
SUBSTITUTE HOUSE BILL 1265

State of Washington

66th Legislature

2019 Regular Session

By House Education (originally sponsored by Representatives Ortiz-Self, Harris, Santos, Volz, Senn, Kilduff, Orwall, Riccelli, Frame, Dolan, Valdez, Steele, Lovick, Peterson, Reeves, Tarleton, Fitzgibbon, Walen, Sells, Doglio, Bergquist, Stanford, Appleton, Slatter, Thai, Wylie, Jinkins, Macri, Pollet, Goodman, and Leavitt)

READ FIRST TIME 02/04/19.

1 AN ACT Relating to increasing student access to school
2 counselors; amending RCW 28A.150.260 and 28A.150.260; adding new
3 sections to chapter 28A.320 RCW; providing an effective date; and
4 providing expiration dates.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
7 RCW to read as follows:

8 (1)(a) Except as required under (b) of this subsection, school
9 counselors are encouraged to spend at least eighty percent of their
10 time providing direct services to students.

11 (b) Except for school counselors in school districts with student
12 populations of fewer than two hundred fifty students, school
13 counselors supported by allocations provided under RCW
14 28A.150.260(5)(b) are required to spend at least eighty percent of
15 their time providing direct services to students.

16 (2) The office of the superintendent of public instruction must
17 adopt a rule that defines "direct services," in a manner that is
18 consistent with the American school counselor association's national
19 model. "Direct services" may not include the coordination of
20 standardized testing.

21 (3) This section expires August 31, 2022.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
2 RCW to read as follows:

3 (1) Except for school counselors in school districts with student
4 populations of fewer than two hundred fifty students, school
5 counselors are required to spend at least eighty percent of their
6 time providing direct services to students.

7 (2) The office of the superintendent of public instruction must
8 adopt a rule that defines "direct services," in a manner that is
9 consistent with the American school counselor association's national
10 model. "Direct services" may not include the coordination of
11 standardized testing.

12 **Sec. 3.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended to
13 read as follows:

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

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

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

35 (b) To promote transparency in state funding allocations, the
36 superintendent of public instruction must report state per-pupil
37 allocations for each school district for the general apportionment,
38 special education, learning assistance, transitional bilingual,
39 highly capable, and career and technical education programs. The

1 superintendent must also report state general apportionment per-pupil
2 allocations by grade for each school district. The superintendent
3 must report this information in a user-friendly format on the main
4 page of the office's web site and on school district apportionment
5 reports. School districts must include a link to the superintendent's
6 per-pupil allocations report on the main page of the school
7 district's web site. In addition, the budget documents published by
8 the legislature for the enacted omnibus operating appropriations act
9 must report statewide average per-pupil allocations for general
10 apportionment and the categorical programs listed in this subsection.

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

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

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

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

1 (iii) A prototypical elementary school has four hundred average
2 annual full-time equivalent students in grades kindergarten through
3 six.

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

	General education average class size
11 Grades K-3.	17.00
12 Grade 4.	27.00
13 Grades 5-6.	27.00
14 Grades 7-8.	28.53
15 Grades 9-12.	28.74

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

	Laboratory science average class size
27 Grades 9-12.	19.98

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

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

36 (c) (i) The minimum allocation for each prototypical middle and
37 high school shall also provide for full-time equivalent classroom

1 teachers based on the following number of full-time equivalent
 2 students per teacher in career and technical education:

3		Career and technical
4		education average
5		class size
6	Approved career and technical education offered at	
7	the middle school and high school level.	23.00
8	Skill center programs meeting the standards established	
9	by the office of the superintendent of public	
10	instruction.	20.00

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

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

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

18 (ii) A specialty average class size for advanced placement and
 19 international baccalaureate courses.

20 (5) (a) The minimum allocation for each level of prototypical
 21 school shall include allocations for the following types of staff in
 22 addition to classroom teachers, except as provided in (b) of this
 23 subsection:

	Elementary	Middle	High
	School	School	School
26 Principals, assistant principals, and other certificated building-level			
27 administrators.	1.253	1.353	1.880
28 Teacher-librarians, a function that includes information literacy, technology,			
29 and media to support school library media programs.	0.663	0.519	0.523
30 Health and social services:			
31 School nurses.	0.076	0.060	0.096
32 Social workers.	0.042	0.006	0.015
33 Psychologists.	0.017	0.002	0.007
34 Guidance counselors, a function that includes parent outreach and graduation			
35 advising.	0.493	1.216	2.539
36 Teaching assistance, including any aspect of educational instructional services			
37 provided by classified employees.	0.936	0.700	0.652

