24 higher education enrollment. Beginning in the 2012-13 school year,  
25 students participating in running start programs may be funded up to a  
26 combined maximum enrollment of 1.0 FTE including school district and  
27 institution of higher education enrollment. In calculating the  
28 combined ((1.2)) FTE, the office of the superintendent of public  
29 instruction may average the participating student's September through  
30 June enrollment to account for differences in the start and end dates  
31 for courses provided by the high school and higher education  
32 institution. Additionally, the office of the superintendent of public  
33 instruction, in consultation with the state board for community and  
34 technical colleges, the higher education coordinating board, and the  
35 education data center, shall annually track and report to the fiscal  
36 committees of the legislature on the combined FTE experience of  
37 students participating in the running start program, including course



1 load analyses at both the high school and community and technical  
2 college system.

3 (18) If two or more school districts consolidate and each district  
4 was receiving additional basic education formula staff units pursuant  
5 to subsection (12) of this section, the following apply:

6 (a) For three school years following consolidation, the number of  
7 basic education formula staff units shall not be less than the number  
8 of basic education formula staff units received by the districts in the  
9 school year prior to the consolidation; and

10 (b) For the fourth through eighth school years following  
11 consolidation, the difference between the basic education formula staff  
12 units received by the districts for the school year prior to  
13 consolidation and the basic education formula staff units after  
14 consolidation pursuant to subsection (12) of this section shall be  
15 reduced in increments of twenty percent per year.

16 (19)(a) Indirect cost charges by a school district to approved  
17 career and technical education middle and secondary programs shall not  
18 exceed 15 percent of the combined basic education and career and  
19 technical education program enhancement allocations of state funds.  
20 Middle and secondary career and technical education programs are  
21 considered separate programs for funding and financial reporting  
22 purposes under this section.

23 (b) Career and technical education program full-time equivalent  
24 enrollment shall be reported on the same monthly basis as the  
25 enrollment for students eligible for basic support, and payments shall  
26 be adjusted for reported career and technical education program  
27 enrollments on the same monthly basis as those adjustments for  
28 enrollment for students eligible for basic support.

29 **Sec. 3.** 2011 2nd sp.s. c 9 s 503 (uncodified) is amended to read  
30 as follows:

31 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--BASIC EDUCATION EMPLOYEE**  
32 **COMPENSATION**

33 (1) The following calculations determine the salaries used in the  
34 state allocations for certificated instructional, certificated  
35 administrative, and classified staff units as provided in RCW  
36 28A.150.280 and under section 503 of this act:

1 (a) Salary allocations for certificated instructional staff units  
 2 are determined for each district by multiplying the district's  
 3 certificated instructional total base salary shown on LEAP Document 2  
 4 by the district's average staff mix factor for certificated  
 5 instructional staff in that school year, computed using LEAP document  
 6 1; and

7 (b) Salary allocations for certificated administrative staff units  
 8 and classified staff units for each district are determined based on  
 9 the district's certificated administrative and classified salary  
 10 allocation amounts shown on LEAP Document 2.

11 (2) For the purposes of this section:

12 (a) "LEAP Document 1" means the staff mix factors for certificated  
 13 instructional staff according to education and years of experience, as  
 14 developed by the legislative evaluation and accountability program  
 15 committee on May 23, 2011, at 16:10 hours; and

16 (b) "LEAP Document 2" means the school year salary allocations for  
 17 certificated administrative staff and classified staff and derived and  
 18 total base salaries for certificated instructional staff as developed  
 19 by the legislative evaluation and accountability program committee on  
 20 May 23, 2011, at 16:10 hours.

21 (3) Incremental fringe benefit factors are applied to salary  
 22 adjustments at a rate of 15.69 percent for school year 2011-12 and  
 23 (~~(15.69)~~) 15.70 percent for school year 2012-13 for certificated  
 24 instructional and certificated administrative staff and 15.23 percent  
 25 for school year 2011-12 and 15.23 percent for the 2012-13 school year  
 26 for classified staff.

27 (4)(a) Pursuant to RCW 28A.150.410, the following state-wide salary  
 28 allocation schedules for certificated instructional staff are  
 29 established for basic education salary allocations:

30 Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2011-12

31 \*\*\*Education Experience\*\*\*

33	Years										MA+90
34	of										OR
35	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
36	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989	

1	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452
2	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912
3	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377
4	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857
5	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339
6	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797
7	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768
8	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254
9	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785
10	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356
11	11				45,883	49,169	51,558	49,295	52,581	54,969
12	12				47,332	50,777	53,238	50,850	54,188	56,650
13	13					52,425	54,959	52,460	55,836	58,370
14	14					54,081	56,745	54,117	57,600	60,157
15	15					55,488	58,221	55,523	59,098	61,721
16	16 or more					56,597	59,385	56,634	60,279	62,955

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2012-13

\*\*\*Education Experience\*\*\*

21	Years										MA+90
22	of										OR
23	Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	Ph.D.	
24	0	33,401	34,303	35,238	36,175	39,180	41,116	40,045	43,051	44,989	
25	1	33,851	34,765	35,712	36,690	39,727	41,652	40,490	43,527	45,452	
26	2	34,279	35,202	36,159	37,212	40,241	42,186	40,938	43,966	45,912	
27	3	34,720	35,653	36,620	37,706	40,729	42,722	41,363	44,384	46,377	
28	4	35,153	36,127	37,099	38,224	41,264	43,271	41,808	44,849	46,857	
29	5	35,600	36,578	37,561	38,748	41,777	43,824	42,261	45,291	47,339	
30	6	36,060	37,017	38,032	39,279	42,293	44,352	42,725	45,740	47,797	
31	7	36,868	37,839	38,868	40,182	43,241	45,356	43,594	46,652	48,768	
32	8	38,050	39,074	40,127	41,550	44,651	46,844	44,961	48,063	50,254	
33	9		40,353	41,459	42,933	46,106	48,373	46,343	49,518	51,785	
34	10			42,806	44,387	47,602	49,945	47,798	51,014	53,356	
35	11				45,883	49,169	51,558	49,295	52,581	54,969	

1	12	47,332	50,777	53,238	50,850	54,188	56,650
2	13		52,425	54,959	52,460	55,836	58,370
3	14		54,081	56,745	54,117	57,600	60,157
4	15		55,488	58,221	55,523	59,098	61,721
5	16 or more		56,597	59,385	56,634	60,279	62,955

6        (b) During the 2012-13 school years, the salary allocations for  
7 certificated instructional staff shall exclude the following:

8        (i) Any years of service earned after August 31, 2011;

9        (ii) Any educational credits earned after October 1, 2011,  
10 excluding certificated instructional staff meeting the criteria in  
11 (b)(iii) of this subsection;

12        (iii) For certificated instructional staff with zero years of  
13 experience, districts shall recognize credits earned as of October 1,  
14 2011;

15        (iv) For certificated instructional staff receiving initial  
16 certification after October 1, 2011, districts shall recognize credits  
17 earned as of the date of approval of their Washington state  
18 instructional certificate.

