

2SHB 1664 - S COMM AMD

By Committee on Ways & Means

NOT ADOPTED 03/03/2022

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.300
4 RCW to read as follows:

5 (1) By February 1, 2023, and by February 1st every odd-numbered
6 year thereafter, the office of the superintendent of public
7 instruction shall submit, in accordance with RCW 43.01.036, to the
8 appropriate committees of the legislature a report analyzing the
9 implementation of RCW 28A.150.260(5)(b), related to physical, social,
10 and emotional support staff.

11 (2) For the analysis, the office of the superintendent of public
12 instruction must use personnel data reported on or around October 1st
13 of the report year and the prior year, and any other relevant data.

14 (3) Except as provided in subsection (4) of this section, the
15 report must:

16 (a) Compare the staffing units provided for nurses, social
17 workers, psychologists, counselors, classified staff providing
18 student and staff safety, and parent involvement coordinators under
19 RCW 28A.150.260(5) to the actual school district staffing levels for
20 physical, social, and emotional support staff, disaggregate by school
21 district; and

22 (b) Analyze trends with respect to: (i) Employed staff and
23 contract staff; and (ii) the percentage of staff with a valid
24 educational staff associate certificate. These trends must be
25 disaggregated by assignment duty code, as well as analyzed year over
26 year and by school district size and geography.

27 (4) For the report due February 1, 2023, the office of the
28 superintendent of public instruction is required to complete the
29 analysis described in subsection (3) of this section only to the
30 extent that relevant data are available.

1 (5) For the purposes of this section, "physical, social, and
2 emotional support staff" or "staff" has the same meaning as in RCW
3 28A.150.260(5)(b).

4 (6) This section expires June 30, 2030.

5 **Sec. 2.** RCW 28A.150.260 and 2020 c 288 s 4 and 2020 c 61 s 4 are
6 each reenacted and amended to 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), (5)(b), and (9) of this section, chapter 28A.155,
19 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
20 nothing in this section requires school districts to use basic
21 education instructional funds to implement a particular instructional
22 approach or service. Nothing in this section requires school
23 districts to maintain a particular classroom teacher-to-student ratio
24 or other staff-to-student ratio or to use allocated funds to pay for
25 particular types or classifications of staff. Nothing in this section
26 entitles an individual teacher to a particular teacher planning
27 period.

28 (b) To promote transparency in state funding allocations, the
29 superintendent of public instruction must report state per-pupil
30 allocations for each school district for the general apportionment,
31 special education, learning assistance, transitional bilingual,
32 highly capable, and career and technical education programs. The
33 superintendent must report this information in a user-friendly format
34 on the main page of the office's website. School districts must
35 include a link to the superintendent's per-pupil allocations report
36 on the main page of the school district's website. In addition, the
37 budget documents published by the legislature for the enacted omnibus
38 operating appropriations act must report statewide average per-pupil

1 allocations for general apportionment and the categorical programs
2 listed in this subsection.

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

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

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

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

32 (iii) A prototypical elementary school has four hundred average
33 annual full-time equivalent students in grades kindergarten through
34 six.

35 (4) (a) (i) The minimum allocation for each level of prototypical
36 school shall be based on the number of full-time equivalent classroom
37 teachers needed to provide instruction over the minimum required
38 annual instructional hours under RCW 28A.150.220 and provide at least
39 one teacher planning period per school day, and based on the

1 following general education average class size of full-time
2 equivalent students per teacher:

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

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

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

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

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

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

	Career and technical education average class size
32 Approved career and technical education offered at 33 the middle school and high school level.	23.00
34 Skill center programs meeting the standards established 35 by the office of the superintendent of public	

1 instruction. ((20.00)) 19.00

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

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

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

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

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

	Elementary School	Middle School	High School
16 Principals, assistant principals, and other certificated building-level 17 administrators.	1.253	1.353	1.880
18 Teacher-librarians, a function that includes information literacy, technology, 19 and media to support school library media programs.	0.663	0.519	0.523
20 ((Health and social services:			
21 School nurses.	0.076	0.060	0.096
22 Social workers.	0.042	0.006	0.015
23 Psychologists.	0.017	0.002	0.007
24 Guidance counselors, a function that includes parent outreach and graduation 25 advising.	0.493	1.216	2.539))
26 Teaching assistance, including any aspect of educational instructional services 27 provided by classified employees.	0.936	0.700	0.652
28 Office support and other noninstructional aides.	2.012	2.325	3.269
29 Custodians.	1.657	1.942	2.965
30 <u>Nurses.</u>	<u>0.246</u>	<u>0.336</u>	<u>0.339</u>
31 <u>Social workers.</u>	<u>0.311</u>	<u>0.088</u>	<u>0.127</u>
32 <u>Psychologists.</u>	<u>0.104</u>	<u>0.024</u>	<u>0.049</u>
33 <u>Counselors.</u>	<u>0.993</u>	<u>1.716</u>	<u>3.039</u>
34 Classified staff providing student and staff safety.	0.079	0.092	0.141
35 Parent involvement coordinators.	0.0825	0.00	0.00