1	Office support and other noninstructional aides.	2.012	2.325	3.269
2	Custodians.	1.657	1.942	2.965
3	Classified staff providing student and staff safety.	0.079	0.092	0.141
4	Parent involvement coordinators.	0.0825	0.00	0.00

5 (b)(i) In addition to funding allocated under (a) of this
6 subsection, for schools that qualify under (b)(ii) of this
7 subsection, the minimum allocation for each prototypical elementary
8 school shall include an additional allocation of 0.307 guidance
9 counselors and the minimum allocation for each prototypical middle
10 school shall include an additional allocation of 0.512 guidance
11 counselors.

12 (ii) Schools qualify for the allocations described under (b)(i)
13 of this subsection as follows:

14 (A) For the 2019-20 school year, the schools identified as most
15 in need of support using the accountability framework established in
16 RCW 28A.657.110; and

17 (B) For the 2020-21 and 2021-22 school years, schools eligible
18 under (b)(ii)(A) of this subsection and Title I schools not eligible
19 under (b)(ii)(A) of this subsection.

20 (iii) School districts must distribute the additional guidance
21 counselor allocation described in this subsection (5)(b) to the
22 schools that generated the allocation under (b)(ii) of this
23 subsection.

24 (iv) Once a school receives the allocation described in this
25 subsection (5)(b), its school counselors must provide direct services
26 to students as required by section 1(1)(b) of this act.

27 (v) The office of the superintendent of public instruction shall
28 develop rules to implement this subsection (5)(b).

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

33		Staff per 1,000
34		K-12 students
35	Technology.	0.628
36	Facilities, maintenance, and grounds.	1.813
37	Warehouse, laborers, and mechanics.	0.332

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

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

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

	Per annual average full-time equivalent student in grades K-12
19 Technology.	\$130.76
20 Utilities and insurance.	\$355.30
21 Curriculum and textbooks.	\$140.39
22 Other supplies	\$278.05
23 Library materials.	\$20.00
24 Instructional professional development for certificated and 25 classified staff.	\$21.71
26 Facilities maintenance.	\$176.01
27 Security and central office administration.	\$121.94

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

	Per annual average full-time equivalent student in grades 9-12
37 Technology.	\$36.35
38 Curriculum and textbooks.	\$39.02

1	Other supplies	\$77.28
2	Library materials.	\$5.56
3	Instructional professional development for certificated and	
4	classified staff.	\$6.04

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

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

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

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

15 (10) In addition to the allocations otherwise provided under this
16 section, amounts shall be provided to support the following programs
17 and services:

18 (a)(i) To provide supplemental instruction and services for
19 students who are not meeting academic standards through the learning
20 assistance program under RCW 28A.165.005 through 28A.165.065,
21 allocations shall be based on the district percentage of students in
22 grades K-12 who were eligible for free or reduced-price meals in the
23 prior school year. The minimum allocation for the program shall
24 provide for each level of prototypical school resources to provide,
25 on a statewide average, 2.3975 hours per week in extra instruction
26 with a class size of fifteen learning assistance program students per
27 teacher.

28 (ii) In addition to funding allocated under (a)(i) of this
29 subsection, to provide supplemental instruction and services for
30 students who are not meeting academic standards in qualifying
31 schools. A qualifying school means a school in which the three-year
32 rolling average of the prior year total annual average enrollment
33 that qualifies for free or reduced-price meals equals or exceeds
34 fifty percent or more of its total annual average enrollment. The
35 minimum allocation for this additional high poverty-based allocation
36 must provide for each level of prototypical school resources to
37 provide, on a statewide average, 1.1 hours per week in extra
38 instruction with a class size of fifteen learning assistance program
39 students per teacher, under RCW 28A.165.055, school districts must

1 distribute the high poverty-based allocation to the schools that
2 generated the funding allocation.

3 (b) (i) To provide supplemental instruction and services for
4 students whose primary language is other than English, allocations
5 shall be based on the head count number of students in each school
6 who are eligible for and enrolled in the transitional bilingual
7 instruction program under RCW 28A.180.010 through 28A.180.080. The
8 minimum allocation for each level of prototypical school shall
9 provide resources to provide, on a statewide average, 4.7780 hours
10 per week in extra instruction for students in grades kindergarten
11 through six and 6.7780 hours per week in extra instruction for
12 students in grades seven through twelve, with fifteen transitional
13 bilingual instruction program students per teacher. Notwithstanding
14 other provisions of this subsection (10), the actual per-student
15 allocation may be scaled to provide a larger allocation for students
16 needing more intensive intervention and a commensurate reduced
17 allocation for students needing less intensive intervention, as
18 detailed in the omnibus appropriations act.