19        (c) As used in this subsection, the column headings "BA+(N)" refer  
20 to the number of credits earned since receiving the baccalaureate  
21 degree.

22        ((+e+)) (d) For credits earned after the baccalaureate degree but  
23 before the masters degree, any credits in excess of forty-five credits  
24 may be counted after the masters degree. Thus, as used in this  
25 subsection, the column headings "MA+(N)" refer to the total of:

26        (i) Credits earned since receiving the masters degree; and

27        (ii) Any credits in excess of forty-five credits that were earned  
28 after the baccalaureate degree but before the masters degree.

29        (5) For the purposes of this section:

30        (a) "BA" means a baccalaureate degree.

31        (b) "MA" means a masters degree.

32        (c) "PHD" means a doctorate degree.

33        (d) "Years of service" shall be calculated under the same rules  
34 adopted by the superintendent of public instruction.

35        (e) "Credits" means college quarter hour credits and equivalent  
36 in-service credits computed in accordance with RCW 28A.415.020 and  
37 28A.415.023.

1 (6) No more than ninety college quarter-hour credits received by  
2 any employee after the baccalaureate degree may be used to determine  
3 compensation allocations under the state salary allocation schedule and  
4 LEAP documents referenced in this part V, or any replacement schedules  
5 and documents, unless:

6 (a) The employee has a masters degree; or

7 (b) The credits were used in generating state salary allocations  
8 before January 1, 1992.

9 (7) The salary allocation schedules established in this section are  
10 for allocation purposes only except as provided in RCW 28A.400.200(2).

11 **Sec. 4.** 2011 2nd sp.s. c 9 s 504 (uncodified) is amended to read  
12 as follows:

13 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SCHOOL EMPLOYEE**  
14 **COMPENSATION ADJUSTMENTS**

15 General Fund--Federal Appropriation . . . . . \$2,000

16 The appropriation in this section is subject to the following  
17 conditions and limitations:

18 (1)(a) Additional salary adjustments as necessary to fund the base  
19 salaries for certificated instructional staff as listed for each  
20 district in LEAP Document 2, defined in section 504(2)(b) of this act.  
21 Allocations for these salary adjustments shall be provided to all  
22 districts that are not grandfathered to receive salary allocations  
23 above the statewide salary allocation schedule, and to certain  
24 grandfathered districts to the extent necessary to ensure that salary  
25 allocations for districts that are currently grandfathered do not fall  
26 below the statewide salary allocation schedule.

27 (b) Additional salary adjustments to certain districts as necessary  
28 to fund the per full-time-equivalent salary allocations for  
29 certificated administrative staff as listed for each district in LEAP  
30 Document 2, defined in section 504(2)(b) of this act.

31 (c) Additional salary adjustments to certain districts as necessary  
32 to fund the per full-time-equivalent salary allocations for classified  
33 staff as listed for each district in LEAP Document 2, defined in  
34 section 504(2)(b) of this act.

35 (d) The appropriations in this subsection (1) include associated  
36 incremental fringe benefit allocations at 15.69 percent for the 2011-12  
37 school year and ((15.69)) 15.70 percent for the 2012-13 school year for

1 certificated instructional and certificated administrative staff and  
2 15.23 percent for the 2011-12 school year and 15.23 percent for the  
3 2012-13 school year for classified staff.

4 (e) The appropriations in this section include the increased or  
5 decreased portion of salaries and incremental fringe benefits for all  
6 relevant state-funded school programs in part V of this act. Changes  
7 for general apportionment (basic education) are based on the salary  
8 allocation schedules and methodology in sections 503 and 504 of this  
9 act. Changes for special education result from changes in each  
10 district's basic education allocation per student. Changes for  
11 educational service districts and institutional education programs are  
12 determined by the superintendent of public instruction using the  
13 methodology for general apportionment salaries and benefits in sections  
14 503 and 504 of this act.

15 (f) The appropriations in this section include no salary  
16 adjustments for substitute teachers.

17 (2) The maintenance rate for insurance benefit allocations is  
18 \$768.00 per month for the 2011-12 and 2012-13 school years. The  
19 appropriations in this section reflect the incremental change in cost  
20 of allocating rates of \$768.00 per month for the 2011-12 school year  
21 and \$768.00 per month for the 2012-13 school year.

22 (3) The rates specified in this section are subject to revision  
23 each year by the legislature.

24 **Sec. 5.** 2011 2nd sp.s. c 9 s 505 (uncodified) is amended to read  
25 as follows:

26	<b>FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR PUPIL TRANSPORTATION</b>	
27	General Fund--State Appropriation (FY 2012) . . . . .	\$322,033,000
28	General Fund--State Appropriation (FY 2013) . . . . .	<del>(( \$273,380,000 ))</del>
29		<u>\$272,487,000</u>
30	TOTAL APPROPRIATION . . . . .	<del>(( \$595,413,000 ))</del>
31		<u>\$594,520,000</u>

32 The appropriations in this section are subject to the following  
33 conditions and limitations:

34 (1) Each general fund fiscal year appropriation includes such funds  
35 as are necessary to complete the school year ending in the fiscal year  
36 and for prior fiscal year adjustments.

1 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
2 shall allocate funding to school district programs for the  
3 transportation of students as provided in RCW 28A.160.192.

4 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
5 allocate funding to school districts programs for the transportation of  
6 students as provided in section 505, chapter 564, Laws of 2009, as  
7 amended through section 1404 of this act.

8 (3) Any amounts appropriated for maintenance level funding for  
9 pupil transportation that exceed actual maintenance level expenditures  
10 as calculated under the funding formula that takes effect September 1,  
11 2011, shall be distributed to districts according to RCW  
12 28A.160.192(2)(b).

