

E2SSB 6552 - H AMD 912

By Representative Santos

WITHDRAWN 03/12/2014

1 Strike everything after the enacting clause and insert the
2 following:

3
4 "Sec. 1. RCW 28A.150.220 and 2013 2nd sp.s. c 9 s 2 are each
5 amended to read as follows:

6 (1) In order for students to have the opportunity to develop the
7 basic education knowledge and skills under RCW 28A.150.210, school
8 districts must provide instruction of sufficient quantity and quality
9 and give students the opportunity to complete graduation requirements
10 that are intended to prepare them for postsecondary education, gainful
11 employment, and citizenship. The program established under this
12 section shall be the minimum instructional program of basic education
13 offered by school districts.

14 (2) Each school district shall make available to students the
15 following minimum instructional offering each school year:

16 (a) For students enrolled in grades one through twelve, at least a
17 district-wide annual average of one thousand hours, which shall be
18 increased beginning in the 2015-16 school year to at least one
19 thousand eighty instructional hours for students enrolled in (~~each~~
20 ~~of~~) grades (~~seven~~) nine through twelve and at least one thousand
21 instructional hours for students in (~~each of~~) grades one through
22 (~~six according to an implementation schedule adopted by the~~
23 ~~legislature, but not before the 2014-15 school year~~) eight, all of
24 which may be calculated by a school district using a district-wide
25 annual average of instructional hours over grades one through twelve;
26 and

27

1 (b) For students enrolled in kindergarten, at least four hundred
2 fifty instructional hours, which shall be increased to at least one
3 thousand instructional hours according to the implementation schedule
4 under RCW 28A.150.315.

5 (3) The instructional program of basic education provided by each
6 school district shall include:

7 (a) Instruction in the essential academic learning requirements
8 under RCW 28A.655.070;

9 (b) Instruction that provides students the opportunity to complete
10 twenty-four credits for high school graduation, subject to a phased-in
11 implementation of the twenty-four credits as established by the
12 legislature. Course distribution requirements may be established by
13 the state board of education under RCW 28A.230.090;

14 (c) If the essential academic learning requirements include a
15 requirement of languages other than English, the requirement may be
16 met by students receiving instruction in one or more American Indian
17 languages;

18 (d) Supplemental instruction and services for underachieving
19 students through the learning assistance program under RCW 28A.165.005
20 through 28A.165.065;

21 (e) Supplemental instruction and services for eligible and
22 enrolled students and exited students whose primary language is other
23 than English through the transitional bilingual instruction program
24 under RCW 28A.180.010 through 28A.180.080;

25 (f) The opportunity for an appropriate education at public expense
26 as defined by RCW 28A.155.020 for all eligible students with
27 disabilities as defined in RCW 28A.155.020; and

28 (g) Programs for highly capable students under RCW 28A.185.010
29 through 28A.185.030.

30 (4) Nothing contained in this section shall be construed to
31 require individual students to attend school for any particular number
32 of hours per day or to take any particular courses.

33 (5)(a) Each school district's kindergarten through twelfth grade
34 basic educational program shall be accessible to all students who are

1 five years of age, as provided by RCW 28A.225.160, and less than
2 twenty-one years of age and shall consist of a minimum of one hundred
3 eighty school days per school year in such grades as are conducted by
4 a school district, and one hundred eighty half-days of instruction, or
5 equivalent, in kindergarten, to be increased to a minimum of one
6 hundred eighty school days per school year according to the
7 implementation schedule under RCW 28A.150.315. (~~However,~~)

8 (b) Schools administering the Washington kindergarten inventory of
9 developing skills may use up to three school days at the beginning of
10 the school year to meet with parents and families as required in the
11 parent involvement component of the inventory. (~~In addition,~~
12 ~~effective May 1, 1979,~~)

13 (c) In the case of students who are graduating from high school, a
14 school district may schedule the last five school days of the one
15 hundred (~~and~~) eighty day school year for noninstructional purposes
16 (~~in the case of students who are graduating from high school,~~)
17 including, but not limited to, the observance of graduation and early
18 release from school upon the request of a student(~~, and~~). All such
19 students may be claimed as a full-time equivalent student to the
20 extent they could otherwise have been so claimed for the purposes of
21 RCW 28A.150.250 and 28A.150.260. Any hours scheduled by a school
22 district for noninstructional purposes during the last five school
23 days for such students shall count toward the instructional hours
24 requirement in subsection (2)(a) of this section.

25 (6) Nothing in this section precludes a school district from
26 enriching the instructional program of basic education, such as
27 offering additional instruction or providing additional services,
28 programs, or activities that the school district determines to be
29 appropriate for the education of the school district's students.

