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HOUSE BILL 2222

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State of Washington                      64th Legislature                      2015 Regular Session

By Representatives Hunter, Sullivan, Carlyle, and Walkinshaw

Read first time 03/30/15. Referred to Committee on Appropriations.

1            AN ACT Relating to implementing the state's basic education  
2 obligation by revising state funding allocations, including for  
3 staffing and for class size reduction, and by providing cost-of-  
4 living adjustments and benefits as part of state basic education  
5 allocations; amending RCW 28A.150.261, 28A.400.205, 28A.150.250, and  
6 28A.150.410; amending 2015 c 2 s 5 (uncodified); reenacting and  
7 amending RCW 28A.150.260; adding new sections to chapter 28A.150 RCW;  
8 creating a new section; recodifying RCW 28A.400.205; and providing  
9 effective dates.

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

11            NEW SECTION.            **Sec. 1.**            INTENT. It is the intent of the  
12 legislature to make education investments that demonstrate successful  
13 outcomes for common school students, including funding to reduce  
14 class sizes for the grades in which it is most effective, and funding  
15 to support career and college readiness, such as guidance counselors.

16            It is also the intent of the legislature to provide sufficient  
17 funding to allow school districts to hire and retain qualified  
18 teachers and other staff to implement the state's program of basic  
19 education. Part of this obligation is providing assurance that state  
20 allocations for school employee compensation will increase  
21 commensurate with increases in the cost of living. Another part of

1 this obligation is allocating state funding for health care insurance  
2 for school district employees based on the same rate at which the  
3 state provides health care benefits for state employees.

4 To these ends, the legislature intends to revise the program of  
5 basic education to implement a schedule for class size reduction,  
6 staffing enhancements, and other formula enhancements, and to make  
7 allocations for cost-of-living increases and health insurance  
8 benefits part of the basic education program.

9 **Sec. 2.** RCW 28A.150.260 and 2015 c 2 s 2 (Initiative Measure No.  
10 1351) and 2014 c 217 s 206 are each reenacted and amended to read as  
11 follows:

12 REVISIONS TO BASIC EDUCATION FUNDING FORMULAS. The purpose of  
13 this section is to provide for the allocation of state funding that  
14 the legislature deems necessary to support school districts in  
15 offering the minimum instructional program of basic education under  
16 RCW 28A.150.220. The allocation shall be determined as follows:

17 (1) The governor shall and the superintendent of public  
18 instruction may recommend to the legislature a formula for the  
19 distribution of a basic education instructional allocation for each  
20 common school district.

21 (2)(a) The distribution formula under this section shall be for  
22 allocation purposes only. Except (~~as required for class size~~  
23 ~~reduction funding provided under subsection (4)(f) of this section~~  
24 ~~and~~) as may be required under chapter 28A.155, 28A.165, 28A.180, or  
25 28A.185 RCW, or federal laws and regulations, nothing in this section  
26 requires school districts to use basic education instructional funds  
27 to implement a particular instructional approach or service. Nothing  
28 in this section requires school districts to maintain a particular  
29 classroom teacher-to-student ratio or other staff-to-student ratio or  
30 to use allocated funds to pay for particular types or classifications  
31 of staff. Nothing in this section entitles an individual teacher to a  
32 particular teacher planning period.

33 (b) As part of the state's distribution formula for basic  
34 education, allocations under this section must include salary cost-  
35 of-living adjustments as required by RCW 28A.400.205 (as recodified  
36 by this act) and allocations for school district employee health  
37 insurance benefits under section 7 of this act.

38 (3)(a) To the extent the technical details of the formula have  
39 been adopted by the legislature and except when specifically provided

1 as a school district allocation, the distribution formula for the  
2 basic education instructional allocation shall be based on minimum  
3 staffing and nonstaff costs the legislature deems necessary to  
4 support instruction and operations in prototypical schools serving  
5 high, middle, and elementary school students as provided in this  
6 section. The use of prototypical schools for the distribution formula  
7 does not constitute legislative intent that schools should be  
8 operated or structured in a similar fashion as the prototypes.  
9 Prototypical schools illustrate the level of resources needed to  
10 operate a school of a particular size with particular types and grade  
11 levels of students using commonly understood terms and inputs, such  
12 as class size, hours of instruction, and various categories of school  
13 staff. It is the intent that the funding allocations to school  
14 districts be adjusted from the school prototypes based on the actual  
15 number of annual average full-time equivalent students in each grade  
16 level at each school in the district and not based on the grade-level  
17 configuration of the school to the extent that data is available. The  
18 allocations shall be further adjusted from the school prototypes with  
19 minimum allocations for small schools and to reflect other factors  
20 identified in the omnibus appropriations act.