(b) (i) The superintendent may only allocate funding, up to the combined minimum allocations, for nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, and parent involvement coordinators under (a) and (c) of this subsection to the extent of and proportionate to a school district's demonstrated actual ratios of: Full-time equivalent physical, social, and emotional support staff to full-time equivalent students.

(ii) The superintendent must adopt rules to implement this subsection (5)(b) and the rules must require school districts to prioritize funding allocated as required by (b) (i) of this subsection for physical, social, and emotional support staff who hold a valid educational staff associate certificate appropriate for the staff's role.

(iii) For the purposes of this subsection (5)(b), "physical, social, and emotional support staff" include nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, parent involvement coordinators, and other school district employees and contractors who provide physical, social, and emotional support to students as defined by the superintendent.

(c) For the 2023-24 school year, in addition to the minimum allocation under (a) of this subsection, the following additional staffing units for each level of prototypical school will be provided for school nurses:

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
	<u>School</u>	<u>School</u>	<u>School</u>
<u>School nurses.....</u>	<u>0.170</u>	<u>0.276</u>	<u>0.243</u>

(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 greater of either: The district
19 percentage of students in kindergarten through grade twelve who were
20 eligible for free or reduced-price meals for the school year
21 immediately preceding the district's participation, in whole or part,
22 in the United States department of agriculture's community
23 eligibility provision, or the district percentage of students in
24 grades K-12 who were eligible for free or reduced-price meals in the
25 prior school year. The minimum allocation for the program shall
26 provide for each level of prototypical school resources to provide,
27 on a statewide average, 2.3975 hours per week in extra instruction
28 with a class size of fifteen learning assistance program students per
29 teacher.

30 (ii) In addition to funding allocated under (a)(i) of this
31 subsection, to provide supplemental instruction and services for
32 students who are not meeting academic standards in qualifying
33 schools. A qualifying school means a school in which the three-year
34 rolling average of the prior year total annual average enrollment
35 that qualifies for free or reduced-price meals equals or exceeds
36 fifty percent or more of its total annual average enrollment. A
37 school continues to meet the definition of a qualifying school if the
38 school: Participates in the United States department of agriculture's
39 community eligibility provision; and met the definition of a

1 qualifying school in the year immediately preceding their
2 participation. The minimum allocation for this additional high
3 poverty-based allocation must provide for each level of prototypical
4 school resources to provide, on a statewide average, 1.1 hours per
5 week in extra instruction with a class size of fifteen learning
6 assistance program students per teacher, under RCW 28A.165.055,
7 school districts must distribute the high poverty-based allocation to
8 the schools that generated the funding allocation.

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

25 (ii) To provide supplemental instruction and services for
26 students who have exited the transitional bilingual program,
27 allocations shall be based on the head count number of students in
28 each school who have exited the transitional bilingual program within
29 the previous two years based on their performance on the English
30 proficiency assessment and are eligible for and enrolled in the
31 transitional bilingual instruction program under RCW
32 28A.180.040(1)(g). The minimum allocation for each prototypical
33 school shall provide resources to provide, on a statewide average,
34 3.0 hours per week in extra instruction with fifteen exited students
35 per teacher.

36 (c) To provide additional allocations to support programs for
37 highly capable students under RCW 28A.185.010 through 28A.185.030,
38 allocations shall be based on 5.0 percent of each school district's
39 full-time equivalent basic education enrollment. The minimum
40 allocation for the programs shall provide resources to provide, on a

1 statewide average, 2.1590 hours per week in extra instruction with
2 fifteen highly capable program students per teacher.

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

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

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

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

23 (b) In the event the legislature rejects the distribution formula
24 recommended by the governor, without adopting a new distribution
25 formula, the distribution formula for the previous school year shall
26 remain in effect.

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

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

4 **Sec. 3.** RCW 28A.150.260 and 2020 c 288 s 4 and 2020 c 61 s 4 are
5 each reenacted and amended to read as follows:

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

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

15 (2)(a) The distribution formula under this section shall be for
16 allocation purposes only. Except as may be required under subsections
17 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
18 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
19 nothing in this section requires school districts to use basic
20 education instructional funds to implement a particular instructional
21 approach or service. Nothing in this section requires school
22 districts to maintain a particular classroom teacher-to-student ratio
23 or other staff-to-student ratio or to use allocated funds to pay for
24 particular types or classifications of staff. Nothing in this section
25 entitles an individual teacher to a particular teacher planning
26 period.