30 (7) The state board of education shall adopt rules to implement
31 and ensure compliance with the program requirements imposed by this
32 section, RCW 28A.150.250 and 28A.150.260, and such related
33 supplemental program approval requirements as the state board may
34 establish.

1 **Sec. 2.** RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each
2 amended to read as follows:

3 The purpose of this section is to provide for the allocation of
4 state funding that the legislature deems necessary to support school
5 districts in offering the minimum instructional program of basic
6 education under RCW 28A.150.220. The allocation shall be determined
7 as follows:

8 (1) The governor shall and the superintendent of public
9 instruction may recommend to the legislature a formula for the
10 distribution of a basic education instructional allocation for each
11 common school district.

12 (2) The distribution formula under this section shall be for
13 allocation purposes only. Except as may be required under chapter
14 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
15 regulations, nothing in this section requires school districts to use
16 basic education instructional funds to implement a particular
17 instructional approach or service. Nothing in this section requires
18 school districts to maintain a particular classroom teacher-to-student
19 ratio or other staff-to-student ratio or to use allocated funds to pay
20 for particular types or classifications of staff. Nothing in this
21 section entitles an individual teacher to a particular teacher
22 planning period.

23 (3)(a) To the extent the technical details of the formula have
24 been adopted by the legislature and except when specifically provided
25 as a school district allocation, the distribution formula for the
26 basic education instructional allocation shall be based on minimum
27 staffing and nonstaff costs the legislature deems necessary to support
28 instruction and operations in prototypical schools serving high,
29 middle, and elementary school students as provided in this section.
30 The use of prototypical schools for the distribution formula does not
31 constitute legislative intent that schools should be operated or
32 structured in a similar fashion as the prototypes. Prototypical
33 schools illustrate the level of resources needed to operate a school
34 of a particular size with particular types and grade levels of

1 students using commonly understood terms and inputs, such as class
2 size, hours of instruction, and various categories of school staff.
3 It is the intent that the funding allocations to school districts be
4 adjusted from the school prototypes based on the actual number of
5 annual average full-time equivalent students in each grade level at
6 each school in the district and not based on the grade-level
7 configuration of the school to the extent that data is available. The
8 allocations shall be further adjusted from the school prototypes with
9 minimum allocations for small schools and to reflect other factors
10 identified in the omnibus appropriations act.

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

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

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

18 (iii) A prototypical elementary school has four hundred average
19 annual full-time equivalent students in grades kindergarten through
20 six.

21 (4)(a)(i) The minimum allocation for each level of prototypical
22 school shall be based on the number of full-time equivalent classroom
23 teachers needed to provide instruction over the minimum required
24 annual instructional hours under RCW 28A.150.220 and provide at least
25 one teacher planning period per school day, and based on the following
26 general education average class size of full-time equivalent students
27 per teacher:

	General education average class size
28	
29	
30	
31 Grades K-3	25.23
32 Grade 4	27.00
33 Grades 5-6	27.00
34 Grades 7-8	28.53

1 Grades 9-12 28.74
 2 (ii) The minimum class size allocation for each prototypical high
 3 school shall be enhanced to provide for enhanced funding for class
 4 size reduction for two laboratory science classes within grades nine
 5 through twelve per full-time equivalent high school student multiplied
 6 by the laboratory science course factor of 0.0833, based on number of
 7 full-time equivalent classroom teachers needed to provide instruction
 8 over the minimum required annual instructional hours under RCW
 9 28A.150.220, and providing at least one teacher planning period per
 10 school day:

11		<u>Laboratory science</u>
12		<u>average class size</u>
13	<u>Grades 9-12</u>	<u>19.98</u>
14		

15 (b) During the 2011-2013 biennium and beginning with schools with
 16 the highest percentage of students eligible for free and reduced-price
 17 meals in the prior school year, the general education average class
 18 size for grades K-3 shall be reduced until the average class size
 19 funded under this subsection (4) is no more than 17.0 full-time
 20 equivalent students per teacher beginning in the 2017-18 school year.

21 (c) The minimum allocation for each prototypical middle and high
 22 school shall also provide for full-time equivalent classroom teachers
 23 based on the following number of full-time equivalent students per
 24 teacher in career and technical education:

25		
26		Career and technical
27		education average
28		class size
29	Approved career and technical education offered at	
30	the middle school and high school level	26.57
31	Skill center programs meeting the standards established	
32	by the office of the superintendent of public	
33	instruction	22.76
34		

1 (d) In addition, the omnibus appropriations act shall at a minimum
2 specify:

3 (i) A high-poverty average class size in schools where more than
4 fifty percent of the students are eligible for free and reduced-price
5 meals; and

6 (ii) A specialty average class size for ((~~laboratory science,~~)
7 advanced placement((~~7~~)) and international baccalaureate courses.