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

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

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

28 (iii) A prototypical elementary school has four hundred average  
29 annual full-time equivalent students in grades kindergarten through  
30 six.

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

38  
39  
General education  
average

1		class size
2	Grades K-3. . . . .	17.0
3	Grade 4. . . . .	((25.0)) <u>27.00</u>
4	Grades 5-6. . . . .	((25.0)) <u>27.00</u>
5	Grades 7-8. . . . .	((25.0)) <u>28.53</u>
6	Grades 9-12. . . . .	((25.0)) <u>28.74</u>

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

16		Laboratory science
17		average class size
18	Grades 9-12. . . . .	19.98

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

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

30		Career and technical
31		education average
32		class size
33	Approved career and technical education offered at	
34	the middle school and high school level. . . . .	((19.0)) <u>26.57</u>
35	Skill center programs meeting the standards established	
36	by the office of the superintendent of public	
37	instruction. . . . .	((16.0)) <u>22.76</u>

1        ~~((d))~~ (c) In addition, the omnibus appropriations act shall at  
2 a minimum specify a specialty average class size for advanced  
3 placement and international baccalaureate courses.

4        ~~((e) For each level of prototypical school at which more than  
5 fifty percent of the students were eligible for free and reduced-  
6 price meals in the prior school year, the superintendent shall  
7 allocate funding based on the following average class size of full-  
8 time equivalent students per teacher:~~

	<del>General education average</del>	<del>class size in</del>	<del>high poverty</del>
9			
10			
11			
12	Grades K-3. . . . .		15.0
13	Grade 4. . . . .		22.0
14	Grades 5-6. . . . .		23.0
15	Grades 7-8. . . . .		23.0
16	Grades 9-12. . . . .		23.0

17        ~~(f)(i) Funding for average class sizes in this subsection (4)  
18 shall be provided only to the extent of, and proportionate to, the  
19 school district's demonstrated actual average class size, up to the  
20 funded class sizes.~~

21        ~~(ii) Districts that demonstrate capital facility needs that  
22 prevent them from reducing actual class sizes to funded levels, may  
23 use funding in this subsection (4) for school-based personnel who  
24 provide direct services to students. Districts that use this funding  
25 for purposes other than reducing actual class sizes must annually  
26 report the number and dollar value for each type of personnel funded  
27 by school and grade level.~~

28        ~~(iii) The office of the superintendent of public instruction  
29 shall develop rules to implement this subsection (4).)~~

30        (5) The minimum allocation for each level of prototypical school  
31 shall include allocations ~~((necessary for the safe and effective  
32 operation of a school, to meet individual student needs, and to  
33 ensure all required school functions can be performed by  
34 appropriately trained personnel,))~~ for the following types of staff  
35 in addition to classroom teachers:

	Elementary	Middle School	High School
36			
37	School		

1	Principals, assistant principals, and other certificated building-level			
2	administrators. . . . .	(( <del>1.3</del> )) <u>1.253</u>	(( <del>1.4</del> )) <u>1.353</u>	(( <del>1.9</del> )) <u>1.880</u>
3	Teacher librarians, a function that includes information literacy,			
4	technology, and media to support school library media programs. . .	(( <del>1.0</del> )) <u>0.663</u>	(( <del>1.0</del> )) <u>0.519</u>	(( <del>1.0</del> )) <u>0.523</u>
5	Health and social services:			
6	School nurses. . . . .	(( <del>0.585</del> )) <u>0.076</u>	(( <del>0.888</del> )) <u>0.060</u>	(( <del>0.824</del> )) <u>0.096</u>
7	Social workers. . . . .	(( <del>0.311</del> )) <u>0.042</u>	(( <del>0.088</del> )) <u>0.006</u>	(( <del>0.127</del> )) <u>0.015</u>
8	Psychologists. . . . .	(( <del>0.104</del> )) <u>0.017</u>	(( <del>0.024</del> )) <u>0.002</u>	(( <del>0.049</del> )) <u>0.007</u>
9	Guidance counselors, a function that includes parent outreach and			
10	graduation advising. . . . .	(( <del>0.50</del> )) <u>0.493</u>	(( <del>2.0</del> )) <u>1.116</u>	(( <del>2.539</del> )) <u>2.939</u>
11	Teaching assistance, including any aspect of educational			
12	instructional services provided by classified employees. . . . .	(( <del>2.0</del> )) <u>0.936</u>	(( <del>1.0</del> )) <u>0.700</u>	(( <del>1.0</del> )) <u>0.652</u>
13	Office support and other noninstructional aides. . . . .	(( <del>3.0</del> )) <u>2.012</u>	(( <del>3.5</del> )) <u>2.325</u>	(( <del>3.5</del> )) <u>3.269</u>
14	Custodians. . . . .	(( <del>1.7</del> )) <u>1.657</u>	(( <del>2.0</del> )) <u>1.942</u>	(( <del>3.0</del> )) <u>2.965</u>
15	Classified staff providing student and staff safety. . . . .	(( <del>0.0</del> )) <u>0.079</u>	(( <del>0.7</del> )) <u>0.092</u>	(( <del>1.3</del> )) <u>0.141</u>
16	Parent involvement coordinators. . . . .	(( <del>1.0</del> )) <u>0.50</u>	(( <del>1.0</del> )) <u>0.00</u>	(( <del>1.0</del> )) <u>0.00</u>

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

21		Staff per 1,000
22		K-12 students
23	Technology. . . . .	(( <del>2.8</del> )) <u>0.628</u>
24	Facilities, maintenance, and grounds. . . . .	(( <del>4.0</del> )) <u>1.813</u>
25	Warehouse, laborers, and mechanics. . . . .	(( <del>1.9</del> )) <u>0.332</u>

26       (b) The minimum allocation of staff units for each school  
27 district to support certificated and classified staffing of central  
28 administration shall be 5.30 percent of the staff units generated  
29 under subsections (4)(a) ((~~and (b)~~)) and (5) of this section and (a)  
30 of this subsection.

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

35       (8)(a) Except as provided in (b) ((~~and (e)~~)) of this subsection,  
36 the minimum allocation for each school district shall include

1 allocations per annual average full-time equivalent student for the  
2 following materials, supplies, and operating costs, to be adjusted  
3 for inflation from the ((2008-09)) 2015-16 school year:

	Per annual average full-time equivalent student in grades K-12
4 Technology. . . . .	(( <del>\$54.43</del> )) <u>\$127.17</u>
5 Utilities and insurance. . . . .	(( <del>\$147.90</del> )) <u>\$345.55</u>
6 Curriculum and textbooks. . . . .	(( <del>\$58.44</del> )) <u>\$136.54</u>
7 Other supplies and library materials. . . . .	(( <del>\$124.07</del> )) <u>\$289.88</u>
8 Instructional professional development for certified and 9 classified staff. . . . .	(( <del>\$9.04</del> )) <u>\$21.12</u>
10 Facilities maintenance. . . . .	(( <del>\$73.27</del> )) <u>\$171.19</u>
11 Security and central office. . . . .	(( <del>\$50.76</del> )) <u>\$118.60</u>

12 (b) ((During the 2011-2013 biennium, the minimum allocation for  
13 maintenance, supplies, and operating costs shall be increased as  
14 specified in the omnibus appropriations act. The following  
15 allocations, adjusted for inflation from the 2007-08 school year, are  
16 provided in the 2015-16 school year, after which the allocations  
17 shall be adjusted annually for inflation as specified in the omnibus  
18 appropriations act:

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

27 (c)) In addition to the amounts provided in (a) ((and (b))) of  
28 this subsection, beginning in the 2014-15 school year, the omnibus  
29 appropriations act shall provide the following minimum allocation for  
30 each annual average full-time equivalent student in grades nine  
31 through twelve for the following materials, supplies, and operating  
32 costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
Technology. . . . .	\$36.35
Curriculum and textbooks. . . . .	\$39.02
Other supplies and library materials. . . . .	\$82.84
Instructional professional development for certificated and classified staff. . . . .	\$6.04

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

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

14 (b) Preparatory career and technical education courses for  
15 students in grades nine through twelve offered in a high school; and

16 (c) Preparatory career and technical education courses for  
17 students in grades eleven and twelve offered through a skill center.

