
HOUSE BILL 2029

State of Washington 66th Legislature 2019 Regular Session

By Representatives Paul, Volz, Kilduff, Steele, and Doglio

Read first time 02/13/19. Referred to Committee on Appropriations.

1 AN ACT Relating to eligibility for high poverty learning
2 assistance program funding; amending RCW 28A.150.260; and providing
3 an effective date.

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

5 **Sec. 1.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended to
6 read as follows:

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

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

16 (2)(a) The distribution formula under this section shall be for
17 allocation purposes only. Except as may be required under subsections
18 (4)(b) and (c) and (9) of this section, chapter 28A.155, 28A.165,
19 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in
20 this section requires school districts to use basic education
21 instructional funds to implement a particular instructional approach

1 or service. Nothing in this section requires school districts to
2 maintain a particular classroom teacher-to-student ratio or other
3 staff-to-student ratio or to use allocated funds to pay for
4 particular types or classifications of staff. Nothing in this section
5 entitles an individual teacher to a particular teacher planning
6 period.

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

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

1 allocations shall be further adjusted from the school prototypes with
2 minimum allocations for small schools and to reflect other factors
3 identified in the omnibus appropriations act.

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

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

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

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

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

| | General education average class size |
|-------------------------|---|
| 21 Grades K-3. | 17.00 |
| 22 Grade 4. | 27.00 |
| 23 Grades 5-6. | 27.00 |
| 24 Grades 7-8. | 28.53 |
| 25 Grades 9-12. | 28.74 |

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

| | Laboratory science average class size |
|-------------------------|--|
| 35 Grades 9-12. | 19.98 |

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

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

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

| | Career and technical education average class size |
|--|---|
| Approved career and technical education offered at the middle school and high school level. | 23.00 |
| Skill center programs meeting the standards established by the office of the superintendent of public instruction. | 20.00 |

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

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

(i) A high-poverty average class size in schools where more than fifty percent of the students are eligible for free and reduced-price 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: | | | |

| | | | | |
|----|---|--------|-------|-------|
| 1 | School nurses..... | 0.076 | 0.060 | 0.096 |
| 2 | Social workers..... | 0.042 | 0.006 | 0.015 |
| 3 | Psychologists..... | 0.017 | 0.002 | 0.007 |
| 4 | Guidance counselors, a function that includes parent outreach and graduation | | | |
| 5 | advising..... | 0.493 | 1.216 | 2.539 |
| 6 | Teaching assistance, including any aspect of educational instructional services | | | |
| 7 | provided by classified employees..... | 0.936 | 0.700 | 0.652 |
| 8 | Office support and other noninstructional aides..... | 2.012 | 2.325 | 3.269 |
| 9 | Custodians..... | 1.657 | 1.942 | 2.965 |
| 10 | Classified staff providing student and staff safety..... | 0.079 | 0.092 | 0.141 |
| 11 | Parent involvement coordinators..... | 0.0825 | 0.00 | 0.00 |

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

| | | |
|----|---|-----------------|
| 16 | | Staff per 1,000 |
| 17 | | K-12 students |
| 18 | Technology. | 0.628 |
| 19 | Facilities, maintenance, and grounds. | 1.813 |
| 20 | Warehouse, laborers, and mechanics. | 0.332 |

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

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

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

36 Per annual average

| | | | |
|----|---|------------------------------|----------------|
| 1 | | full-time equivalent student | |
| 2 | | | in grades K-12 |
| 3 | Technology. | | \$130.76 |
| 4 | Utilities and insurance. | | \$355.30 |
| 5 | Curriculum and textbooks. | | \$140.39 |
| 6 | Other supplies | | \$278.05 |
| 7 | Library materials. | | \$20.00 |
| 8 | Instructional professional development for certificated and | | |
| 9 | classified staff. | | \$21.71 |
| 10 | Facilities maintenance. | | \$176.01 |
| 11 | Security and central office administration. | | \$121.94 |

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

| | | | |
|----|---|------------------------------|----------------|
| 18 | | Per annual average | |
| 19 | | full-time equivalent student | |
| 20 | | | in grades 9-12 |
| 21 | Technology. | | \$36.35 |
| 22 | Curriculum and textbooks. | | \$39.02 |
| 23 | Other supplies | | \$77.28 |
| 24 | Library materials. | | \$5.56 |
| 25 | Instructional professional development for certificated and | | |
| 26 | classified staff. | | \$6.04 |

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

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

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

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

37 (10) In addition to the allocations otherwise provided under this
38 section, amounts shall be provided to support the following programs
39 and services:

1 (a)(i) To provide supplemental instruction and services for
2 students who are not meeting academic standards through the learning
3 assistance program under RCW 28A.165.005 through 28A.165.065,
4 allocations shall be based on the district percentage of students in
5 grades K-12 who were eligible for free or reduced-price meals in the
6 prior school year. The minimum allocation for the program shall
7 provide for each level of prototypical school resources to provide,
8 on a statewide average, 2.3975 hours per week in extra instruction
9 with a class size of fifteen learning assistance program students per
10 teacher.

11 (ii) In addition to funding allocated under (a)(i) of this
12 subsection, to provide supplemental instruction and services for
13 students who are not meeting academic standards in qualifying
14 schools. A qualifying school means a school in which the three-year
15 rolling average, based on enrollments two to four years prior to the
16 school year for which qualification is determined, of the (~~prior~~
17 ~~year~~) total annual average enrollment that qualifies for free or
18 reduced-price meals equals or exceeds fifty percent or more of its
19 total annual average enrollment. The minimum allocation for this
20 additional high poverty-based allocation must provide for each level
21 of prototypical school resources to provide, on a statewide average,
22 1.1 hours per week in extra instruction with a class size of fifteen
23 learning assistance program students per teacher, under RCW
24 28A.165.055, school districts must distribute the high poverty-based
25 allocation to the schools that generated the funding allocation.

26 (b)(i) To provide supplemental instruction and services for
27 students whose primary language is other than English, allocations
28 shall be based on the head count number of students in each school
29 who are eligible for and enrolled in the transitional bilingual
30 instruction program under RCW 28A.180.010 through 28A.180.080. The
31 minimum allocation for each level of prototypical school shall
32 provide resources to provide, on a statewide average, 4.7780 hours
33 per week in extra instruction for students in grades kindergarten
34 through six and 6.7780 hours per week in extra instruction for
35 students in grades seven through twelve, with fifteen transitional
36 bilingual instruction program students per teacher. Notwithstanding
37 other provisions of this subsection (10), the actual per-student
38 allocation may be scaled to provide a larger allocation for students
39 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 within
7 the previous two years based on their performance on the English
8 proficiency assessment and are eligible for and enrolled in the
9 transitional bilingual instruction program under RCW
10 28A.180.040(1)(g). The minimum allocation for each prototypical
11 school shall provide resources to provide, on a statewide average,
12 3.0 hours per week in extra instruction with fifteen exited students
13 per 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 in
30 the omnibus appropriations act to reflect underreporting of free and
31 reduced-price meal eligibility among middle and high school students.

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

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

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

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

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

20 NEW SECTION. **Sec. 2.** This act takes effect September 1, 2019.

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