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

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

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

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

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

30 (iii) A prototypical elementary school has four hundred average
31 annual full-time equivalent students in grades kindergarten through
32 six.

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

1		General education	
2		average class size	
3	Grades K-3.		17.00
4	Grade 4.		27.00
5	Grades 5-6.		27.00
6	Grades 7-8.		28.53
7	Grades 9-12.		28.74

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

17		Laboratory science	
18		average class size	
19	Grades 9-12.		19.98

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

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

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

30		Career and technical	
31		education average	
32		class size	
33	Approved career and technical education offered at		
34	the middle school and high school level.		23.00
35	Skill center programs meeting the standards established		
36	by the office of the superintendent of public		
37	instruction.	((20.00))	<u>19.00</u>

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

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

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

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

10 (5) (a) The minimum allocation for each level of prototypical
11 school shall include allocations for the following types of staff in
12 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	1.216	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
<u>Nurses.</u>	<u>0.585</u>	<u>0.888</u>	<u>0.824</u>
<u>Social workers.</u>	<u>0.311</u>	<u>0.088</u>	<u>0.127</u>
<u>Psychologists.</u>	<u>0.104</u>	<u>0.024</u>	<u>0.049</u>
<u>Counselors.</u>	<u>0.993</u>	<u>1.716</u>	<u>3.039</u>
Classified staff providing student and staff safety.	0.079	0.092	0.141
Parent involvement coordinators.	0.0825	0.00	0.00

1 (b)(i) The superintendent may only allocate funding, up to the
2 combined minimum allocations, for nurses, social workers,
3 psychologists, counselors, classified staff providing student and
4 staff safety, and parent involvement coordinators under (a) of this
5 subsection to the extent of and proportionate to a school district's
6 demonstrated actual ratios of: Full-time equivalent physical, social,
7 and emotional support staff to full-time equivalent students.

8 (ii) The superintendent must adopt rules to implement this
9 subsection (5)(b) and the rules must require school districts to
10 prioritize funding allocated as required by (b)(i) of this subsection
11 for physical, social, and emotional support staff who hold a valid
12 educational staff associate certificate appropriate for the staff's
13 role.

14 (iii) For the purposes of this subsection (5)(b), "physical,
15 social, and emotional support staff" include nurses, social workers,
16 psychologists, counselors, classified staff providing student and
17 staff safety, parent involvement coordinators, and other school
18 district employees and contractors who provide physical, social, and
19 emotional support to students as defined by the superintendent.

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

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

27
28
29 (b) The minimum allocation of staff units for each school
30 district to support certificated and classified staffing of central
31 administration shall be 5.30 percent of the staff units generated
32 under subsections (4)(a) and (5) of this section and (a) of this
33 subsection.

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

38 (8)(a) Except as provided in (b) of this subsection, the minimum
39 allocation for each school district shall include allocations per

1 annual average full-time equivalent student for the following
2 materials, supplies, and operating costs as provided in the 2017-18
3 school year, after which the allocations shall be adjusted annually
4 for inflation as specified in the omnibus appropriations act:

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

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

	Per annual average full-time equivalent student in grades 9-12
23	
24	
25	
26	Technology. \$36.35
27	Curriculum and textbooks. \$39.02
28	Other supplies. \$77.28
29	Library materials. \$5.56
30	Instructional professional development for certificated and
31	classified staff. \$6.04

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

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

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

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

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

8 (a)(i) To provide supplemental instruction and services for
9 students who are not meeting academic standards through the learning
10 assistance program under RCW 28A.165.005 through 28A.165.065,
11 allocations shall be based on the greater of either: The district
12 percentage of students in kindergarten through grade twelve who were
13 eligible for free or reduced-price meals for the school year
14 immediately preceding the district's participation, in whole or part,
15 in the United States department of agriculture's community
16 eligibility provision, or the district percentage of students in
17 grades K-12 who were eligible for free or reduced-price meals in the
18 prior school year. The minimum allocation for the program shall
19 provide for each level of prototypical school resources to provide,
20 on a statewide average, 2.3975 hours per week in extra instruction
21 with a class size of fifteen learning assistance program students per
22 teacher.

