
HOUSE BILL 2084

State of Washington

66th Legislature

2019 Regular Session

By Representatives Ortiz-Self and Frame

Read first time 02/18/19. Referred to Committee on Appropriations.

1 AN ACT Relating to supporting the costs of paid sick leave in
2 public schools; and amending RCW 28A.150.260 and 28A.400.007.

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

4 **Sec. 1.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended to
5 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 subsections
17 (4)(b) and (c) and (9) of this section, chapter 28A.155, 28A.165,
18 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in
19 this section requires school districts to use basic education
20 instructional funds to implement a particular instructional approach
21 or service. Nothing in this section requires school districts to

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

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

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

1 minimum allocations for small schools and to reflect other factors
2 identified in the omnibus appropriations act.

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

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

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

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

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

| | General education average class size |
|----|---|
| 20 | |
| 21 | |
| 22 | Grades K-3. 17.00 |
| 23 | Grade 4. 27.00 |
| 24 | Grades 5-6. 27.00 |
| 25 | Grades 7-8. 28.53 |
| 26 | Grades 9-12. 28.74 |

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

| | Laboratory science average class size |
|----|--|
| 36 | |
| 37 | |
| 38 | 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)) <u>1.284</u> | ((1-353)) <u>1.387</u> | ((1-880)) <u>1.927</u> |
| Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. | ((0-663)) <u>0.680</u> | ((0-519)) <u>0.532</u> | ((0-523)) <u>0.536</u> |

| | | | | |
|----|---|--------------|--------------|--------------|
| 1 | Health and social services: | | | |
| 2 | School nurses..... | ((0.076)) | ((0.060)) | ((0.096)) |
| 3 | | <u>0.078</u> | <u>0.062</u> | <u>0.098</u> |
| 4 | Social workers..... | ((0.042)) | 0.006 | 0.015 |
| 5 | | <u>0.043</u> | | |
| 6 | Psychologists..... | 0.017 | 0.002 | 0.007 |
| 7 | Guidance counselors, a function that includes parent outreach and graduation | | | |
| 8 | advising..... | ((0.493)) | ((1.216)) | ((2.539)) |
| 9 | | <u>0.505</u> | <u>1.246</u> | <u>2.602</u> |
| 10 | Teaching assistance, including any aspect of educational instructional services | | | |
| 11 | provided by classified employees..... | ((0.936)) | ((0.700)) | ((0.652)) |
| 12 | | <u>0.959</u> | <u>0.718</u> | <u>0.668</u> |
| 13 | Office support and other noninstructional aides..... | ((2.012)) | ((2.325)) | ((3.269)) |
| 14 | | <u>2.062</u> | <u>2.383</u> | <u>3.351</u> |
| 15 | Custodians..... | ((1.657)) | ((1.942)) | ((2.965)) |
| 16 | | <u>1.698</u> | <u>1.991</u> | <u>3.039</u> |
| 17 | Classified staff providing student and staff safety..... | ((0.079)) | ((0.092)) | ((0.141)) |
| 18 | | <u>0.081</u> | <u>0.094</u> | <u>0.145</u> |
| 19 | Parent involvement coordinators..... | ((0.0825)) | 0.00 | 0.00 |
| 20 | | <u>0.085</u> | | |

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

| | | | |
|----|---|-----------|-----------------|
| 25 | | | Staff per 1,000 |
| 26 | | | K-12 students |
| 27 | Technology. | ((0.628)) | <u>0.653</u> |
| 28 | Facilities, maintenance, and grounds. | ((1.813)) | <u>1.838</u> |
| 29 | Warehouse, laborers, and mechanics. | ((0.332)) | <u>0.357</u> |

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

35 (7) The distribution formula shall include staffing allocations
36 to school districts for career and technical education and skill

1 center administrative and other school-level certificated staff, as
2 specified in the omnibus appropriations act.

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

| | Per annual average full-time equivalent student in grades K-12 |
|--|--|
| 9 | |
| 10 | |
| 11 | |
| 12 Technology. | \$130.76 |
| 13 Utilities and insurance. | \$355.30 |
| 14 Curriculum and textbooks. | \$140.39 |
| 15 Other supplies | \$278.05 |
| 16 Library materials. | \$20.00 |
| 17 Instructional professional development for certificated and | |
| 18 classified staff. | \$21.71 |
| 19 Facilities maintenance. | \$176.01 |
| 20 Security and central office administration. | \$121.94 |

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

| | Per annual average full-time equivalent student in grades 9-12 |
|--|--|
| 27 | |
| 28 | |
| 29 | |
| 30 Technology. | \$36.35 |
| 31 Curriculum and textbooks. | \$39.02 |
| 32 Other supplies | \$77.28 |
| 33 Library materials. | \$5.56 |
| 34 Instructional professional development for certificated and | |
| 35 classified staff. | \$6.04 |

36 (9) In addition to the amounts provided in subsection (8) of this
37 section and subject to RCW 28A.150.265, the omnibus appropriations

1 act shall provide an amount based on full-time equivalent student
2 enrollment in each of the following:

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

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

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

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

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

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

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

1 minimum allocation for each level of prototypical school shall
2 provide resources to provide, on a statewide average, 4.7780 hours
3 per week in extra instruction for students in grades kindergarten
4 through six and 6.7780 hours per week in extra instruction for
5 students in grades seven through twelve, with fifteen transitional
6 bilingual instruction program students per teacher. Notwithstanding
7 other provisions of this subsection (10), the actual per-student
8 allocation may be scaled to provide a larger allocation for students
9 needing more intensive intervention and a commensurate reduced
10 allocation for students needing less intensive intervention, as
11 detailed in the omnibus appropriations act.

