

SHB 2140 - H AMD TO H AMD (H3105.1) **818**

By Representative Corry

NOT ADOPTED 04/26/2019

1 On page 8, after line 33 of the striking amendment, insert the
2 following:

3

4 **"Sec. 5.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended
5 to read as follows:

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

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

15 (2)(a) The distribution formula under this section shall be for
16 allocation purposes only. Except as may be required under
17 subsections (4)(b) and (c) and (9) of this section, chapter 28A.155,
18 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
19 nothing in this section requires school districts to use basic
20 education instructional funds to implement a particular
21 instructional approach or service. Nothing in this section requires
22 school districts to maintain a particular classroom
23 teacher-to-student ratio or other staff-to-student ratio or to use
24 allocated funds to pay for particular types or classifications of
25 staff. Nothing in this section entitles an individual teacher to a
26 particular teacher planning period.

27

1 (b) To promote transparency in state funding allocations, the
2 superintendent of public instruction must report state per-pupil
3 allocations for each school district for the general apportionment,
4 special education, learning assistance, transitional bilingual,
5 highly capable, and career and technical education programs. The
6 superintendent must also report state general apportionment
7 per-pupil allocations by grade for each school district. The
8 superintendent must report this information in a user-friendly
9 format on the main page of the office's web site and on school
10 district apportionment reports. School districts must include a link
11 to the superintendent's per-pupil allocations report on the main
12 page of the school district's web site. In addition, the budget
13 documents published by the legislature for the enacted omnibus
14 operating appropriations act must report statewide average per-pupil
15 allocations for general apportionment and the categorical programs
16 listed in this subsection.

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

1 grade-level configuration of the school to the extent that data is
 2 available. The allocations shall be further adjusted from the school
 3 prototypes with minimum allocations for small schools and to reflect
 4 other factors identified in the omnibus appropriations act. The
 5 minimum allocations for small schools identified in the omnibus
 6 appropriations act must provide at least one classified staff unit
 7 for each 2.5 certificated staff units allocated for small schools
 8 adjustments.

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

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

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

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

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

	General education average class size
28 Grades K-3.....	17.00
29 Grade 4	27.00
30 Grades 5-6.....	27.00
31 Grades 7-8.....	28.53
32 Grades 9-12.....	28.74

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 34

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

10		Laboratory science	
11		average class size	
12	Grades 9-12.....		19.98

13
 14 (b)(i) Beginning September 1, 2019, funding for average K-3
 15 class sizes in this subsection (4) may be provided only to the
 16 extent of, and proportionate to, the school district's demonstrated
 17 actual class size in grades K-3, up to the funded class sizes.

18 (ii) The office of the superintendent of public instruction
 19 shall develop rules to implement this subsection (4)(b).

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

24		Career and technical	
25		education average	
26		class size	
27	Approved career and technical education offered at		
28	the middle school and high school level.....		23.00
29	Skill center programs meeting the standards established		
30	by the office of the superintendent of public		
31	instruction.....		20.00

32 (ii) Funding allocated under this subsection (4)(c) is subject
 33 to RCW 28A.150.265.

1 (d) In addition, the omnibus appropriations act shall at a
 2 minimum 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
 5 reduced-price meals; and

6 (ii) A specialty average class size for advanced placement and
 7 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
 10 addition to classroom teachers:

	Elementary	Middle	High
	School	School	School
11 Principals, assistant principals, and other certificated buildinglevel			
12 administrators,.....	1.253	1.353	1.880
13 Teacher-librarians, a function that includes information literacy, technology,			
14 and media to support school library media programs	0.663	0.519	0.523
15 Health and social services:			
16 School nurses,.....	0.076	0.060	0.096
17 Social workers,.....	0.042	0.006	0.015
18 Psychologists,.....	0.017	0.002	0.007
19 Guidance counselors, a function that includes parent outreach and graduation			
20 advising,.....	0.493	1.216	2.539
21 Teaching assistance, including any aspect of educational instructional services			
22 provided by classified employees,.....	0.936	0.700	0.652
23 Office support and other noninstructional aides,.....	2.012	2.325	3.269
24 Custodians,.....	1.657	1.942	2.965
25 Classified staff providing student and staff safety	0.079	0.092	0.141
26 Parent involvement coordinators,.....	0.0825	0.00	0.00

27 (6)(a) The minimum staffing allocation for each school district
 28 to provide districtwide support services shall be allocated per one
 29
 30
 31

1 thousand annual average fulltime equivalent students in grades K12
2 as 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

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

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

18 (8)(a) Except as provided in (b) of this subsection, the minimum
19 allocation for each school district shall include allocations per
20 annual average full-time equivalent student for the following
21 materials, supplies, and operating costs as provided in the 2017-18
22 school year, after which the allocations shall be adjusted annually
23 for inflation as specified in the omnibus appropriations act:

	Per annual average full-time equivalent student in grades K-12
24 Technology.....	\$130.76
25 Utilities and insurance.....	\$355.30
26 Curriculum and textbooks.....	\$140.39
27 Other supplies	\$278.05
28 Library materials.....	\$20.00
29 Instructional professional development for certificated and 30 classified staff.....	\$21.71
31 Facilities maintenance.....	\$176.01

1 Security and central office administration..... \$121.94

2 (b) In addition to the amounts provided in (a) of this
3 subsection, beginning in the 2014-15 school year, the omnibus
4 appropriations act shall provide the following minimum allocation
5 for each annual average full-time equivalent student in grades nine
6 through twelve for the following materials, supplies, and operating
7 costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
8	
9	
10	
11	
12	Technology.....\$36.35
13	Curriculum and textbooks.....\$39.02
14	Other supplies \$77.28
15	Library materials.....\$5.56
16	Instructional professional development for certificated and
17	classified staff.....\$6.04

18 (9) In addition to the amounts provided in subsection (8) of
19 this section and subject to RCW 28A.150.265, the omnibus
20 appropriations act shall provide an amount based on full-time
21 equivalent student enrollment in each of the following:

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

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

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

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

31 (a)(i) To provide supplemental instruction and services for
32 students who are not meeting academic standards through the learning
33 assistance program under RCW 28A.165.005 through 28A.165.065,
34 allocations shall be based on the district percentage of students in

1 grades K-12 who were eligible for free or reduced-price meals in the
2 prior school year. The minimum allocation for the program shall
3 provide for each level of prototypical school resources to provide,
4 on a statewide average, 2.3975 hours per week in extra instruction
5 with a class size of fifteen learning assistance program students
6 per teacher.

7 (ii) In addition to funding allocated under (a)(i) of this
8 subsection, to provide supplemental instruction and services for
9 students who are not meeting academic standards in qualifying
10 schools. A qualifying school means a school in which the three-year
11 rolling average of the prior year total annual average enrollment
12 that qualifies for free or reduced-price meals equals or exceeds
13 fifty percent or more of its total annual average enrollment. The
14 minimum allocation for this additional high poverty-based allocation
15 must provide for each level of prototypical school resources to
16 provide, on a statewide average, 1.1 hours per week in extra
17 instruction with a class size of fifteen learning assistance program
18 students per teacher, under RCW 28A.165.055, school districts must
19 distribute the high poverty-based allocation to the schools that
20 generated the funding allocation.

21 (b)(i) To provide supplemental instruction and services for
22 students whose primary language is other than English, allocations
23 shall be based on the head count number of students in each school
24 who are eligible for and enrolled in the transitional bilingual
25 instruction program under RCW 28A.180.010 through 28A.180.080. The
26 minimum allocation for each level of prototypical school shall
27 provide resources to provide, on a statewide average, 4.7780 hours
28 per week in extra instruction for students in grades kindergarten
29 through six and 6.7780 hours per week in extra instruction for
30 students in grades seven through twelve, with fifteen transitional
31 bilingual instruction program students per teacher. Notwithstanding
32 other provisions of this subsection (10), the actual per-student
33 allocation may be scaled to provide a larger allocation for students
34 needing more intensive intervention and a commensurate reduced

1 allocation for students needing less intensive intervention, as
2 detailed in the omnibus appropriations act.

3 (ii) To provide supplemental instruction and services for
4 students who have exited the transitional bilingual program,
5 allocations shall be based on the head count number of students in
6 each school who have exited the transitional bilingual program
7 within the previous two years based on their performance on the
8 English proficiency assessment and are eligible for and enrolled in
9 the transitional bilingual instruction program under RCW 28A.
10 180.040(1)(g). The minimum allocation for each prototypical school
11 shall provide resources to provide, on a statewide average, 3.0
12 hours per week in extra instruction with fifteen exited students per
13 teacher.

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 5.0 percent of each school district's
17 full-time equivalent basic education enrollment. The minimum
18 allocation for the programs shall provide resources to provide, on a
19 statewide average, 2.1590 hours per week in extra instruction with
20 fifteen highly capable program students per teacher.

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

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

33 (b) Allocations or enhancements provided under subsections (4),
34 (7), and (9) of this section for exploratory and preparatory career

1 and technical education courses shall be provided only for courses
2 approved by the office of the superintendent of public instruction
3 under chapter 28A.700 RCW.

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

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

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

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

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29 Renumber the remaining sections consecutively and correct any
30 internal references accordingly.

EFFECT: Requires that minimum allocations for small schools in
the omnibus appropriations act provide one classified staff unit for
each 2.5 certificated staff units generated by small school
formulas, changing from one per 2.94 units in the current budget.

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