19 (ii) To provide supplemental instruction and services for
20 students who have exited the transitional bilingual program,
21 allocations shall be based on the head count number of students in
22 each school who have exited the transitional bilingual program within
23 the previous two years based on their performance on the English
24 proficiency assessment and are eligible for and enrolled in the
25 transitional bilingual instruction program under RCW
26 28A.180.040(1)(g). The minimum allocation for each prototypical
27 school shall provide resources to provide, on a statewide average,
28 3.0 hours per week in extra instruction with fifteen exited students
29 per teacher.

30 (c) To provide additional allocations to support programs for
31 highly capable students under RCW 28A.185.010 through 28A.185.030,
32 allocations shall be based on 5.0 percent of each school district's
33 full-time equivalent basic education enrollment. The minimum
34 allocation for the programs shall provide resources to provide, on a
35 statewide average, 2.1590 hours per week in extra instruction with
36 fifteen highly capable program students per teacher.

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

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

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

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

17 (b) In the event the legislature rejects the distribution formula
18 recommended by the governor, without adopting a new distribution
19 formula, the distribution formula for the previous school year shall
20 remain in effect.

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

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

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

38 The purpose of this section is to provide for the allocation of
39 state funding that the legislature deems necessary to support school

1 districts in offering the minimum instructional program of basic
2 education under RCW 28A.150.220. The allocation shall be determined
3 as follows:

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

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

20 (b) To promote transparency in state funding allocations, the
21 superintendent of public instruction must report state per-pupil
22 allocations for each school district for the general apportionment,
23 special education, learning assistance, transitional bilingual,
24 highly capable, and career and technical education programs. The
25 superintendent must also report state general apportionment per-pupil
26 allocations by grade for each school district. The superintendent
27 must report this information in a user-friendly format on the main
28 page of the office's web site and on school district apportionment
29 reports. School districts must include a link to the superintendent's
30 per-pupil allocations report on the main page of the school
31 district's web site. In addition, the budget documents published by
32 the legislature for the enacted omnibus operating appropriations act
33 must report statewide average per-pupil allocations for general
34 apportionment and the categorical programs listed in this subsection.

35 (3)(a) To the extent the technical details of the formula have
36 been adopted by the legislature and except when specifically provided
37 as a school district allocation, the distribution formula for the
38 basic education instructional allocation shall be based on minimum
39 staffing and nonstaff costs the legislature deems necessary to
40 support instruction and operations in prototypical schools serving

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

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

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

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

24 (iii) A prototypical elementary school has four hundred average
 25 annual full-time equivalent students in grades kindergarten through
 26 six.

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

	General education average class size
34 Grades K-3.	17.00
35 Grade 4.	27.00
36 Grades 5-6.	27.00
37 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 also provide for enhanced funding for class size
4 reduction for two laboratory science classes within grades nine
5 through twelve per full-time equivalent high school student
6 multiplied by a laboratory science course factor of 0.0833, based on
7 the number of full-time equivalent classroom teachers needed to
8 provide instruction over the minimum required annual instructional
9 hours in RCW 28A.150.220, and providing at least one teacher planning
10 period per school day:

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

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

18 (ii) The office of the superintendent of public instruction shall
19 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 to
33 RCW 28A.150.265.

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

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

(ii) A specialty average class size for advanced placement and international baccalaureate courses.

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

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators.....	1.253	1.353	1.880
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs.....	0.663	0.519	0.523
Health and social services:			
School nurses.....	0.076	0.060	0.096
Social workers.....	0.042	0.006	0.015
Psychologists.....	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising.....	((0.493)) <u>0.800</u>	((1.216)) <u>1.728</u>	2.539
Teaching assistance, including any aspect of educational instructional services provided by classified employees.....	0.936	0.700	0.652
Office support and other noninstructional aides.....	2.012	2.325	3.269
Custodians.....	1.657	1.942	2.965
Classified staff providing student and staff safety.....	0.079	0.092	0.141
Parent involvement coordinators.....	0.0825	0.00	0.00

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

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

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central

1 administration shall be 5.30 percent of the staff units generated
2 under subsections (4)(a) and (5) of this section and (a) of this
3 subsection.

