

---

SENATE BILL 6108

---

State of Washington

63rd Legislature

2014 Regular Session

By Senators McAuliffe, Rolfes, Cleveland, Kohl-Welles, Fraser, Conway, Pedersen, and Kline

Read first time 01/15/14. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to linear K-3 class size reduction; amending RCW  
2 28A.150.260; adding a new section to chapter 28A.525 RCW; creating a  
3 new section; making an appropriation; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature intends to provide a  
6 detailed plan to foster cooperation with the Washington supreme court  
7 by placing into statute a roadmap for steady forward progress to  
8 implement the basic education K-3 class size reduction to seventeen  
9 students by 2018. The legislature also intends to provide additional  
10 nonbasic education funds to assist with capital costs for school  
11 districts that have facility capacity limitations in meeting the target  
12 of reducing class size to seventeen.

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

15 The purpose of this section is to provide for the allocation of  
16 state funding that the legislature deems necessary to support school  
17 districts in offering the minimum instructional program of basic

1 education under RCW 28A.150.220. The allocation shall be determined as  
2 follows:

3 (1) The governor shall and the superintendent of public instruction  
4 may recommend to the legislature a formula for the distribution of a  
5 basic education instructional allocation for each common school  
6 district.

7 (2) The distribution formula under this section shall be for  
8 allocation purposes only. Except as may be required under chapter  
9 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and  
10 regulations, nothing in this section requires school districts to use  
11 basic education instructional funds to implement a particular  
12 instructional approach or service. Nothing in this section requires  
13 school districts to maintain a particular classroom teacher-to-student  
14 ratio or other staff-to-student ratio or to use allocated funds to pay  
15 for particular types or classifications of staff. Nothing in this  
16 section entitles an individual teacher to a particular teacher planning  
17 period.

18 (3)(a) To the extent the technical details of the formula have been  
19 adopted by the legislature and except when specifically provided as a  
20 school district allocation, the distribution formula for the basic  
21 education instructional allocation shall be based on minimum staffing  
22 and nonstaff costs the legislature deems necessary to support  
23 instruction and operations in prototypical schools serving high,  
24 middle, and elementary school students as provided in this section.  
25 The use of prototypical schools for the distribution formula does not  
26 constitute legislative intent that schools should be operated or  
27 structured in a similar fashion as the prototypes. Prototypical  
28 schools illustrate the level of resources needed to operate a school of  
29 a particular size with particular types and grade levels of students  
30 using commonly understood terms and inputs, such as class size, hours  
31 of instruction, and various categories of school staff. It is the  
32 intent that the funding allocations to school districts be adjusted  
33 from the school prototypes based on the actual number of annual average  
34 full-time equivalent students in each grade level at each school in the  
35 district and not based on the grade-level configuration of the school  
36 to the extent that data is available. The allocations shall be further  
37 adjusted from the school prototypes with minimum allocations for small

1 schools and to reflect other factors identified in the omnibus  
2 appropriations act.

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

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

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

10 (iii) A prototypical elementary school has four hundred average  
11 annual full-time equivalent students in grades kindergarten through  
12 six.

13 (4)(a) The minimum allocation for each level of prototypical school  
14 shall be based on the number of full-time equivalent classroom teachers  
15 needed to provide instruction over the minimum required annual  
16 instructional hours under RCW 28A.150.220 and provide at least one  
17 teacher planning period per school day(~~(, and based on the following~~  
18 ~~general education average class size of)~~).

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

25 (ii) Beginning in the 2014-15 school year, a linear implementation  
26 schedule for reducing the average class size for grades K-3 shall be  
27 initiated, based on the following general average class size of full-  
28 time equivalent students per teacher in high poverty schools where more  
29 than fifty percent of the students are eligible for free and reduced-  
30 price meals and in nonhigh poverty schools where the percent of  
31 students eligible for free and reduced-priced meals is fifty percent or  
32 less:

<u>High poverty</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>
<u>schools</u>	<u>School year</u>	<u>School year</u>	<u>School year</u>	<u>School year</u>	<u>School year</u>
<u>Grade K</u>	<u>20.85</u>	<u>20.30</u>	<u>19.20</u>	<u>18.10</u>	<u>17.00</u>
<u>Grade 1</u>	<u>20.85</u>	<u>20.30</u>	<u>19.20</u>	<u>18.10</u>	<u>17.00</u>