8 (5) The minimum allocation for each level of prototypical school
9 shall include allocations for the following types of staff in addition
10 to classroom teachers:

	Elementary	Middle	High
	School	School	School
14 Principals, assistant principals, and			
15 other certificated building-level	1.253	1.353	1.880
16 administrators			
17 Teacher librarians, a function that			
18 includes information literacy,	0.663	0.519	0.523
19 technology,			
20 and media to support school library			
21 media programs			
22 Health and social services:			
23 School nurses.....	0.076	0.060	0.096
24 Social workers.....	0.042	0.006	0.015
25 Psychologists.....	0.017	0.002	0.007
26 Guidance counselors, a function that			
27 includes parent outreach and graduation	0.493	1.116	((1.909))
28 advising			<u>2.539</u>
29 Teaching assistance, including any			
30 aspect of educational instructional	0.936	0.700	0.652
31 services provided by classified			
32 employees			
33 Office support and other	2.012	2.325	3.269
34 noninstructional aides			

1	Custodians	1.657	1.942	2.965
2	Classified staff providing student and	0.079	0.092	0.141
3	staff safety			
4	Parent involvement coordinators	0.00	0.00	0.00

5
6

7 (6)(a) The minimum staffing allocation for each school district to
8 provide district-wide support services shall be allocated per one
9 thousand annual average full-time equivalent students in grades K-12
10 as follows:

11

12			Staff per 1,000	
13			K-12 students	
14	Technology			0.628
15	Facilities, maintenance, and grounds			1.813
16	Warehouse, laborers, and mechanics			0.332

17

18 (b) The minimum allocation of staff units for each school district
19 to support certificated and classified staffing of central
20 administration shall be 5.30 percent of the staff units generated
21 under subsections (4)(a) and (b) and (5) of this section and (a) of
22 this subsection.

23 (7) The distribution formula shall include staffing allocations to
24 school districts for career and technical education and skill center
25 administrative and other school-level certificated staff, as specified
26 in the omnibus appropriations act.

27 (8)(a) Except as provided in (b) and (c) of this subsection, the
28 minimum allocation for each school district shall include allocations
29 per annual average full-time equivalent student for the following
30 materials, supplies, and operating costs, to be adjusted for inflation
31 from the 2008-09 school year:

32

33		Per annual average
34		full-time equivalent student

1		in grades K-12	
2	Technology		\$54.43
3	Utilities and insurance		\$147.90
4	Curriculum and textbooks		\$58.44
5	Other supplies and library materials		\$124.07
6	Instructional professional development for certified and		
7	classified staff		\$9.04
8	Facilities maintenance		\$73.27
9	Security and central office		\$50.76

10

11 (b) During the 2011-2013 biennium, the minimum allocation for

12 maintenance, supplies, and operating costs shall be increased as

13 specified in the omnibus appropriations act. The following

14 allocations, adjusted for inflation from the 2007-08 school year, are

15 provided in the 2015-16 school year, after which the allocations shall

16 be adjusted annually for inflation as specified in the omnibus

17 appropriations act:

18			
19		Per annual average	
20		full-time equivalent student	
21		in grades K-12	
22	Technology		\$113.80
23	Utilities and insurance		\$309.21
24	Curriculum and textbooks		\$122.17
25	Other supplies and library materials		\$259.39
26	Instructional professional development for certificated and		
27	classified staff		\$18.89
28	Facilities maintenance		\$153.18
29	Security and central office administration		\$106.12

30

31 (c) In addition to the amounts provided in (a) and (b) of this

32 subsection, beginning in the 2014-15 school year, the omnibus

33 appropriations act shall provide the following minimum allocation for

34 each annual average full-time equivalent student in grades nine

1 through twelve for the following materials, supplies, and operating
2 costs, to be adjusted annually for inflation:

	<u>Per annual average</u> <u>full-time equivalent student</u> <u>in grades 9-12</u>
7 <u>Technology</u>	\$36.35
8 <u>Curriculum and textbooks</u>	\$39.02
9 <u>Other supplies and library materials</u>	\$82.84
10 <u>Instructional professional development for certificated and</u> 11 <u>classified staff</u>	\$6.04

12
13 (9) In addition to the amounts provided in subsection (8) of this
14 section, the omnibus appropriations act shall provide an amount based
15 on full-time equivalent student enrollment in each of the following:

16 (a) Exploratory career and technical education courses for
17 students in grades seven through twelve;

18 ~~(b) ((Laboratory science courses for students in grades nine~~
19 ~~through twelve;~~

20 ~~(c))~~ Preparatory career and technical education courses for
21 students in grades nine through twelve offered in a high school; and

22 ~~((d))~~ (c) Preparatory career and technical education courses for
23 students in grades eleven and twelve offered through a skill center.