13 (4) A maximum of \$892,000 of this fiscal year 2012 appropriation  
14 (~~(and a maximum of \$892,000 of the fiscal year 2013 appropriation)~~) may  
15 be expended for regional transportation coordinators and related  
16 activities. The transportation coordinators shall ensure that data  
17 submitted by school districts for state transportation funding shall,  
18 to the greatest extent practical, reflect the actual transportation  
19 activity of each district.

20 (5) The office of the superintendent of public instruction shall  
21 provide reimbursement funding to a school district for school bus  
22 purchases only after the superintendent of public instruction  
23 determines that the school bus was purchased from the list established  
24 pursuant to RCW 28A.160.195(2) or a comparable competitive bid process  
25 based on the lowest price quote based on similar bus categories to  
26 those used to establish the list pursuant to RCW 28A.160.195.

27 (6) The superintendent of public instruction shall base  
28 depreciation payments for school district buses on the pre-sales tax  
29 five-year average of lowest bids in the appropriate category of bus.  
30 In the final year on the depreciation schedule, the depreciation  
31 payment shall be based on the lowest bid in the appropriate bus  
32 category for that school year.

33 (7) Funding levels in this section reflect waivers granted by the  
34 state board of education for four-day school weeks as allowed under RCW  
35 28A.305.141.

36 (8) Starting with the 2012-13 school year, the office of the  
37 superintendent of public instruction shall disburse payments for bus  
38 depreciation in August.

1       **Sec. 6.** 2011 2nd sp.s. c 9 s 507 (uncodified) is amended to read  
2 as follows:

3       **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR SPECIAL EDUCATION**  
4       **PROGRAMS**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$653,904,000
6	General Fund--State Appropriation (FY 2013) . . . . .	<del>(( \$694,237,000 ))</del>
7		<u>\$693,011,000</u>
8	General Fund--Federal Appropriation . . . . .	\$486,936,000
9	Education Legacy Trust Account--State Appropriation . . . . .	\$756,000
10	TOTAL APPROPRIATION . . . . .	<del>(( \$1,835,833,000 ))</del>
11		<u>\$1,834,607,000</u>

12       The appropriations in this section are subject to the following  
13 conditions and limitations:

14       (1) Funding for special education programs is provided on an excess  
15 cost basis, pursuant to RCW 28A.150.390. School districts shall ensure  
16 that special education students as a class receive their full share of  
17 the general apportionment allocation accruing through sections 502 and  
18 504 of this act. To the extent a school district cannot provide an  
19 appropriate education for special education students under chapter  
20 28A.155 RCW through the general apportionment allocation, it shall  
21 provide services through the special education excess cost allocation  
22 funded in this section.

23       (2)(a) The superintendent of public instruction shall ensure that:  
24       (i) Special education students are basic education students first;  
25       (ii) As a class, special education students are entitled to the  
26 full basic education allocation; and  
27       (iii) Special education students are basic education students for  
28 the entire school day.

29       (b) The superintendent of public instruction shall continue to  
30 implement the full cost method of excess cost accounting, as designed  
31 by the committee and recommended by the superintendent, pursuant to  
32 section 501(1)(k), chapter 372, Laws of 2006.

33       (c) Beginning with the 2010-11 school year award cycle, the office  
34 of the superintendent of public instruction shall make award  
35 determinations for state safety net funding in August of each school  
36 year. Determinations on school district eligibility for state safety  
37 net awards shall be based on analysis of actual expenditure data from  
38 the current school year.



1 (3) Each fiscal year appropriation includes such funds as are  
2 necessary to complete the school year ending in the fiscal year and for  
3 prior fiscal year adjustments.

4 (4)(a) For the 2011-12 and 2012-13 school years, the superintendent  
5 shall allocate funding to school district programs for special  
6 education students as provided in RCW 28A.150.390.

7 (b) From July 1, 2011 to August 31, 2011, the superintendent shall  
8 allocate funding to school district programs for special education  
9 students as provided in section 507, chapter 564, Laws of 2009, as  
10 amended through section 1406 of this act.

11 (5) The following applies throughout this section: The definitions  
12 for enrollment and enrollment percent are as specified in RCW  
13 28A.150.390(3). Each district's general fund--state funded special  
14 education enrollment shall be the lesser of the district's actual  
15 enrollment percent or 12.7 percent.

16 (6) At the request of any interdistrict cooperative of at least 15  
17 districts in which all excess cost services for special education  
18 students of the districts are provided by the cooperative, the maximum  
19 enrollment percent shall be calculated in accordance with RCW  
20 28A.150.390(3) (c) and (d), and shall be calculated in the aggregate  
21 rather than individual district units. For purposes of this  
22 subsection, the average basic education allocation per full-time  
23 equivalent student shall be calculated in the aggregate rather than  
24 individual district units.

25 (7) \$8,914,000 of the general fund--state appropriation for fiscal  
26 year 2012, \$34,200,000 of the general fund--state appropriation for  
27 fiscal year 2013, and \$29,574,000 of the general fund--federal  
28 appropriation are provided solely for safety net awards for districts  
29 with demonstrated needs for special education funding beyond the  
30 amounts provided in subsection (4) of this section. If the federal  
31 safety net awards based on the federal eligibility threshold exceed the  
32 federal appropriation in this subsection (7) in any fiscal year, the  
33 superintendent shall expend all available federal discretionary funds  
34 necessary to meet this need. At the conclusion of each school year,  
35 the superintendent shall recover safety net funds that were distributed  
36 prospectively but for which districts were not subsequently eligible.

37 (a) For the 2011-12 and 2012-13 school years, safety net funds

1 shall be awarded by the state safety net oversight committee as  
2 provided in section 109(1) chapter 548, Laws of 2009 (ESHB 2261).

3 (b) From July 1, 2011 to August 31, 2011, the superintendent shall  
4 operate the safety net oversight committee and shall award safety net  
5 funds as provided in section 507, chapter 564, Laws of 2009, as amended  
6 through section 1406 of this act.

7 (8) A maximum of \$678,000 may be expended from the general fund--  
8 state appropriations to fund 5.43 full-time equivalent teachers and 2.1  
9 full-time equivalent aides at children's orthopedic hospital and  
10 medical center. This amount is in lieu of money provided through the  
11 home and hospital allocation and the special education program.

