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**SENATE BILL 6103**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Senators Wellman and Wilson, C.; by request of Superintendent of Public Instruction

Prefiled 12/20/19. Read first time 01/13/20. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to educational reporting requirements; and  
2 amending RCW 28A.175.010, 28A.300.540, 28A.300.507, and 28A.150.260.

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

4 **Sec. 1.** RCW 28A.175.010 and 2014 c 212 s 4 are each amended to  
5 read as follows:

6 Each school district shall account for the educational progress  
7 of each of its students. To achieve this, school districts shall be  
8 required to report annually to the superintendent of public  
9 instruction:

10 (1) For students enrolled in each of a school district's high  
11 school programs:

12 (a) The number of students who graduate in fewer than four years;

13 (b) The number of students who graduate in four years;

14 (c) The number of students who remain in school for more than  
15 four years but who eventually graduate and the number of students who  
16 remain in school for more than four years but do not graduate;

17 (d) The number of students who transfer to other schools;

18 (e) The number of students in the ninth through twelfth grade who  
19 drop out of school over a four-year period; and

20 (f) The number of students whose status is unknown.

1 (2) Dropout rates of students in each of the grades seven through  
2 twelve.

3 (3) Dropout rates for student populations in each of the grades  
4 seven through twelve by:

- 5 (a) Ethnicity;
- 6 (b) Gender;
- 7 (c) Socioeconomic status;
- 8 (d) Disability status; and
- 9 (e) Identified homeless status.

10 (4) The causes or reasons, or both, attributed to students for  
11 having dropped out of school in grades seven through twelve.

12 (5) The superintendent of public instruction shall adopt rules  
13 under chapter 34.05 RCW to assure uniformity in the information  
14 districts are required to report under subsections (1) through (4) of  
15 this section. In developing rules, the superintendent of public  
16 instruction shall consult with school districts, including  
17 administrative and counseling personnel, with regard to the methods  
18 through which information is to be collected and reported.

19 (6) In reporting on the causes or reasons, or both, attributed to  
20 students for having dropped out of school, school building officials  
21 shall, to the extent reasonably practical, obtain such information  
22 directly from students. In lieu of obtaining such information  
23 directly from students, building principals and counselors shall  
24 identify the causes or reasons, or both, based on their professional  
25 judgment.

26 (7) The superintendent of public instruction shall ~~((report))~~  
27 post annually to the ~~((legislature))~~ office's web site the  
28 information collected under subsections (1) through (4) of this  
29 section.

30 (8) The Washington state institute for public policy shall  
31 calculate an annual estimate of the savings resulting from any change  
32 compared to the prior school year in the extended graduation rate.  
33 The superintendent shall include the estimate from the institute ~~((in~~  
34 ~~an appendix of the report))~~ on the office's web site as required  
35 under subsection (7) of this section, beginning with the 2010 report.

36 **Sec. 2.** RCW 28A.300.540 and 2016 c 157 s 4 are each amended to  
37 read as follows:

1 (1) For the purposes of this section, "unaccompanied homeless  
2 student" means a student who is not in the physical custody of a  
3 parent or guardian and is homeless as defined in RCW 43.330.702(2).

4 (2) By December 31, 2010, the office of the superintendent of  
5 public instruction shall establish a uniform process designed to  
6 track the additional expenditures for transporting homeless students,  
7 including expenditures required under the McKinney Vento act,  
8 reauthorized as Title X, Part C, of the no child left behind act,  
9 P.L. 107-110, in January 2002. Once established, the superintendent  
10 shall adopt the necessary administrative rules to direct each school  
11 district to adopt and use the uniform process and track these  
12 expenditures. The superintendent shall post on the superintendent's  
13 web site total expenditures related to the transportation of homeless  
14 students.

15 (3)(a) By January 10, 2015, and every (~~odd-numbered~~) year  
16 thereafter, the office of the superintendent of public instruction  
17 shall (~~report to the governor and the legislature~~) post to the  
18 office's web site the following data for homeless students:

19 (i) The number of identified homeless students enrolled in public  
20 schools;

21 (ii) The number of identified unaccompanied homeless students  
22 enrolled in public schools, which number shall be included for each  
23 district and the state under "student demographics" on the Washington  
24 state report card web site;

25 (iii) The number of identified homeless students of color;

26 (iv) The number of students participating in the learning  
27 assistance program under chapter 28A.165 RCW, the highly capable  
28 program under chapter 28A.185 RCW, and the running start program  
29 under chapter 28A.600 RCW; and

30 (v) The academic performance and educational outcomes of homeless  
31 students and unaccompanied homeless students, including but not  
32 limited to the following performance and educational outcomes:

33 (A) Student scores on the statewide administered academic  
34 assessments;

35 (B) English language proficiency;

36 (C) Dropout rates;

37 (D) Four-year adjusted cohort graduation rate;

38 (E) Five-year adjusted cohort graduation rate;

39 (F) Absenteeism rates;

40 (G) Truancy rates, if available; and

1 (H) Suspension and expulsion data.