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

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

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

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

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

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

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

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

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

29 **Sec. 2.** RCW 28A.400.007 and 2017 3rd sp.s. c 13 s 904 are each
30 amended to read as follows:

31 (1) In addition to the staffing units in RCW 28A.150.260, the
32 superintendent of public instruction must provide school districts
33 with allocations for the following staff units if and to the extent
34 that funding is specifically appropriated and designated for that
35 category of staffing unit in the omnibus operating appropriations
36 act.

37 (a) Additional staffing units for each level of prototypical
38 school in RCW 28A.150.260:

| | Elementary | Middle | High |
|--|---------------|---------------|---------------|
| | School | School | School |
| 1 Principals, assistant principals, and other certificated building-level | ((0.0470)) | ((0.0470)) | ((0.0200)) |
| 2 administrators. | <u>0.0480</u> | <u>0.0480</u> | <u>0.0210</u> |
| 3 Teacher-librarians, a function that includes information literacy, technology, | ((0.3370)) | ((0.4810)) | ((0.4770)) |
| 4 and media to support school library media programs. | <u>0.3450</u> | <u>0.4930</u> | <u>0.4890</u> |
| 5 Health and social services: | | | |
| 6 School nurses. | ((0.5090)) | ((0.8280)) | ((0.7280)) |
| 7 | <u>0.5220</u> | <u>0.8490</u> | <u>0.7460</u> |
| 8 Social workers. | ((0.2690)) | ((0.0820)) | ((0.1120)) |
| 9 | <u>0.2760</u> | <u>0.0840</u> | <u>0.1150</u> |
| 10 Psychologists. | ((0.0870)) | ((0.0220)) | ((0.0420)) |
| 11 | <u>0.0890</u> | <u>0.0230</u> | <u>0.0430</u> |
| 12 Guidance counselors, a function that includes parent outreach and graduation | | ((0.7840)) | ((0.9610)) |
| 13 advising. | 0.0070 | <u>0.8040</u> | <u>0.9850</u> |
| 14 Teaching assistance, including any aspect of educational instructional services | ((1.0640)) | ((0.3000)) | ((0.3480)) |
| 15 provided by classified employees. | <u>1.0910</u> | <u>0.3080</u> | <u>0.3570</u> |
| 16 Office support and other noninstructional aides. | ((0.9880)) | ((1.1750)) | ((0.2310)) |
| 17 | <u>1.013</u> | <u>1.2040</u> | <u>0.2370</u> |
| 18 Custodians. | ((0.0430)) | ((0.0580)) | ((0.0350)) |
| 19 | <u>0.0440</u> | <u>0.0590</u> | <u>0.0360</u> |
| 20 Classified staff providing student and staff safety. | 0.0000 | ((0.6080)) | ((1.1590)) |
| 21 | | <u>0.6230</u> | <u>1.1880</u> |
| 22 Parent involvement coordinators. | ((0.9175)) | ((1.0000)) | ((1.0000)) |
| 23 | <u>0.940</u> | <u>1.0250</u> | <u>1.0250</u> |

26 (b) Additional certificated instructional staff units sufficient
27 to achieve the following reductions in class size in each level of
28 prototypical school under RCW 28A.150.260:

| | General education certificated instructional staff units sufficient to achieve class size reduction of: |
|-----------------------------------|--|
| 29 Grades K-3 class size. | 0.00 |
| 30 Grade 4. | 2.00 |
| 31 Grades 5-6. | 2.00 |
| 32 Grades 7-8. | 3.53 |

| | | |
|----|--------------------------------|----------------------------------|
| 1 | Grades 9-12. | 3.74 |
| 2 | CTE. | 4.00 |
| 3 | Skills. | 4.00 |
| 4 | | |
| 5 | | High poverty |
| 6 | | certificated instructional |
| 7 | | staff units sufficient to |
| 8 | | achieve class size reduction of: |
| 9 | Grades K-3 class size. | 2.00 |
| 10 | Grade 4. | 5.00 |
| 11 | Grades 5-6. | 4.00 |
| 12 | Grades 7-8. | 5.53 |
| 13 | Grades 9-12. | 5.74 |

13 (2) The staffing units in subsection (1) of this section are an
 14 enrichment to and are beyond the state's statutory program of basic
 15 education in RCW 28A.150.220 and 28A.150.260. However, if and to the
 16 extent that any of these additional staffing units are funded by
 17 specific reference to this section in the omnibus operating
 18 appropriations act, those units become part of prototypical school
 19 funding formulas and a component of the state funding that the
 20 legislature deems necessary to support school districts in offering
 21 the statutory program of basic education under Article IX, section 1
 22 of the state Constitution.

--- END ---