12 (9) The superintendent shall maintain the percentage of federal  
13 flow-through to school districts at 85 percent. In addition to other  
14 purposes, school districts may use increased federal funds for high-  
15 cost students, for purchasing regional special education services from  
16 educational service districts, and for staff development activities  
17 particularly relating to inclusion issues.

18 (10) A school district may carry over from one year to the next  
19 year up to 10 percent of the general fund--state funds allocated under  
20 this program; however, carryover funds shall be expended in the special  
21 education program.

22 (11) \$251,000 of the general fund--state appropriation for fiscal  
23 year 2012 and \$251,000 of the general fund--state appropriation for  
24 fiscal year 2013 are provided solely for two additional full-time  
25 equivalent staff to support the work of the safety net committee and to  
26 provide training and support to districts applying for safety net  
27 awards.

28 (12) \$50,000 of the general fund--state appropriation for fiscal  
29 year 2012, \$50,000 of the general fund--state appropriation for fiscal  
30 year 2013, and \$100,000 of the general fund--federal appropriation  
31 shall be expended to support a special education ombudsman program  
32 within the office of superintendent of public instruction.

33 **Sec. 7.** 2011 2nd sp.s. c 9 s 508 (uncodified) is amended to read  
34 as follows:

35 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR EDUCATIONAL SERVICE**  
36 **DISTRICTS**

37 General Fund--State Appropriation (FY 2012) . . . . . \$7,889,000

1 General Fund--State Appropriation (FY 2013) . . . . . ((~~\$7,904,000~~))  
2 \$7,392,000  
3 TOTAL APPROPRIATION . . . . . ((~~\$15,793,000~~))  
4 \$15,281,000

5 The appropriations in this section are subject to the following  
6 conditions and limitations:

7 (1) The educational service districts shall continue to furnish  
8 financial services required by the superintendent of public instruction  
9 and RCW 28A.310.190 (3) and (4).

10 (2) Funding within this section is provided for regional  
11 professional development related to mathematics and science curriculum  
12 and instructional strategies. Funding shall be distributed among the  
13 educational service districts in the same proportion as distributions  
14 in the 2007-2009 biennium. Each educational service district shall use  
15 this funding solely for salary and benefits for a certificated  
16 instructional staff with expertise in the appropriate subject matter  
17 and in professional development delivery, and for travel, materials,  
18 and other expenditures related to providing regional professional  
19 development support.

20 (3) The educational service districts, at the request of the state  
21 board of education pursuant to RCW 28A.310.010 and 28A.310.340, may  
22 receive and screen applications for school accreditation, conduct  
23 school accreditation site visits pursuant to state board of education  
24 rules, and submit to the state board of education post-site visit  
25 recommendations for school accreditation. The educational service  
26 districts may assess a cooperative service fee to recover actual plus  
27 reasonable indirect costs for the purposes of this subsection.

28 (4) The general fund--state appropriation for fiscal year 2013  
29 reflects a total reduction of \$500,000 for general administrative  
30 activities of educational service districts. This amount reflects the  
31 following percentage reductions:

32 (a) For educational service district number 101, number 105, number  
33 123, and number 171: Three and one-half percent;

34 (b) For educational service district number 112, number 113, number  
35 114, and number 189: Ten percent;

36 (c) For educational service district number 121: Fifty percent.

1       **Sec. 8.** 2011 2nd sp.s. c 9 s 510 (uncodified) is amended to read  
2 as follows:

3 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR INSTITUTIONAL**  
4 **EDUCATION PROGRAMS**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$17,507,000
6	General Fund--State Appropriation (FY 2013) . . . . .	(( <del>\$16,969,000</del> ))
7		<u>\$16,808,000</u>
8	TOTAL APPROPRIATION . . . . .	(( <del>\$34,476,000</del> ))
9		<u>\$34,315,000</u>

10       The appropriations in this section are subject to the following  
11 conditions and limitations:

12       (1) Each general fund--state fiscal year appropriation includes  
13 such funds as are necessary to complete the school year ending in the  
14 fiscal year and for prior fiscal year adjustments.

15       (2) State funding provided under this section is based on salaries  
16 and other expenditures for a 220-day school year. The superintendent  
17 of public instruction shall monitor school district expenditure plans  
18 for institutional education programs to ensure that districts plan for  
19 a full-time summer program.

20       (a) Any years of service earned after August 31, 2011;

21       (b) Any educational credits earned after October 1, 2011, excluding  
22 certificated instructional staff meeting the criteria in (c) of this  
23 subsection;

24       (c) For certificated instructional staff with zero years of  
25 experience, districts shall recognize credits earned as of October 1,  
26 2011; and

27       (d) For certificated instructional staff receiving initial  
28 certification after October 1, 2011, districts shall recognize credits  
29 earned as of the date of approval of their Washington state  
30 instructional certificate.

31       (3) State funding for each institutional education program shall be  
32 based on the institution's annual average full-time equivalent student  
33 enrollment. Staffing ratios for each category of institution shall  
34 remain the same as those funded in the 1995-97 biennium.

35       (4) The funded staffing ratios for education programs for juveniles  
36 age 18 or less in department of corrections facilities shall be the  
37 same as those provided in the 1997-99 biennium.

1 (5) \$669,000 of the general fund--state appropriation for fiscal  
2 year 2012 and \$669,000 of the general fund--state appropriation for  
3 fiscal year 2013 are provided solely to maintain at least one  
4 certificated instructional staff and related support services at an  
5 institution whenever the K-12 enrollment is not sufficient to support  
6 one full-time equivalent certificated instructional staff to furnish  
7 the educational program. The following types of institutions are  
8 included: Residential programs under the department of social and  
9 health services for developmentally disabled juveniles, programs for  
10 juveniles under the department of corrections, programs for juveniles  
11 under the juvenile rehabilitation administration, and programs for  
12 juveniles operated by city and county jails.

13 (6) Ten percent of the funds allocated for each institution may be  
14 carried over from one year to the next.

15 **Sec. 9.** 2011 2nd sp.s. c 9 s 511 (uncodified) is amended to read  
16 as follows:

17 **FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS**

18	General Fund--State Appropriation (FY 2012) . . . . .	\$8,759,000
19	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$8,842,000)</del>
20		<u>\$8,802,000</u>
21	TOTAL APPROPRIATION . . . . .	<del>(\$17,601,000)</del>
22		<u>\$17,561,000</u>

23 The appropriations in this section are subject to the following  
24 conditions and limitations:

25 (1) Each general fund fiscal year appropriation includes such funds  
26 as are necessary to complete the school year ending in the fiscal year  
27 and for prior fiscal year adjustments.