2 (b) The data reported under this subsection (3) must include  
3 state and district-level information and must be disaggregated by at  
4 least the following subgroups of students: White, Black, Hispanic,  
5 American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian  
6 Native, low income, transitional bilingual, migrant, special  
7 education, and gender.

8 (4) By July 1, 2014, the office of the superintendent of public  
9 instruction in collaboration with experts from community  
10 organizations on homelessness and homeless education policy, shall  
11 develop or acquire a short video that provides information on how to  
12 identify signs that indicate a student may be homeless, how to  
13 provide services and support to homeless students, and why this  
14 identification and support is critical to student success. The video  
15 must be posted on the superintendent of public instruction's web  
16 site.

17 (5) By July 1, 2014, the office of the superintendent of public  
18 instruction shall adopt and distribute to each school district, best  
19 practices for choosing and training school district-designated  
20 homeless student liaisons.

21 **Sec. 3.** RCW 28A.300.507 and 2016 c 72 s 601 are each amended to  
22 read as follows:

23 (1) A K-12 data governance group shall be established within the  
24 office of the superintendent of public instruction to assist in the  
25 design and implementation of a K-12 education data improvement system  
26 for financial, student, and educator data. It is the intent that the  
27 data system reporting specifically serve requirements for teachers,  
28 parents, superintendents, school boards, the office of the  
29 superintendent of public instruction, the legislature, and the  
30 public.

31 (2) The K-12 data governance group shall include representatives  
32 of the education data center, the office of the superintendent of  
33 public instruction, the legislative evaluation and accountability  
34 program committee, the professional educator standards board, the  
35 state board of education, and school district staff, including  
36 information technology staff. Additional entities with expertise in  
37 education data may be included in the K-12 data governance group.

38 (3) The K-12 data governance group shall:

1 (a) Identify the critical research and policy questions that need  
2 to be addressed by the K-12 education data improvement system;

3 (b) Identify reports and other information that should be made  
4 available on the internet in addition to the reports identified in  
5 subsection (5) of this section;

6 (c) Create a comprehensive needs requirement document detailing  
7 the specific information and technical capacity needed by school  
8 districts and the state to meet the legislature's expectations for a  
9 comprehensive K-12 education data improvement system as described  
10 under RCW 28A.655.210;

11 (d) Conduct a gap analysis of current and planned information  
12 compared to the needs requirement document, including an analysis of  
13 the strengths and limitations of an education data system and  
14 programs currently used by school districts and the state, and  
15 specifically the gap analysis must look at the extent to which the  
16 existing data can be transformed into canonical form and where  
17 existing software can be used to meet the needs requirement document;

18 (e) Focus on financial and cost data necessary to support the new  
19 K-12 financial models and funding formulas, including any necessary  
20 changes to school district budgeting and accounting, and on assuring  
21 the capacity to link data across financial, student, and educator  
22 systems; and

23 (f) Define the operating rules and governance structure for K-12  
24 data collections, ensuring that data systems are flexible and able to  
25 adapt to evolving needs for information, within an objective and  
26 orderly data governance process for determining when changes are  
27 needed and how to implement them. Strong consideration must be made  
28 to the current practice and cost of migration to new requirements.  
29 The operating rules should delineate the coordination, delegation,  
30 and escalation authority for data collection issues, business rules,  
31 and performance goals for each K-12 data collection system,  
32 including:

33 (i) Defining and maintaining standards for privacy and  
34 confidentiality;

35 (ii) Setting data collection priorities;

36 (iii) Defining and updating a standard data dictionary;

37 (iv) Ensuring data compliance with the data dictionary;

38 (v) Ensuring data accuracy; and

39 (vi) Establishing minimum standards for school, student,  
40 financial, and teacher data systems. Data elements may be specified

1 "to the extent feasible" or "to the extent available" to collect more  
2 and better data sets from districts with more flexible software.  
3 Nothing in RCW 43.41.400, this section, or RCW 28A.655.210 should be  
4 construed to require that a data dictionary or reporting should be  
5 hobbled to the lowest common set. The work of the K-12 data  
6 governance group must specify which data are desirable. Districts  
7 that can meet these requirements shall report the desirable data.  
8 Funding from the legislature must establish which subset data are  
9 absolutely required.