23 (ii) In addition to funding allocated under (a)(i) of this
24 subsection, to provide supplemental instruction and services for
25 students who are not meeting academic standards in qualifying
26 schools. A qualifying school means a school in which the three-year
27 rolling average of the prior year total annual average enrollment
28 that qualifies for free or reduced-price meals equals or exceeds
29 fifty percent or more of its total annual average enrollment. A
30 school continues to meet the definition of a qualifying school if the
31 school: Participates in the United States department of agriculture's
32 community eligibility provision; and met the definition of a
33 qualifying school in the year immediately preceding their
34 participation. The minimum allocation for this additional high
35 poverty-based allocation must provide for each level of prototypical
36 school resources to provide, on a statewide average, 1.1 hours per
37 week in extra instruction with a class size of fifteen learning
38 assistance program students per teacher, under RCW 28A.165.055,
39 school districts must distribute the high poverty-based allocation to
40 the schools that 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 **Sec. 4.** RCW 28A.400.007 and 2017 3rd sp.s. c 13 s 904 are each
35 amended to read as follows:

36 (1) In addition to the staffing units in RCW 28A.150.260, the
37 superintendent of public instruction must provide school districts
38 with allocations for the following staff units if and to the extent
39 that funding is specifically appropriated and designated for that

1 category of staffing unit in the omnibus operating appropriations
 2 act.

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

	Elementary	Middle	High
	School	School	School
5 Principals, assistant principals, and other certificated building-level			
6 administrators.	0.0470	0.0470	0.0200
7 Teacher-librarians, a function that includes information literacy, technology,			
8 and media to support school library media programs.	0.3370	0.4810	0.4770
9 ((Health and social services:			
10 School nurses.	0.5090	0.8280	0.7280
11 Social workers.	0.2690	0.0820	0.1120
12 Psychologists.	0.0870	0.0220	0.0420
13 Guidance counselors, a function that includes parent outreach and graduation			
14 advising.	0.0070	0.7840	0.9610))
15 Teaching assistance, including any aspect of educational instructional services			
16 provided by classified employees.	1.0640	0.3000	0.3480
17 Office support and other noninstructional aides.	0.9880	1.1750	0.2310
18 Custodians.	0.0430	0.0580	0.0350
19 Classified staff providing student and staff safety.	0.0000	0.6080	1.1590
20 Parent involvement coordinators.	0.9175	1.0000	1.0000

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

	General education certificated instructional staff units sufficient to achieve class size reduction of:
26 Grades K-3 class size.	0.00
27 Grade 4.	2.00
28 Grades 5-6.	2.00
29 Grades 7-8.	3.53
30 Grades 9-12.	3.74
31 CTE.	4.00
32 Skills.	((4.00)) <u>3.00</u>

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

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

20 **Sec. 5.** RCW 28A.150.100 and 2013 2nd sp.s. c 18 s 512 are each
21 amended to read as follows:

22 (1) For the purposes of this section and RCW 28A.150.410 and
23 28A.400.200, "basic education certificated instructional staff" means
24 all full-time equivalent classroom teachers, teacher-librarians,
25 (~~guidance~~) counselors, certificated student health services staff,
26 and other certificated instructional staff in the following programs
27 as defined for statewide school district accounting purposes: Basic
28 education, secondary vocational education, general instructional
29 support, and general supportive services.

30 (2) Each school district shall maintain a ratio of at least
31 (~~forty-six~~) 46 basic education certificated instructional staff to
32 (~~one thousand~~) 1,000 annual average full-time equivalent students.
33 This requirement does not apply to that portion of a district's
34 annual average full-time equivalent enrollment that is enrolled in
35 alternative learning experience courses as defined in RCW
36 28A.232.010.

1 **Sec. 6.** RCW 28A.150.410 and 2018 c 266 s 202 are each amended to
2 read as follows:

3 (1) Through the 2017-18 school year, the legislature shall
4 establish for each school year in the appropriations act a statewide
5 salary allocation schedule, for allocation purposes only, to be used
6 to distribute funds for basic education certificated instructional
7 staff salaries under RCW 28A.150.260. For the purposes of this
8 section, the staff allocations for classroom teachers, teacher-
9 librarians, (~~guidance~~) counselors, and student health services
10 staff under RCW 28A.150.260 are considered allocations for
11 certificated instructional staff.

12 (2) Through the 2017-18 school year, salary allocations for
13 state-funded basic education certificated instructional staff shall
14 be calculated by the superintendent of public instruction by
15 determining the district's average salary for certificated
16 instructional staff, using the statewide salary allocation schedule
17 and related documents, conditions, and limitations established by the
18 omnibus appropriations act.