28 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
29 shall allocate funding to school district programs for highly capable  
30 students as provided in RCW 28A.150.260(10)(c). In calculating the  
31 allocations, the superintendent shall assume the following: (i)  
32 Additional instruction of 2.1590 hours per week per funded highly  
33 capable program student; (ii) fifteen highly capable program students  
34 per teacher; (iii) 36 instructional weeks per year; (iv) 900  
35 instructional hours per teacher; and (v) the district's average staff  
36 mix and compensation rates as provided in sections 503 and 504 of this  
37 act.

1 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
2 allocate funding to school districts programs for highly capable  
3 students as provided in section 511, chapter 564, Laws of 2009, as  
4 amended through section 1409 of this act.

5 (3) \$85,000 of the general fund--state appropriation for fiscal  
6 year 2012 and \$85,000 of the general fund--state appropriation for  
7 fiscal year 2013 are provided solely for the centrum program at Fort  
8 Worden state park.

9 **Sec. 10.** 2011 2nd sp.s. c 9 s 513 (uncodified) is amended to read  
10 as follows:

11 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--EDUCATION REFORM**  
12 **PROGRAMS**

13	General Fund--State Appropriation (FY 2012) . . . . .	\$58,078,000
14	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$98,309,000)</del>
15		<u>\$81,142,000</u>
16	General Fund--Federal Appropriation . . . . .	\$219,161,000
17	General Fund--Private/Local Appropriation . . . . .	\$4,000,000
18	Education Legacy Trust Account--State Appropriation . . . . .	\$1,598,000
19	TOTAL APPROPRIATION . . . . .	<del>(\$381,146,000)</del>
20		<u>\$363,979,000</u>

21 The appropriations in this section are subject to the following  
22 conditions and limitations:

23 (1) \$40,822,000 of the general fund--state appropriation for fiscal  
24 year 2012, \$41,613,000 of the general fund--state appropriation for  
25 fiscal year 2013, \$1,350,000 of the education legacy trust  
26 account--state appropriation, and \$15,868,000 of the general fund--  
27 federal appropriation are provided solely for development and  
28 implementation of the Washington state assessment system, including:  
29 (a) Development and implementation of retake assessments for high  
30 school students who are not successful in one or more content areas and  
31 (b) development and implementation of alternative assessments or  
32 appeals procedures to implement the certificate of academic  
33 achievement. The superintendent of public instruction shall report  
34 quarterly on the progress on development and implementation of  
35 alternative assessments or appeals procedures. Within these amounts,  
36 the superintendent of public instruction shall contract for the early

1 return of 10th grade student assessment results, on or around June 10th  
2 of each year. State funding shall be limited to one collection of  
3 evidence payment per student, per content-area assessment.

4 (2) \$356,000 of the general fund--state appropriation for fiscal  
5 year 2012 (~~and \$356,000 of the general fund--state appropriation for~~  
6 ~~fiscal year 2013 are~~) is provided solely for the Washington state  
7 leadership and assistance for science education reform (LASER) regional  
8 partnership activities coordinated at the Pacific science center,  
9 including instructional material purchases, teacher and principal  
10 professional development, and school and community engagement events.

11 (3) \$980,000 of the general fund--state appropriation for fiscal  
12 year 2012 (~~and \$980,000 of the general fund--state appropriation for~~  
13 ~~fiscal year 2013 are~~) is provided solely for improving technology  
14 infrastructure, monitoring and reporting on school district technology  
15 development, promoting standards for school district technology,  
16 promoting statewide coordination and planning for technology  
17 development, and providing regional educational technology support  
18 centers, including state support activities, under chapter 28A.650 RCW.

19 (4) \$3,852,000 of the general fund--state appropriation for fiscal  
20 year 2012 and \$2,624,000 of the general fund--state appropriation for  
21 fiscal year 2013 are provided solely for continued implementation of  
22 chapter 235, Laws of 2010 (education reform) including development of  
23 new performance-based evaluation systems for certificated educators.

24 (5) \$1,261,000 of the general fund--state appropriation for fiscal  
25 year 2013 is provided solely for implementation of House Bill No. 2165  
26 (teacher & principal evals). If the bill is not enacted by June 30,  
27 2012, the amount provided in this subsection shall lapse.

28 (6) \$1,923,000 of the general fund--state appropriation for fiscal  
29 year 2013 is provided solely for implementation of House Bill No. 2427  
30 (educator evaluation systems). If the bill is not enacted by June 30,  
31 2012, the amount provided in this subsection shall lapse.

32 (7)(a) (~~(\$40,681,000)~~) \$32,100,000 of the general fund--state  
33 appropriation for fiscal year 2013 is provided solely for the following  
34 bonuses for teachers who hold valid, unexpired certification from the  
35 national board for professional teaching standards and who are teaching  
36 in a Washington public school, subject to the following conditions and  
37 limitations:

1 (i) For national board certified teachers, a bonus of (~~(\$5,090)~~)  
2 \$4,000 per teacher in the 2011-12 and 2012-13 school years, adjusted  
3 for inflation in each school year in which Initiative 732 cost of  
4 living adjustments are provided;

5 (ii) An additional (~~(\$5,000)~~) \$4,000 annual bonus shall be paid to  
6 national board certified teachers who teach in either: (A) High  
7 schools where at least 50 percent of student headcount enrollment is  
8 eligible for federal free or reduced price lunch, (B) middle schools  
9 where at least 60 percent of student headcount enrollment is eligible  
10 for federal free or reduced price lunch, or (C) elementary schools  
11 where at least 70 percent of student headcount enrollment is eligible  
12 for federal free or reduced price lunch;

13 (iii) The superintendent of public instruction shall adopt rules to  
14 ensure that national board certified teachers meet the qualifications  
15 for bonuses under (a)(ii) of this subsection for less than one full  
16 school year receive bonuses in a pro-rated manner. Beginning in the  
17 2011-12 school year, all bonuses in (a)(i) and (ii) of this subsection  
18 will be paid in July of each school year. Bonuses in (a)(i) and (ii)  
19 of this subsection shall be reduced by a factor of 40 percent for first  
20 year NBPTS certified teachers, to reflect the portion of the  
21 instructional school year they are certified; and