18 (10) In addition to the allocations otherwise provided under this  
19 section, amounts shall be provided to support the following programs  
20 and services:

21 (a) To provide supplemental instruction and services for  
22 underachieving students through the learning assistance program under  
23 RCW 28A.165.005 through 28A.165.065, allocations shall be based on  
24 the district percentage of students in grades K-12 who were eligible  
25 for free or reduced-price meals in the prior school year. The minimum  
26 allocation for the program shall provide for each level of  
27 prototypical school resources to provide, on a statewide average,  
28 ~~((1.5156))~~ 2.3975 hours per week in extra instruction with a class  
29 size of fifteen learning assistance program students per teacher.

30 (b)(i) To provide supplemental instruction and services for  
31 students whose primary language is other than English, allocations  
32 shall be based on the head count number of students in each school  
33 who are eligible for and enrolled in the transitional bilingual  
34 instruction program under RCW 28A.180.010 through 28A.180.080.

35 (ii) The minimum allocation for ~~((each level of))~~ prototypical  
36 elementary schools shall provide resources to provide, on a statewide  
37 average, 4.7780 hours per week in extra instruction with fifteen  
38 transitional bilingual instruction program students per teacher.



1       (iii) The minimum allocation for prototypical middle schools  
2 shall provide resources to provide, on a statewide average, 6.0 hours  
3 per week in extra instruction with fifteen transitional bilingual  
4 instruction program students per teacher.

5       (iv) The minimum allocation for prototypical high schools shall  
6 provide resources to provide, on a statewide average, 8.0 hours per  
7 week in extra instruction with fifteen transitional bilingual  
8 instruction program students per teacher.

9       (v) Notwithstanding other provisions of this subsection (10), the  
10 actual per-student allocation may be scaled to provide a larger  
11 allocation for students needing more intensive intervention and a  
12 commensurate reduced allocation for students needing less intensive  
13 intervention, as detailed in the omnibus appropriations act.

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

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

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

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

38       (13)(a) This formula for distribution of basic education funds  
39 shall be reviewed biennially by the superintendent and governor. The

1 recommended formula shall be subject to approval, amendment or  
2 rejection by the legislature.

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

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

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

22 **Sec. 3.** RCW 28A.150.261 and 2015 c 2 s 3 (Initiative Measure No.  
23 1351) are each amended to read as follows:

24 FUNDING SCHEDULE FOR INCREASES TO BASIC EDUCATION ALLOCATIONS. In  
25 order to make measurable annual progress toward implementing the  
26 provisions of RCW 28A.150.260 and section 2, chapter 2, Laws of 2015  
27 by September 1, 2017, the legislature shall increase state funding  
28 allocations under RCW 28A.150.260 according to the following  
29 schedule:

30 (1) For the 2015-2017 biennium, funding allocations shall be no  
31 less than (~~(fifty percent of the difference between the funding~~  
32 ~~necessary to support the numerical values under RCW 28A.150.260 as of~~  
33 ~~September 1, 2013, and the funding necessary to support the numerical~~  
34 ~~values under section 2, chapter 2, Laws of 2015, with priority for~~  
35 ~~additional funding provided during this biennium for the highest~~  
36 ~~poverty schools and school districts)) the funding necessary for the  
37 following:~~

1 (a) Implementing class sizes of seventeen for kindergarten  
2 through third grade by reducing class sizes in equal annual  
3 increments from the 2014-15 school year allocation levels;

4 (b) Implementing allocations of 0.5 parent involvement  
5 coordinators for the prototypical elementary school and 0.5 guidance  
6 counselors for the prototypical middle school and the prototypical  
7 high school in equal annual increments from the 2014-15 school year  
8 allocation levels;

9 (2) By the (~~end of the 2017-2019 biennium~~) 2017-18 school year  
10 and thereafter, funding allocations shall be no less than the funding  
11 necessary to support the numerical values under section 2, chapter  
12 (~~2~~) ..., Laws of 2015 (section 2 of this act).