1	<u>Grade 2</u>	<u>24.10</u>	<u>24.10</u>	<u>21.73</u>	<u>19.36</u>	<u>17.00</u>
2	<u>Grade 3</u>	<u>24.10</u>	<u>24.10</u>	<u>21.73</u>	<u>19.36</u>	<u>17.00</u>
3						
4	<u>Nonhigh poverty</u>					
5	<u>schools</u>					
6	<u>Grade K</u>	<u>25.23</u>	<u>25.23</u>	<u>22.48</u>	<u>19.73</u>	<u>17.00</u>
7	<u>Grade 1</u>	<u>25.23</u>	<u>25.23</u>	<u>22.48</u>	<u>19.73</u>	<u>17.00</u>
8	<u>Grade 2</u>	<u>25.23</u>	<u>25.23</u>	<u>22.48</u>	<u>19.73</u>	<u>17.00</u>
9	<u>Grade 3</u>	<u>25.23</u>	<u>25.23</u>	<u>22.48</u>	<u>19.73</u>	<u>17.00</u>

10        (iii) For grades 4-12, the general education average class size  
11 shall be based on the following full-time equivalent students per  
12 teacher:

13		General education
14		average
15		class size
16	<del>((Grades K-3 . . . . . 25.23))</del>	
17	Grade 4 . . . . .	27.00
18	Grades 5-6 . . . . .	27.00
19	Grades 7-8 . . . . .	28.53
20	Grades 9-12 . . . . .	28.74

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

27        ~~(e))~~ The minimum allocation for each prototypical middle and high  
28 school shall also provide for full-time equivalent classroom teachers  
29 based on the following number of full-time equivalent students per  
30 teacher in career and technical education:

31		Career and technical
32		education average
33		class size
34	Approved career and technical education offered at	
35	the middle school and high school level . . . . .	26.57
36	Skill center programs meeting the standards established	

1 by the office of the superintendent of public  
 2 instruction . . . . . 22.76

3 ((~~d~~)) (c) In addition, the omnibus appropriations act shall at a  
 4 minimum specify:

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

8 (ii) A specialty average class size for laboratory science,  
 9 advanced placement, and international baccalaureate courses.

10 (5) The minimum allocation for each level of prototypical school  
 11 shall include allocations for the following types of staff in addition  
 12 to classroom teachers:  
 13

	Elementary	Middle	High
	School	School	School
17 Principals, assistant principals, and other certificated building-level			
18 administrators . . . . .	1.253	1.353	1.880
19 Teacher librarians, a function that includes information literacy, technology,			
20 and media to support school library media programs . . . . .	0.663	0.519	0.523
21 Health and social services:			
22 School nurses . . . . .	0.076	0.060	0.096
23 Social workers . . . . .	0.042	0.006	0.015
24 Psychologists . . . . .	0.017	0.002	0.007
25 Guidance counselors, a function that includes parent outreach and graduation			
26 advising . . . . .	0.493	1.116	1.909
27 Teaching assistance, including any aspect of educational instructional			
28 services provided by classified employees . . . . .	0.936	0.700	0.652
29 Office support and other noninstructional aides . . . . .	2.012	2.325	3.269
30 Custodians . . . . .	1.657	1.942	2.965
31 Classified staff providing student and staff safety . . . . .	0.079	0.092	0.141
32 Parent involvement coordinators . . . . .	0.00	0.00	0.00

33 (6)(a) The minimum staffing allocation for each school district to  
 34 provide district-wide support services shall be allocated per one

1 thousand annual average full-time equivalent students in grades K-12 as  
2 follows:

	Staff per 1,000 K-12 students
3 Technology . . . . .	0.628
4 Facilities, maintenance, and grounds . . . . .	1.813
5 Warehouse, laborers, and mechanics . . . . .	0.332

6 (b) The minimum allocation of staff units for each school district  
7 to support certificated and classified staffing of central  
8 administration shall be 5.30 percent of the staff units generated under  
9 subsections (4)(a) (~~and (b)~~) and (5) of this section and (a) of this  
10 subsection.

