
HOUSE BILL 1476

State of Washington

67th Legislature

2021 Regular Session

By Representatives Dolan, Sullivan, Ortiz-Self, Callan, Santos, Ryu, Shewmake, J. Johnson, Valdez, Eslick, Rule, Lekanoff, Stonier, Ramel, Tharinger, Peterson, and Pollet

Read first time 02/03/21. Referred to Committee on Appropriations.

1 AN ACT Relating to enrollment stabilization funding to address
2 enrollment declines due to the COVID-19 pandemic; creating new
3 sections; providing an expiration date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that the
6 COVID-19 pandemic has significantly changed the delivery of education
7 across the state, as school districts transition to remote learning
8 environments to protect the health of students and staff. The
9 legislature also recognizes that state funding formulas are largely
10 driven by enrollment and the pandemic has resulted in unforeseen,
11 temporary enrollment declines in many districts. Funding declines due
12 to temporary, unforeseen changes in enrollment can affect a
13 district's ability to maintain the staffing and resources needed to
14 deliver education services. With this act, the legislature intends to
15 provide stabilizing funding to districts that have seen temporary
16 enrollment declines due to the COVID-19 pandemic.

17 NEW SECTION. **Sec. 2.** (1) The superintendent of public
18 instruction must provide an enrollment stabilization allocation to
19 local education agencies equal to (a) minus (b) if (a) minus (b) is
20 greater than zero:

1 (a) The maximum enrollment stabilization amount in subsection (2)
2 of this section;

3 (b) Total federal funding that is available to the local
4 education agency from subgrants provided by the elementary and
5 secondary school emergency relief fund as enacted by section 313, the
6 coronavirus response and relief supplemental appropriations act, P.L.
7 116-260, division M and other federal funds as described in
8 subsection (7) of this section.

9 (2) The maximum enrollment stabilization allocation for the
10 2020-21 school year is the amount needed to bring total allocations
11 for all program and enrollment groups listed in (b) of this
12 subsection that meet the criteria in (a) of this subsection up to an
13 amount calculated using 2019-20 annual average enrollment values and
14 formulas in place for the 2020-21 school year.

15 (a) A program and enrollment group meets the criteria to be
16 included in the maximum enrollment stabilization allocation for a
17 local education agency if enrollment in the 2020-21 school year is
18 less than funded annual average enrollment in the 2019-20 school year
19 and using 2019-20 annual average enrollment values does not result in
20 less funding within the program to the local education agency.

21 (b) Program and enrollment groups that may be eligible for the
22 maximum enrollment stabilization allocation are:

23 (i) Total annual average full-time equivalent enrollment in
24 kindergarten through 12th grades, including alternative learning
25 experience enrollment for purposes of calculating general
26 apportionment allocations;

27 (ii) Enrollment in special education for purposes of calculating
28 excess cost allocations as defined in RCW 28A.150.390. Allocations
29 for special education enrollment above 2020-21 school year levels in
30 kindergarten through 12th grades must be based on an excess cost
31 multiplier of 0.995;

32 (iii) Enrollment in programs that provide supplemental
33 instruction and services for students whose primary language is other
34 than English for purposes of calculating allocations as described in
35 RCW 28A.150.260(10)(b);

36 (iv) Enrollment in residential schools as defined in RCW
37 28A.190.020 and of juveniles in detention facilities as identified by
38 RCW 28A.190.010 for purposes of calculating allocations to support
39 institutional education;

1 (v) Enrollment in programs that support highly capable students
2 for purposes of calculating allocations as described in RCW
3 28A.150.260(10)(c);

4 (vi) Enrollment in dropout reengagement programs for purposes of
5 calculating allocations for eligible students under RCW 28A.175.100;
6 and

7 (vii) Enrollment in career and technical education and skill
8 centers for purposes of calculating allocations as described in RCW
9 28A.150.260 (4)(c), (7), and (9).

10 (3) Enrollment stabilization amounts allocated under this section
11 are not part of the state's program of basic education but may be
12 used for any allowable cost within any of the programs.

13 (4) If enrollment in the 2021-22 school year is less than funded
14 annual average enrollment in the 2019-20 school year and using
15 2019-20 annual average enrollment values does not result in less
16 funding within the program to the local education agency, the
17 superintendent of public instruction must provide an enrollment
18 stabilization allocation in the same manner as described in
19 subsections (1) and (2) of this section for the 2021-22 school year.
20 Federal amounts included in the 2020-21 school year enrollment
21 stabilization calculation under subsection (1)(b) of this section may
22 not be used to offset 2021-22 school year enrollment stabilization
23 amounts.

24 (5) For the 2022 and 2023 calendar years:

25 (a) The maximum per-pupil limit for enrichment levies as
26 described in RCW 84.52.0531 must be based on a school district's
27 2019-20 school year average annual full-time equivalent enrollment if
28 greater than the school district's 2020-21 or 2021-22 school year
29 average annual full-time equivalent enrollment.

30 (b) Local effort assistance allocations as described in RCW
31 28A.500.015 must be based on 2019-20 school year enrollment if
32 greater than 2020-21 or 2021-22 school year enrollment.

33 (6) Enrollment in learning assistance programs for purposes of
34 calculating allocations as defined in RCW 28A.150.260(10)(a) after
35 the 2020-21 school year must use 2019-20 school learning assistance
36 program enrollments in place of 2020-21 or 2021-22 school year
37 enrollments for each year in which the 2019-20 enrollment is greater.

38 (7) If federal funds are provided to local education agencies for
39 the elementary and secondary school emergency relief fund or similar
40 COVID-19 response purposes after the effective date of this section,

1 the legislature may include those federal funds among those listed in
2 subsection (1)(b) of this section to be subtracted from the maximum
3 enrollment stabilization allocation in the omnibus appropriations
4 act.

5 (8) Funding provided in this section must be allocated based on
6 the apportionment schedule defined in RCW 28A.510.250 for the year in
7 which the enrollment stabilization amount applies, beginning with the
8 first month after the effective date of this section.

9 (9) For purposes of this section, "local education agency" means
10 a school district, charter school, or state-tribal education compact
11 school established under chapter 28A.715 RCW.

12 (10) This section expires August 31, 2025.

13 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of
15 the state government and its existing public institutions, and takes
16 effect immediately.

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