22 (iv) During the 2011-12 and 2012-13 school years, and within  
23 available funds, certificated instructional staff who have met the  
24 eligibility requirements and have applied for certification from the  
25 national board for professional teaching standards may receive a  
26 conditional loan of two thousand dollars or the amount set by the  
27 office of the superintendent of public instruction to contribute toward  
28 the current assessment fee, not including the initial up-front  
29 candidacy payment. The fee shall be an advance on the first annual  
30 bonus under RCW 28A.405.415. The conditional loan is provided in  
31 addition to compensation received under a district's salary schedule  
32 and shall not be included in calculations of a district's average  
33 salary and associated salary limitation under RCW 28A.400.200.  
34 Recipients who fail to receive certification after three years are  
35 required to repay the conditional loan. The office of the  
36 superintendent of public instruction shall adopt rules to define the  
37 terms for initial grant of the assessment fee and repayment, including  
38 applicable fees. To the extent necessary, the superintendent may use



1 revenues from the repayment of conditional loan scholarships to ensure  
2 payment of all national board bonus payments required by this section  
3 in each school year.

4 ~~((+6))~~ (8) \$477,000 of the general fund--state appropriation for  
5 fiscal year 2012 ~~((and \$477,000 of the general fund state~~  
6 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the  
7 leadership internship program for superintendents, principals, and  
8 program administrators.

9 ~~((+7))~~ (9) \$950,000 of the general fund--state appropriation for  
10 fiscal year 2012 ~~((and \$950,000 of the general fund state~~  
11 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the  
12 Washington reading corps. The superintendent shall allocate reading  
13 corps members to low-performing schools and school districts that are  
14 implementing comprehensive, proven, research-based reading programs.  
15 Two or more schools may combine their Washington reading corps  
16 programs.

17 ~~((+8))~~ (10) \$810,000 of the general fund--state appropriation for  
18 fiscal year 2012 ~~((and \$810,000 of the general fund state~~  
19 ~~appropriation for fiscal year 2013 are))~~ is provided solely for the  
20 development of a leadership academy for school principals and  
21 administrators. The superintendent of public instruction shall  
22 contract with an independent organization to design, field test, and  
23 implement a state-of-the-art education leadership academy that will be  
24 accessible throughout the state. Initial development of the content of  
25 the academy activities shall be supported by private funds.  
26 Semiannually the independent organization shall report on amounts  
27 committed by foundations and others to support the development and  
28 implementation of this program. Leadership academy partners shall  
29 include the state level organizations for school administrators and  
30 principals, the superintendent of public instruction, the professional  
31 educator standards board, and others as the independent organization  
32 shall identify.

33 ~~((+9))~~ (11) \$3,234,000 of the general fund--state appropriation  
34 for fiscal year 2012 ~~((and \$3,234,000 of the general fund state~~  
35 ~~appropriation for fiscal year 2013 are))~~ is provided solely for grants  
36 to school districts to provide a continuum of care for children and  
37 families to help children become ready to learn. Grant proposals from  
38 school districts shall contain local plans designed collaboratively

1 with community service providers. If a continuum of care program  
2 exists in the area in which the school district is located, the local  
3 plan shall provide for coordination with existing programs to the  
4 greatest extent possible.

5 ~~((+10))~~ (12) \$1,500,000 of the general fund--state appropriation  
6 for fiscal year 2012 ~~((and \$1,500,000 of the general fund--state  
7 appropriation for fiscal year 2013 are))~~ is provided solely for the  
8 implementation of chapter 288, Laws of 2011 (actual student success  
9 program), including allocations to the opportunity internship program,  
10 the jobs for America's graduates program, the building bridges program,  
11 services provided by a college scholarship organization. Funding shall  
12 not be used in the 2011-2013 fiscal biennium to provide awards for  
13 schools and school districts.

14 ~~((+11))~~ (13) \$859,000 of the general fund--state appropriation for  
15 fiscal year 2012, ~~(((\$846,000))~~ \$821,000 of the general fund--state  
16 appropriation for fiscal year 2013, and \$248,000 of the education  
17 legacy trust account--state appropriation are for administrative  
18 support of education reform programs.

19 ~~((+12))~~ (14) \$2,000,000 of the general fund--state appropriation  
20 for fiscal year 2012 ~~((and \$2,000,000 of the general fund--state  
21 appropriation for fiscal year 2013 are))~~ is provided solely for a  
22 statewide information technology (IT) academy program. This public-  
23 private partnership will provide educational software, as well as IT  
24 certification and software training opportunities for students and  
25 staff in public schools.

26 ~~((+13))~~ (15) \$977,000 of the general fund--state appropriation for  
27 fiscal year 2012 ~~((and \$977,000 of the general fund--state  
28 appropriation for fiscal year 2013 are))~~ is provided solely for  
29 secondary career and technical education grants pursuant to chapter  
30 170, Laws of 2008. If equally matched by private donations, \$300,000  
31 of the 2012 appropriation and \$300,000 of the 2013 appropriation shall  
32 be used to support FIRST robotics programs.

33 ~~((+14))~~ (16) \$125,000 of the general fund--state appropriation for  
34 fiscal year 2012 and ~~(((\$125,000))~~ \$100,000 of the general fund--state  
35 appropriation for fiscal year 2013 are provided solely for (a) staff at  
36 the office of the superintendent of public instruction to coordinate  
37 and promote efforts to develop integrated math, science, technology,  
38 and engineering programs in schools and districts across the state; and

1 (b) grants of \$2,500 to provide twenty middle and high school teachers  
2 each year with professional development training for implementing  
3 integrated math, science, technology, and engineering programs in their  
4 schools.

5 ~~((+15+))~~ (17) \$135,000 of the general fund--state appropriation for  
6 fiscal year 2012 ~~((and \$135,000 of the general fund state~~  
7 ~~appropriation for fiscal year 2013 are))~~ is provided solely for  
8 science, technology, engineering and mathematics lighthouse projects,  
9 consistent with chapter 238, Laws of 2010.

10 ~~((+16+))~~ (18) \$1,000,000 of the general fund--state appropriation  
11 for fiscal year 2012 ~~((and \$1,000,000 of the general fund state~~  
12 ~~appropriation for fiscal year 2013 are))~~ is provided solely for a  
13 beginning educator support program. School districts and/or regional  
14 consortia may apply for grant funding. The superintendent shall  
15 implement this program in 5 to 15 school districts and/or regional  
16 consortia. The program provided by a district and/or regional  
17 consortia shall include: A paid orientation; assignment of a qualified  
18 mentor; development of a professional growth plan for each beginning  
19 teacher aligned with professional certification; release time for  
20 mentors and new teachers to work together; and teacher observation time  
21 with accomplished peers. \$250,000 may be used to provide statewide  
22 professional development opportunities for mentors and beginning  
23 educators.