24 (10) In addition to the allocations otherwise provided under this
25 section, amounts shall be provided to support the following programs
26 and services:

27 (a) To provide supplemental instruction and services for
28 underachieving students through the learning assistance program under
29 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the
30 district percentage of students in grades K-12 who were eligible for
31 free or reduced-price meals in the prior school year. The minimum
32 allocation for the program shall provide for each level of
33 prototypical school resources to provide, on a statewide average,
34

1 1.5156 hours per week in extra instruction with a class size of
2 fifteen learning assistance program students per teacher.

3 (b) To provide supplemental instruction and services for students
4 whose primary language is other than English, allocations shall be
5 based on the head count number of students in each school who are
6 eligible for and enrolled in the transitional bilingual instruction
7 program under RCW 28A.180.010 through 28A.180.080. The minimum
8 allocation for each level of prototypical school shall provide
9 resources to provide, on a statewide average, 4.7780 hours per week in
10 extra instruction with fifteen transitional bilingual instruction
11 program students per teacher. Notwithstanding other provisions of
12 this subsection (10), the actual per-student allocation may be scaled
13 to provide a larger allocation for students needing more intensive
14 intervention and a commensurate reduced allocation for students
15 needing less intensive intervention, as detailed in the omnibus
16 appropriations act.

17 (c) To provide additional allocations to support programs for
18 highly capable students under RCW 28A.185.010 through 28A.185.030,
19 allocations shall be based on two and three hundred fourteen one-
20 thousandths percent of each school district's full-time equivalent
21 basic education enrollment. The minimum allocation for the programs
22 shall provide resources to provide, on a statewide average, 2.1590
23 hours per week in extra instruction with fifteen highly capable
24 program students per teacher.

25 (11) The allocations under subsections (4)(a) and (b), (5), (6),
26 and (8) of this section shall be enhanced as provided under RCW
27 28A.150.390 on an excess cost basis to provide supplemental
28 instructional resources for students with disabilities.

29 (12)(a) For the purposes of allocations for prototypical high
30 schools and middle schools under subsections (4) and (10) of this
31 section that are based on the percent of students in the school who
32 are eligible for free and reduced-price meals, the actual percent of
33 such students in a school shall be adjusted by a factor identified in
34

1 the omnibus appropriations act to reflect underreporting of free and
2 reduced-price meal eligibility among middle and high school students.

3 (b) Allocations or enhancements provided under subsections (4),
4 (7), and (9) of this section for exploratory and preparatory career
5 and technical education courses shall be provided only for courses
6 approved by the office of the superintendent of public instruction
7 under chapter 28A.700 RCW.

8 (13)(a) This formula for distribution of basic education funds
9 shall be reviewed biennially by the superintendent and governor. The
10 recommended formula shall be subject to approval, amendment or
11 rejection by the legislature.

12 (b) In the event the legislature rejects the distribution formula
13 recommended by the governor, without adopting a new distribution
14 formula, the distribution formula for the previous school year shall
15 remain in effect.

16 (c) The enrollment of any district shall be the annual average
17 number of full-time equivalent students and part-time students as
18 provided in RCW 28A.150.350, enrolled on the first school day of each
19 month, including students who are in attendance pursuant to RCW
20 28A.335.160 and 28A.225.250 who do not reside within the servicing
21 school district. The definition of full-time equivalent student shall
22 be determined by rules of the superintendent of public instruction and
23 shall be included as part of the superintendent's biennial budget
24 request. The definition shall be based on the minimum instructional
25 hour offerings required under RCW 28A.150.220. Any revision of the
26 present definition shall not take effect until approved by the house
27 ways and means committee and the senate ways and means committee.

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

31
32 NEW SECTION. **Sec. 3.** Section 2 of this act takes effect September
33 1, 2014."
34

1 Correct the title.

EFFECT: Strikes the following provisions from the bill:

- Legislative intent section.
- Provisions related to CTE course equivalencies for mathematics and science.
- Implementation of a 24-credit graduation requirement framework beginning with the graduating class of 2019.

Maintains the following provisions:

- Modifications to increased Basic Education instructional hours, to take effect beginning in 2015-16.
- Allowing the last five days for graduating seniors to count toward instructional hours requirements.
- Changes to the prototypical school funding formula to add reduced class size for high school laboratory science, increased MSOC allocations per high school student, and increased allocations for high school counselors, to take effect September 1, 2014.

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