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

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

	Per annual average full-time equivalent student in grades K-12
17 Technology.	\$130.76
18 Utilities and insurance.	\$355.30
19 Curriculum and textbooks.	\$140.39
20 Other supplies	\$278.05
21 Library materials.	\$20.00
22 Instructional professional development for certificated and 23 classified staff.	\$21.71
24 Facilities maintenance.	\$176.01
25 Security and central office administration.	\$121.94

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

	Per annual average full-time equivalent student in grades 9-12
35 Technology.	\$36.35
36 Curriculum and textbooks.	\$39.02
37 Other supplies	\$77.28
38 Library materials.	\$5.56
39 Instructional professional development for certificated and	

1 classified staff. \$6.04

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

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

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

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

12 (10) In addition to the allocations otherwise provided under this
13 section, amounts shall be provided to support the following programs
14 and services:

15 (a)(i) To provide supplemental instruction and services for
16 students who are not meeting academic standards through the learning
17 assistance program under RCW 28A.165.005 through 28A.165.065,
18 allocations shall be based on the district percentage of students in
19 grades K-12 who were eligible for free or reduced-price meals in the
20 prior school year. The minimum allocation for the program shall
21 provide for each level of prototypical school resources to provide,
22 on a statewide average, 2.3975 hours per week in extra instruction
23 with a class size of fifteen learning assistance program students per
24 teacher.

25 (ii) In addition to funding allocated under (a)(i) of this
26 subsection, to provide supplemental instruction and services for
27 students who are not meeting academic standards in qualifying
28 schools. A qualifying school means a school in which the three-year
29 rolling average of the prior year total annual average enrollment
30 that qualifies for free or reduced-price meals equals or exceeds
31 fifty percent or more of its total annual average enrollment. The
32 minimum allocation for this additional high poverty-based allocation
33 must provide for each level of prototypical school resources to
34 provide, on a statewide average, 1.1 hours per week in extra
35 instruction with a class size of fifteen learning assistance program
36 students per teacher, under RCW 28A.165.055, school districts must
37 distribute the high poverty-based allocation to the schools that
38 generated the funding allocation.

1 (b) (i) To provide supplemental instruction and services for
2 students whose primary language is other than English, allocations
3 shall be based on the head count number of students in each school
4 who are eligible for and enrolled in the transitional bilingual
5 instruction program under RCW 28A.180.010 through 28A.180.080. The
6 minimum allocation for each level of prototypical school shall
7 provide resources to provide, on a statewide average, 4.7780 hours
8 per week in extra instruction for students in grades kindergarten
9 through six and 6.7780 hours per week in extra instruction for
10 students in grades seven through twelve, with fifteen transitional
11 bilingual instruction program students per teacher. Notwithstanding
12 other provisions of this subsection (10), the actual per-student
13 allocation may be scaled to provide a larger allocation for students
14 needing more intensive intervention and a commensurate reduced
15 allocation for students needing less intensive intervention, as
16 detailed in the omnibus appropriations act.

17 (ii) To provide supplemental instruction and services for
18 students who have exited the transitional bilingual program,
19 allocations shall be based on the head count number of students in
20 each school who have exited the transitional bilingual program within
21 the previous two years based on their performance on the English
22 proficiency assessment and are eligible for and enrolled in the
23 transitional bilingual instruction program under RCW
24 28A.180.040(1)(g). The minimum allocation for each prototypical
25 school shall provide resources to provide, on a statewide average,
26 3.0 hours per week in extra instruction with fifteen exited students
27 per teacher.

28 (c) To provide additional allocations to support programs for
29 highly capable students under RCW 28A.185.010 through 28A.185.030,
30 allocations shall be based on 5.0 percent of each school district's
31 full-time equivalent basic education enrollment. The minimum
32 allocation for the programs shall provide resources to provide, on a
33 statewide average, 2.1590 hours per week in extra instruction with
34 fifteen highly capable program students per teacher.

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

39 (12)(a) For the purposes of allocations for prototypical high
40 schools and middle schools under subsections (4) and (10) of this

1 section that are based on the percent of students in the school who
2 are eligible for free and reduced-price meals, the actual percent of
3 such students in a school shall be adjusted by a factor identified in
4 the omnibus appropriations act to reflect underreporting of free and
5 reduced-price meal eligibility among middle and high school students.

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

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

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

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

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

34 NEW SECTION. **Sec. 5.** Section 3 of this act expires September 1,
35 2022.

1 NEW SECTION. **Sec. 6.** Sections 2 and 4 of this act take effect
2 September 1, 2022.

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