19 (3) Through the 2017-18 school year, no more than (~~ninety~~) 90
20 college quarter-hour credits received by any employee after the
21 baccalaureate degree may be used to determine compensation
22 allocations under the state salary allocation schedule and LEAP
23 documents referenced in the omnibus appropriations act, or any
24 replacement schedules and documents, unless:

25 (a) The employee has a master's degree; or

26 (b) The credits were used in generating state salary allocations
27 before January 1, 1992.

28 (4) Beginning in the 2007-08 school year and through the 2017-18
29 school year, the calculation of years of service for occupational
30 therapists, physical therapists, speech-language pathologists,
31 audiologists, nurses, social workers, counselors, and psychologists
32 regulated under Title 18 RCW may include experience in schools and
33 other nonschool positions as occupational therapists, physical
34 therapists, speech-language pathologists, audiologists, nurses,
35 social workers, counselors, or psychologists. The calculation shall
36 be that one year of service in a nonschool position counts as one
37 year of service for purposes of this chapter, up to a limit of two
38 years of nonschool service. Nonschool years of service included in
39 calculations under this subsection shall not be applied to service
40 credit totals for purposes of any retirement benefit under chapter

1 41.32, 41.35, or 41.40 RCW, or any other state retirement system
2 benefits.

3 (5) By the 2018-19 school year, the minimum state allocation for
4 salaries for certificated instructional staff in the basic education
5 program must be increased to provide a statewide average allocation
6 of (~~sixty-four thousand dollars~~) \$64,000 adjusted for inflation
7 from the 2017-18 school year.

8 (6) By the 2018-19 school year, the minimum state allocation for
9 salaries for certificated administrative staff in the basic education
10 program must be increased to provide a statewide average allocation
11 of (~~ninety-five thousand dollars~~) \$95,000 adjusted for inflation
12 from the 2017-18 school year.

13 (7) By the 2018-19 school year, the minimum state allocation for
14 salaries for classified staff in the basic education program must be
15 increased to provide a statewide average allocation of (~~forty-five
16 thousand nine hundred twelve dollars~~) \$45,912 adjusted by inflation
17 from the 2017-18 school year.

18 (8) For school year 2018-19, a district's minimum state
19 allocation for salaries is the greater of the district's 2017-18
20 state salary allocation, adjusted for inflation, or the district's
21 allocation based on the state salary level specified in subsections
22 (5) through (7) of this section, and as further specified in the
23 omnibus appropriations act.

24 (9) Beginning with the 2018-19 school year, state allocations for
25 salaries for certificated instructional staff, certificated
26 administrative staff, and classified staff must be adjusted for
27 regional differences in the cost of hiring staff. Adjustments for
28 regional differences must be specified in the omnibus appropriations
29 act for each school year through at least school year 2022-23. For
30 school years 2018-19 through school year 2022-23, the school district
31 regionalization factors are based on the median single-family
32 residential value of each school district and proximate school
33 district median single-family residential value as described in RCW
34 28A.150.412.

35 (10) Beginning with the 2023-24 school year and every four years
36 thereafter, the minimum state salary allocations and school district
37 regionalization factors for certificated instructional staff,
38 certificated administrative staff, and classified staff must be
39 reviewed and rebased, as provided under RCW 28A.150.412, to ensure

1 that state salary allocations continue to align with staffing costs
2 for the state's program of basic education.

3 (11) For the purposes of this section, "inflation" has the
4 meaning provided in RCW 28A.400.205 for "inflationary adjustment
5 index."

6 NEW SECTION. **Sec. 7.** Sections 2, 5, and 6 of this act take
7 effect September 1, 2022.

8 NEW SECTION. **Sec. 8.** Section 2 of this act expires September 1,
9 2024.

10 NEW SECTION. **Sec. 9.** Sections 3 and 4 of this act take effect
11 September 1, 2024.

12 NEW SECTION. **Sec. 10.** If specific funding for the purposes of
13 this act, referencing this act by bill or chapter number, is not
14 provided by June 30, 2022, in the omnibus appropriations act, this
15 act is null and void."

2SHB 1664 - S COMM AMD
By Committee on Ways & Means

NOT ADOPTED 03/03/2022

16 On page 1, line 2 of the title, after "schools;" strike the
17 remainder of the title and insert "amending RCW 28A.400.007,
18 28A.150.100, and 28A.150.410; reenacting and amending RCW 28A.150.260
19 and 28A.150.260; adding a new section to chapter 28A.300 RCW;
20 creating a new section; providing effective dates; and providing
21 expiration dates."

EFFECT: Removes the 3-year phase-in for increasing social worker,
psychologist, and counselor allocations in the prototypical school
funding model, resulting in the increases taking effect immediately
on September 1, 2022. The 3-year phase-in for increasing nurse
allocations remains unchanged.

--- END ---