10 (4) (a) The K-12 data governance group shall provide updates on  
11 its work as requested by the education data center and the  
12 legislative evaluation and accountability program committee.

13 (b) The work of the K-12 data governance group shall be  
14 periodically reviewed and monitored by the educational data center  
15 and the legislative evaluation and accountability program committee.

16 (5) To the extent data is available, the office of the  
17 superintendent of public instruction shall make the following minimum  
18 reports available on the internet. The reports must either be run on  
19 demand against current data, or, if a static report, must have been  
20 run against the most recent data:

21 ~~(a) ((The percentage of data compliance and data accuracy by  
22 school district;~~

23 ~~(b) The magnitude of spending per student, by student estimated  
24 by the following algorithm and reported as the detailed summation of  
25 the following components:~~

26 ~~(i) An approximate, prorated fraction of each teacher or human  
27 resource element that directly serves the student. Each human  
28 resource element must be listed or accessible through online  
29 tunneling in the report;~~

30 ~~(ii) An approximate, prorated fraction of classroom or building  
31 costs used by the student;~~

32 ~~(iii) An approximate, prorated fraction of transportation costs  
33 used by the student; and~~

34 ~~(iv) An approximate, prorated fraction of all other resources  
35 within the district. District-wide components should be disaggregated  
36 to the extent that it is sensible and economical;~~

37 ~~(c) The cost of K-12 basic education, per student, by student, by  
38 school district, estimated by the algorithm in (b) of this  
39 subsection, and reported in the same manner as required in (b) of  
40 this subsection;~~

1 ~~(d) The cost of K-12 special education services per student, by~~  
2 ~~student receiving those services, by school district, estimated by~~  
3 ~~the algorithm in (b) of this subsection, and reported in the same~~  
4 ~~manner as required in (b) of this subsection;~~

5 ~~(e) Improvement on the statewide assessments computed as both a~~  
6 ~~percentage change and absolute change on a scale score metric by~~  
7 ~~district, by school, and by teacher that can also be filtered by a~~  
8 ~~student's length of full-time enrollment within the school district;~~

9 ~~(f)) The per-pupil expenditures of federal, state, and local~~  
10 ~~funds including actual personnel expenditures and actual nonpersonnel~~  
11 ~~expenditures of federal, state, and local funds disaggregated by~~  
12 ~~source of funds, for each local educational agency and each school in~~  
13 ~~the state for the preceding fiscal year;~~

14 (b) Number of K-12 students per classroom teacher on a per  
15 teacher basis;

16 ~~((g) Number of K-12 classroom teachers per student on a per~~  
17 ~~student basis;~~

18 ~~(h) Percentage of a classroom teacher per student on a per~~  
19 ~~student basis;~~

20 ~~(i)) (c) Percentage of classroom teachers per school district~~  
21 ~~and per school disaggregated as described in RCW 28A.300.042(1) for~~  
22 ~~student-level data;~~

23 ~~((j)) (d) Average length of service of classroom teachers per~~  
24 ~~school district and per school disaggregated as described in RCW~~  
25 ~~28A.300.042(1) for student-level data; ((and~~

26 ~~(k)) (e) The cost of K-12 education per student by school~~  
27 ~~district sorted by federal, state, and local dollars; and~~

28 (f) Data on student growth to align with the every student  
29 succeeds act (129 Stat. 1802; 20 U.S.C. Sec. 6301 et seq.).

30 (6) The superintendent of public instruction shall submit a  
31 preliminary report to the legislature by November 15, 2009, including  
32 the analyses by the K-12 data governance group under subsection (3)  
33 of this section and preliminary options for addressing identified  
34 gaps. A final report, including a proposed phase-in plan and  
35 preliminary cost estimates for implementation of a comprehensive data  
36 improvement system for financial, student, and educator data shall be  
37 submitted to the legislature by September 1, 2010.

38 (7) All reports and data referenced in this section and RCW  
39 43.41.400 and 28A.655.210 shall be made available in a manner  
40 consistent with the technical requirements of the legislative

1 evaluation and accountability program committee and the education  
2 data center so that selected data can be provided to the legislature,  
3 governor, school districts, and the public.