24 (19) \$250,000 of the general fund--state appropriation for fiscal  
25 year 2013 is provided solely for advanced project lead the way courses  
26 at ten high schools. To be eligible for funding, a high school must  
27 have offered a foundational project lead the way course during the  
28 2011-12 school year. The funding must be used for one-time start-up  
29 course costs for an advanced project lead the way course, to be offered  
30 to students beginning in the 2012-13 school year. The office of the  
31 superintendent of public instruction and the education research and  
32 data center at the office of financial management shall track student  
33 participation and long-term outcome data.

34 (20) \$150,000 of the general fund--state appropriation for fiscal  
35 year 2013 is provided solely for aerospace and manufacturing technical  
36 programs housed at two skill centers. The one-time funding is provided  
37 for start-up equipment and curriculum purchases. To be eligible for  
38 funding, the skill center must agree to provide regional high schools

1 with access to a technology laboratory, expand manufacturing  
2 certificate and course offerings at the skill center, and provide a  
3 laboratory space for local high school teachers to engage in  
4 professional development in the instruction of courses leading to  
5 student employment certification in the aerospace and manufacturing  
6 industries. The office of the superintendent of public instruction  
7 shall administer the grants in consultation with the center for  
8 excellence for aerospace and advanced materials manufacturing.

9 (21) \$300,000 of the general fund--state appropriation for fiscal  
10 year 2013 is provided solely for start-up grants to twelve high schools  
11 to implement the aerospace assembler program. Participating high  
12 schools must agree to offer the aerospace assembler training program to  
13 students by spring semester of school year 2012-13. The office of the  
14 superintendent of public instruction and the education research and  
15 data center at the office of financial management shall track student  
16 participation and long-term outcome data.

17 **Sec. 11.** 2011 2nd sp.s. c 9 s 514 (uncodified) is amended to read  
18 as follows:

19 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR TRANSITIONAL**  
20 **BILINGUAL PROGRAMS**

21	General Fund--State Appropriation (FY 2012) . . . . .	\$79,496,000
22	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$82,856,000)</del>
23		<u>\$82,621,000</u>
24	General Fund--Federal Appropriation . . . . .	\$71,001,000
25	TOTAL APPROPRIATION . . . . .	<del>(\$233,353,000)</del>
26		<u>\$233,118,000</u>

27 The appropriations in this section are subject to the following  
28 conditions and limitations:

29 (1) Each general fund fiscal year appropriation includes such funds  
30 as are necessary to complete the school year ending in the fiscal year  
31 and for prior fiscal year adjustments.

32 (2)(a) For the 2011-12 and 2012-13 school years, the superintendent  
33 shall allocate funding to school districts for transitional bilingual  
34 programs as provided in RCW 28A.150.260(10)(b). In calculating the  
35 allocations, the superintendent shall assume the following averages:  
36 (i) Additional instruction of 4.7780 hours per week per transitional  
37 bilingual program student; (ii) fifteen transitional bilingual program  
38

1 students per teacher; (iii) 36 instructional weeks per year; (iv) 900  
2 instructional hours per teacher; and (v) the district's average staff  
3 mix and compensation rates as provided in sections 503 and 504 of this  
4 act.

5 (b) From July 1, 2011, to August 31, 2011, the superintendent shall  
6 allocate funding to school districts for transitional bilingual  
7 instruction programs as provided in section 514, chapter 564, Laws of  
8 2009, as amended through section 1411 of this act.

9 (c) The allocations in this section reflect the implementation of  
10 a new funding formula for the transitional bilingual instructional  
11 program, effective September 1, 2011, as specified in RCW  
12 28A.150.260(10)(b).

13 (3) The superintendent may withhold allocations to school districts  
14 in subsection (2) of this section solely for the central provision of  
15 assessments as provided in RCW 28A.180.090 (1) and (2) up to the  
16 following amounts: 2.79 percent for school year 2011-12 and 2.09  
17 percent for school year 2012-13.

18 (4) The general fund--federal appropriation in this section is for  
19 migrant education under Title I Part C and English language  
20 acquisition, and language enhancement grants under Title III of the  
21 elementary and secondary education act.

22 (5)(a) The office of the superintendent of public instruction shall  
23 implement a funding model for the transitional bilingual program,  
24 beginning in school year 2012-13, that is scaled to provide more  
25 support to students requiring most intensive intervention, (students  
26 with beginning levels of English language proficiency) and less support  
27 to students requiring less intervention. The funding model shall also  
28 provide up to two years of bonus funding upon successful exit from the  
29 bilingual program to facilitate successful transition to a standard  
30 program of education.

31 (b) It is expected that per-pupil funding for level 2 proficiency  
32 will be set at the same level as would have been provided statewide  
33 prior to establishing differential per-pupil amounts; level 1 will be  
34 125 percent of level 2; level 3 through the level prior to exit will be  
35 75 percent of level 2; and two bonus years upon successful  
36 demonstration of proficiency will be 100 percent of level 2. Prior to  
37 implementing in school year 2012-13, the office of the superintendent  
38 of public instruction shall provide to the senate and house of

1 representatives ways and means committees recommended rates based on  
2 the results of proficiency test procurement, expressed as both per-  
3 pupil rates and hours of instruction as provided in RCW  
4 28A.150.260(10)(b).

5 (c) Each bilingual student shall be tested for proficiency level  
6 and, therefore, eligibility for the transitional bilingual program each  
7 year. The bonus payments for up to two school years following  
8 successful exit from the transitional bilingual program shall be  
9 allocated to the exiting school district. If the student graduates or  
10 transfers to another district prior to the district receiving both  
11 years' bonuses, the district shall receive the bonus for only the  
12 length of time the student remains enrolled in the exiting district.