13 **Sec. 4.** RCW 28A.400.205 and 2013 2nd sp.s. c 5 s 1 are each  
14 amended to read as follows:

15 COLA ALLOCATION MADE PART OF STATE'S BASIC EDUCATION OBLIGATION.

16 (~~(1) ((School district employees shall be provided))~~) To provide  
17 allocations sufficient to hire and retain qualified staff to  
18 implement the state's program of basic education, the state shall  
19 provide funding for an annual salary cost-of-living increase in  
20 accordance with this section.

21 (a) The cost-of-living increase shall be calculated by applying  
22 the rate of the yearly increase in the cost-of-living index to any  
23 state-funded salary base used in state funding formulas for teachers  
24 and other school district employees. Beginning with the 2001-02  
25 school year, and for each subsequent school year, except for the  
26 2013-14 and 2014-15 school years, each school district shall be  
27 provided a cost-of-living allocation sufficient to grant this cost-  
28 of-living increase.

29 (b) A school district shall distribute its cost-of-living  
30 allocation for salaries and salary-related benefits in accordance  
31 with the district's salary schedules, collective bargaining  
32 agreements, and compensation policies. No later than the end of the  
33 school year, each school district shall certify to the superintendent  
34 of public instruction that it has spent funds provided for cost-of-  
35 living increases on salaries and salary-related benefits.

36 (c) Any funded cost-of-living increase shall be included in the  
37 salary base used to determine cost-of-living increases for school  
38 employees in subsequent years. For teachers and other certificated  
39 instructional staff, the rate of the annual cost-of-living increase

1 funded for certificated instructional staff shall be applied to the  
2 base salary used with the statewide salary allocation schedule  
3 established under RCW 28A.150.410 and to any other salary models used  
4 to recognize school district personnel costs.

5 (2) For the purposes of this section, "cost-of-living index"  
6 means, for any school year, the previous calendar year's annual  
7 average consumer price index, using the official current base,  
8 compiled by the bureau of labor statistics, United States department  
9 of labor for the state of Washington. If the bureau of labor  
10 statistics develops more than one consumer price index for areas  
11 within the state, the index covering the greatest number of people,  
12 covering areas exclusively within the boundaries of the state, and  
13 including all items shall be used for the cost-of-living index in  
14 this section.

15 **Sec. 5.** RCW 28A.150.250 and 2009 c 548 s 105 are each amended to  
16 read as follows:

17 LEGISLATURE MUST APPROPRIATE COLA AND BENEFITS ALLOCATIONS AS  
18 PART OF BASIC EDUCATION APPROPRIATIONS. (1) From those funds made  
19 available by the legislature for the current use of the common  
20 schools, the superintendent of public instruction shall distribute  
21 annually as provided in RCW 28A.510.250 to each school district of  
22 the state operating a basic education instructional program approved  
23 by the state board of education an amount based on the formulas  
24 provided in RCW 28A.150.260, 28A.400.205 (as recodified by this act),  
25 section 7 of this act, 28A.150.390, and 28A.150.392 which, when  
26 combined with an appropriate portion of such locally available  
27 revenues, other than receipts from federal forest revenues  
28 distributed to school districts pursuant to RCW 28A.520.010 and  
29 28A.520.020, as the superintendent of public instruction may deem  
30 appropriate for consideration in computing state equalization  
31 support, excluding excess property tax levies, will constitute a  
32 basic education allocation in dollars for each annual average full-  
33 time equivalent student enrolled.

34 (2) The instructional program of basic education shall be  
35 considered to be fully funded by those amounts of dollars  
36 appropriated by the legislature pursuant to RCW 28A.150.260,  
37 28A.400.205 (as recodified by this act), section 7 of this act,  
38 28A.150.390, and 28A.150.392 to fund those program requirements  
39 identified in RCW 28A.150.220 in accordance with the formula provided

1 in RCW 28A.150.260 and those amounts of dollars appropriated by the  
2 legislature to fund the salary requirements of RCW 28A.150.410.