4 (8) Reports shall contain data to the extent it is available. All  
5 reports must include documentation of which data are not available or  
6 are estimated. Reports must not be suppressed because of poor data  
7 accuracy or completeness. Reports may be accompanied with  
8 documentation to inform the reader of why some data are missing or  
9 inaccurate or estimated.

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

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

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

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

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



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

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

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

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

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

16  
17  
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

28  
29  
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) The minimum allocation for each level of prototypical school  
 21 shall include allocations for the following types of staff in  
 22 addition to classroom teachers:

	Elementary	Middle	High
	School	School	School
25 Principals, assistant principals, and other certificated building-level			
26 administrators. . . . .	1.253	1.353	1.880
27 Teacher-librarians, a function that includes information literacy, technology,			
28 and media to support school library media programs. . . . .	0.663	0.519	0.523
29 Health and social services:			
30 School nurses. . . . .	0.076	0.060	0.096
31 Social workers. . . . .	0.042	0.006	0.015
32 Psychologists. . . . .	0.017	0.002	0.007
33 Guidance counselors, a function that includes parent outreach and graduation			
34 advising. . . . .	0.493	1.216	2.539
35 Teaching assistance, including any aspect of educational instructional services			
36 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 (6) (a) The minimum staffing allocation for each school district  
6 to provide district-wide support services shall be allocated per one  
7 thousand annual average full-time equivalent students in grades K-12  
8 as follows:

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

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

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

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

29			Per annual average	
30			full-time equivalent student	
31			in grades K-12	
32	Technology. . . . .			\$130.76
33	Utilities and insurance. . . . .			\$355.30
34	Curriculum and textbooks. . . . .			\$140.39
35	Other supplies . . . . .			\$278.05
36	Library materials. . . . .			\$20.00
37	Instructional professional development for certificated and			

1 classified staff. . . . . \$21.71  
 2 Facilities maintenance. . . . . \$176.01  
 3 Security and central office administration. . . . . \$121.94

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

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

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

- 23 (a) Exploratory career and technical education courses for
- 24 students in grades seven through twelve;
- 25 (b) Preparatory career and technical education courses for
- 26 students in grades nine through twelve offered in a high school; and
- 27 (c) Preparatory career and technical education courses for
- 28 students in grades eleven and twelve offered through a skill center.

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

32 (a)(i) To provide supplemental instruction and services for  
 33 students who are not meeting academic standards through the learning  
 34 assistance program under RCW 28A.165.005 through 28A.165.065,  
 35 allocations shall be based on the district percentage of students in  
 36 grades K-12 who were eligible for free or reduced-price meals in the  
 37 prior school year. The minimum allocation for the program shall  
 38 provide for each level of prototypical school resources to provide,  
 39 on a statewide average, 2.3975 hours per week in extra instruction

1 with a class size of fifteen learning assistance program students per  
2 teacher.

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

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

33 (ii) To provide supplemental instruction and services for  
34 students who have exited the transitional bilingual program,  
35 allocations shall be based on the head count number of students in  
36 each school who have exited the transitional bilingual program within  
37 the previous two years based on their performance on the English  
38 proficiency assessment and are eligible for and enrolled in the  
39 transitional bilingual instruction program under RCW  
40 28A.180.040(1)(g). The minimum allocation for each prototypical

1 school shall provide resources to provide, on a statewide average,  
2 3.0 hours per week in extra instruction with fifteen exited students  
3 per teacher.

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

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

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

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

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

31 (b) In the event the legislature rejects the distribution formula  
32 recommended by the governor, without adopting a new distribution  
33 formula, the distribution formula for the previous school year shall  
34 remain in effect.

35 (c) The enrollment of any district shall be the annual average  
36 number of full-time equivalent students and part-time students as  
37 provided in RCW 28A.150.350, enrolled on the first school day of each  
38 month, including students who are in attendance pursuant to RCW  
39 28A.335.160 and 28A.225.250 who do not reside within the servicing  
40 school district. The definition of full-time equivalent student shall

1 be determined by rules of the superintendent of public instruction  
2 and shall be included as part of the superintendent's biennial budget  
3 request. The definition shall be based on the minimum instructional  
4 hour offerings required under RCW 28A.150.220. Any revision of the  
5 present definition shall not take effect until approved by the house  
6 ways and means committee and the senate ways and means committee.

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

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