13 (d) The quality education council shall examine the revised funding  
14 model developed under this subsection and provide a report to the  
15 education and fiscal committees of the legislature by December 1, 2011,  
16 that includes recommendations for:

17 (i) Changing the prototypical school funding formula for the  
18 transitional bilingual program to align with the revised model in an  
19 accurate and transparent manner;

20 (ii) Reconciling the revised model with statutory requirements for  
21 categorical funding of the transitional bilingual instructional program  
22 that is restricted to students eligible for and enrolled in that  
23 program;

24 (iii) Clarifying the elements of the transitional bilingual  
25 instructional program that fall under the definition of basic education  
26 and the impact of the revised model on them; and

27 (iv) The extent that the disparate financial impact of the revised  
28 model on different school districts should be addressed and options for  
29 addressing it.

30 (e) The office of the superintendent of public instruction shall  
31 report to the senate and house of representatives ways and means  
32 committees and education committees annually by December 31st of each  
33 year, through 2018, regarding any measurable changes in proficiency,  
34 time-in-program, and transition experience.

35 (6) \$35,000 of the general fund--state appropriation for fiscal  
36 year 2012 and \$35,000 of the general fund--state appropriation for  
37 fiscal year 2013 are provided solely to track current and former  
38 transitional bilingual program students.

1       **Sec. 12.** 2011 2nd sp.s. c 9 s 515 (uncodified) is amended to read  
2 as follows:

3       **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--FOR THE LEARNING**  
4       **ASSISTANCE PROGRAM**

5	General Fund--State Appropriation (FY 2012) . . . . .	\$102,470,000
6	General Fund--State Appropriation (FY 2013) . . . . .	<del>(\$103,666,000)</del>
7		<u>\$103,307,000</u>
8	General Fund--Federal Appropriation . . . . .	\$492,207,000
9	Education Legacy Trust Account--State Appropriation . . . . .	\$47,980,000
10	TOTAL APPROPRIATION . . . . .	<del>(\$746,323,000)</del>
11		<u>\$745,964,000</u>

12       The appropriations in this section are subject to the following  
13 conditions and limitations:

14       (1) The general fund--state appropriations in this section are  
15 subject to the following conditions and limitations:

16       (a) The appropriations include such funds as are necessary to  
17 complete the school year ending in the fiscal year and for prior fiscal  
18 year adjustments.

19       (b)(i) For the 2011-12 and 2012-13 school years, the superintendent  
20 shall allocate funding to school districts for learning assistance  
21 programs as provided in RCW 28A.150.260(10)(a). In calculating the  
22 allocations, the superintendent shall assume the following averages:  
23 (A) Additional instruction of 1.51560 hours per week per funded  
24 learning assistance program student; (B) fifteen learning assistance  
25 program students per teacher; (C) 36 instructional weeks per year; (D)  
26 900 instructional hours per teacher; and (E) the district's average  
27 staff mix and compensation rates as provided in sections 503 and 504 of  
28 this act.

29       (ii) From July 1, 2011, to August 31, 2011, the superintendent  
30 shall allocate funding to school districts for learning assistance  
31 programs as provided in section 515, chapter 564, Laws of 2009, as  
32 amended through section 1412 of this act.

33       (c) A school district's funded students for the learning assistance  
34 program shall be the sum of the district's full-time equivalent  
35 enrollment in grades K-12 for the prior school year multiplied by the  
36 district's percentage of October headcount enrollment in grades K-12  
37 eligible for free or reduced price lunch in the prior school year.

1 (2) Allocations made pursuant to subsection (1) of this section  
2 shall be adjusted to reflect ineligible applications identified through  
3 the annual income verification process required by the national school  
4 lunch program, as recommended in the report of the state auditor on the  
5 learning assistance program dated February, 2010.

6 (3) The general fund--federal appropriation in this section is  
7 provided for Title I Part A allocations of the no child left behind act  
8 of 2001.

9 (4) A school district may carry over from one year to the next up  
10 to 10 percent of the general fund-state or education legacy trust funds  
11 allocated under this program; however, carryover funds shall be  
12 expended for the learning assistance program.

13 (5) The office of the superintendent of public instruction shall  
14 research and recommend options for an adjustment factor for middle  
15 school and high school free and reduced price lunch eligibility  
16 reporting rates pursuant to RCW 28A.150.260(12)(a), and submit a report  
17 to the fiscal committees of the legislature by June 1, 2012. For the  
18 2011-12 and 2012-13 school years, the adjustment factor is 1.0.

19 **Sec. 13.** 2011 1st sp.s. c 50 s 516 (uncodified) is amended to read  
20 as follows:

21 **FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION**

22 (1) Amounts distributed to districts by the superintendent through  
23 part V of this act are for allocations purposes only and do not entitle  
24 a particular district, district employee, or student to a specific  
25 service, beyond what has been expressly provided in statute. Part V of  
26 this act restates the requirements of various sections of Title 28A  
27 RCW. If any conflict exists, the provisions of Title 28A RCW control  
28 unless this act explicitly states that it is providing an enhancement.

29 Any amounts provided in part V of this act in excess of the amounts  
30 required by Title 28A RCW provided in statute, are not within the  
31 program of basic education.

32 (2) To the maximum extent practicable, when adopting new or revised  
33 rules or policies relating to the administration of allocations in part  
34 V of this act that result in fiscal impact, the office of the  
35 superintendent of public instruction shall attempt to seek legislative  
36 approval through the budget request process.



1           (3) Appropriations made in this act to the office of the  
2 superintendent of public instruction shall initially be allotted as  
3 required by this act. Subsequent allotment modifications shall not  
4 include transfers of moneys between sections of this act except as  
5 expressly provided in subsection (4) of this section.

6           (4) The appropriations to the office of the superintendent of  
7 public instruction in this act shall be expended for the programs and  
8 amounts specified in this act. However, after May 1, 2012, unless  
9 specifically prohibited by this act and after approval by the director  
10 of financial management, the superintendent of public instruction may  
11 transfer state general fund appropriations for fiscal year 2012 among  
12 the following programs to meet the apportionment schedule for a  
13 specified formula in another of these programs: General apportionment;  
14 employee compensation adjustments; pupil transportation; special  
15 education programs; institutional education programs; transitional  
16 bilingual programs; and learning assistance programs.

17           (5) The director of financial management shall notify the  
18 appropriate legislative fiscal committees in writing prior to approving  
19 any allotment modifications or transfers under this section.

20           NEW SECTION. Sec. 14. This act is necessary for the immediate  
21 preservation of the public peace, health, or safety, or support of the  
22 state government and its existing public institutions, and takes effect  
23 immediately.

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