3 (3) If a school district's basic education program fails to meet  
4 the basic education requirements enumerated in RCW 28A.150.260 and  
5 28A.150.220, the state board of education shall require the  
6 superintendent of public instruction to withhold state funds in whole  
7 or in part for the basic education allocation until program  
8 compliance is assured. However, the state board of education may  
9 waive this requirement in the event of substantial lack of classroom  
10 space.

11 **Sec. 6.** RCW 28A.150.410 and 2010 c 236 s 10 are each amended to  
12 read as follows:

13 STATE TEACHER SALARY SCHEDULE MUST REFLECT COLA ADJUSTMENT. (1)  
14 The legislature shall establish for each school year in the  
15 appropriations act a statewide salary allocation schedule, for  
16 allocation purposes only, to be used to distribute funds for basic  
17 education certificated instructional staff salaries under RCW  
18 28A.150.260. For the purposes of this section, the staff allocations  
19 for classroom teachers, teacher librarians, guidance counselors, and  
20 student health services staff under RCW 28A.150.260 are considered  
21 allocations for certificated instructional staff. The salary schedule  
22 must reflect the cost-of-living adjustments required by RCW  
23 28A.400.205 (as recodified by this act).

24 (2) Salary allocations for state-funded basic education  
25 certificated instructional staff shall be calculated by the  
26 superintendent of public instruction by determining the district's  
27 average salary for certificated instructional staff, using the  
28 statewide salary allocation schedule and related documents,  
29 conditions, and limitations established by the omnibus appropriations  
30 act.

31 (3) Beginning January 1, 1992, no more than ninety college  
32 quarter-hour credits received by any employee after the baccalaureate  
33 degree may be used to determine compensation allocations under the  
34 state salary allocation schedule and LEAP documents referenced in the  
35 omnibus appropriations act, or any replacement schedules and  
36 documents, unless:

37 (a) The employee has a master's degree; or

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

1 (4) Beginning in the 2007-08 school year, the calculation of  
2 years of service for occupational therapists, physical therapists,  
3 speech-language pathologists, audiologists, nurses, social workers,  
4 counselors, and psychologists regulated under Title 18 RCW may  
5 include experience in schools and other nonschool positions as  
6 occupational therapists, physical therapists, speech-language  
7 pathologists, audiologists, nurses, social workers, counselors, or  
8 psychologists. The calculation shall be that one year of service in a  
9 nonschool position counts as one year of service for purposes of this  
10 chapter, up to a limit of two years of nonschool service. Nonschool  
11 years of service included in calculations under this subsection shall  
12 not be applied to service credit totals for purposes of any  
13 retirement benefit under chapter 41.32, 41.35, or 41.40 RCW, or any  
14 other state retirement system benefits.

15 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.150  
16 RCW to read as follows:

17 HEALTH INSURANCE BENEFIT ALLOCATION PART OF BASIC EDUCATION  
18 OBLIGATION. State allocations to school districts for the program of  
19 basic education under RCW 28A.150.260 must include allocations for  
20 health insurance benefits for employees in the state-funded salary  
21 base. The allocations for these benefits must be based on the rate at  
22 which the state appropriates funding for health insurance for state  
23 employees in the omnibus operating appropriations act.

24 NEW SECTION. **Sec. 8.** COLA ALLOCATION STATUTE RECODIFIED IN  
25 BASIC EDUCATION CHAPTER. RCW 28A.400.205 is recodified as a section  
26 in chapter 28.150 RCW.

27 **Sec. 9.** 2015 c 2 s 5 (Initiative Measure No. 1351) (uncodified)  
28 is amended to read as follows:

29 INITIATIVE MEASURE NO. 1351 EFFECTIVE DATE. Section 2 of this act  
30 takes effect September 1, (~~2018~~) 2017.

31 NEW SECTION. **Sec. 10.** EFFECTIVE DATE. Section 2 of this act  
32 takes effect September 1, 2017.

1        NEW SECTION.    **Sec. 11.**    EFFECTIVE DATE FOR RCW 28A.150.261, COLA,  
2    AND BENEFITS PHASE-IN. Sections 3 through 7 of this act take effect  
3    September 1, 2015.

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