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

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

	Per annual average full-time equivalent student in grades K-12
20 Technology . . . . .	\$54.43
21 Utilities and insurance . . . . .	\$147.90
22 Curriculum and textbooks . . . . .	\$58.44
23 Other supplies and library materials . . . . .	\$124.07
24 Instructional professional development for certified and 25 classified staff . . . . .	\$9.04
26 Facilities maintenance . . . . .	\$73.27
27 Security and central office . . . . .	\$50.76

28 (b) During the 2011-2013 biennium, the minimum allocation for  
29 maintenance, supplies, and operating costs shall be increased as  
30 specified in the omnibus appropriations act. The following  
31 allocations, adjusted for inflation from the 2007-08 school year, are  
32

1 provided in the 2015-16 school year, after which the allocations shall  
2 be adjusted annually for inflation as specified in the omnibus  
3 appropriations act:

	Per annual average full-time equivalent student in grades K-12
4	
5	
6	
7	Technology . . . . . \$113.80
8	Utilities and insurance . . . . . \$309.21
9	Curriculum and textbooks . . . . . \$122.17
10	Other supplies and library materials . . . . . \$259.39
11	Instructional professional development for certificated and
12	classified staff . . . . . \$18.89
13	Facilities maintenance . . . . . \$153.18
14	Security and central office administration . . . . . \$106.12

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

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

20 (b) Laboratory science courses for students in grades nine through  
21 twelve;

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

24 (d) Preparatory career and technical education courses for students  
25 in grades eleven and twelve offered through a skill center.

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

29 (a) To provide supplemental instruction and services for  
30 underachieving students through the learning assistance program under  
31 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the  
32 district percentage of students in grades K-12 who were eligible for  
33 free or reduced-price meals in the prior school year. The minimum  
34 allocation for the program shall provide for each level of prototypical  
35 school resources to provide, on a statewide average, 1.5156 hours per  
36 week in extra instruction with a class size of fifteen learning  
37 assistance program students per teacher.

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

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

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

27 (12)(a) For the purposes of allocations for prototypical high  
28 schools and middle schools under subsections (4) and (10) of this  
29 section that are based on the percent of students in the school who are  
30 eligible for free and reduced-price meals, the actual percent of such  
31 students in a school shall be adjusted by a factor identified in the  
32 omnibus appropriations act to reflect underreporting of free and  
33 reduced-price meal eligibility among middle and high school students.

34 (b) Allocations or enhancements provided under subsections (4),  
35 (7), and (9) of this section for exploratory and preparatory career and  
36 technical education courses shall be provided only for courses approved  
37 by the office of the superintendent of public instruction under chapter  
38 28A.700 RCW.



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

5 (b) In the event the legislature rejects the distribution formula  
6 recommended by the governor, without adopting a new distribution  
7 formula, the distribution formula for the previous school year shall  
8 remain in effect.

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

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

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.525  
25 RCW to read as follows:

26 (1) Notwithstanding other provisions in law, beginning in the  
27 2014-15 school year through the 2017-18 school year, as the state  
28 implements K-3 class size reduction in accordance with RCW 28A.150.260,  
29 school districts that do not have sufficient facility capacity to  
30 implement the K-3 class size reduction may apply to the superintendent  
31 of public instruction for state assistance to modernize existing school  
32 facilities, provide portable or modular buildings or classrooms, or to  
33 facilitate new construction to implement K-3 class size reduction. To  
34 be eligible for state assistance under this section a school district  
35 must demonstrate the following:

36 (a) The existence of unhoused K-3 students, which for the purpose  
37 of this section means current or projected enrolled students who are in

1 excess of the capacity calculated for existing facilities within the  
2 district to implement the K-3 class size reduction under RCW  
3 28A.150.260; and

4 (b) The ability of the district to obtain capital funds to provide  
5 the local share required for state funding assistance, except for  
6 districts that do not have bond or levy capacity or have failed a bond  
7 or levy ballot measure that focused on facilities for K-3 class size  
8 reduction.

9 (2) The school facilities citizen advisory panel created under RCW  
10 28A.525.025 shall review all applications and make recommendations  
11 regarding the state assistance under this section to the superintendent  
12 of public instruction based on the kind and extent of the school plant  
13 facilities required, the urgency of need for the facilities in the  
14 school district seeking state assistance, and the ability of the school  
15 district to provide other available educational space in the school  
16 district that could be used for the K-3 class size reduction.

17 (3) The office of the superintendent of public instruction shall  
18 adopt rules to implement this section.

19 (4) This section expires July 1, 2020.

20 NEW SECTION. **Sec. 4.** The sum of two hundred forty-one million one  
21 hundred forty-one thousand four hundred dollars, or as much thereof as  
22 may be necessary, is appropriated for the fiscal year ending June 30,  
23 2015, from the general fund to the office of the superintendent of  
24 public instruction for the purposes of section 3 of this act.

--- END ---