
SECOND SUBSTITUTE HOUSE BILL 1664

State of Washington

67th Legislature

2022 Regular Session

By House Appropriations (originally sponsored by Representatives Rule, Stonier, Shewmake, Senn, Ramel, Wicks, J. Johnson, Callan, Berg, Cody, Davis, Goodman, Leavitt, Santos, Simmons, Kloba, Pollet, Riccelli, Harris-Talley, Hackney, and Frame)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to prototypical school formulas for physical,
2 social, and emotional support in schools; amending RCW 28A.400.007,
3 28A.150.100, and 28A.150.410; reenacting and amending RCW 28A.150.260
4 and 28A.150.260; adding a new section to chapter 28A.300 RCW;
5 creating a new section; providing effective dates; and providing
6 expiration dates.

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

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

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

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

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

1 (a) Compare the staffing units provided for nurses, social
2 workers, psychologists, counselors, classified staff providing
3 student and staff safety, and parent involvement coordinators under
4 RCW 28A.150.260(5) to the actual school district staffing levels for
5 physical, social, and emotional support staff, disaggregate by school
6 district; and

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

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

16 (5) For the purposes of this section, "physical, social, and
17 emotional support staff" or "staff" has the same meaning as in RCW
18 28A.150.260(5) (b).

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

20 **Sec. 2.** RCW 28A.150.260 and 2020 c 288 s 4 and 2020 c 61 s 4 are
21 each reenacted and amended to read as follows:

22 The purpose of this section is to provide for the allocation of
23 state funding that the legislature deems necessary to support school
24 districts in offering the minimum instructional program of basic
25 education under RCW 28A.150.220. The allocation shall be determined
26 as follows:

27 (1) The governor shall and the superintendent of public
28 instruction may recommend to the legislature a formula for the
29 distribution of a basic education instructional allocation for each
30 common school district.

31 (2)(a) The distribution formula under this section shall be for
32 allocation purposes only. Except as may be required under subsections
33 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
34 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
35 nothing in this section requires school districts to use basic
36 education instructional funds to implement a particular instructional
37 approach or service. Nothing in this section requires school
38 districts to maintain a particular classroom teacher-to-student ratio
39 or other staff-to-student ratio or to use allocated funds to pay for

1 particular types or classifications of staff. Nothing in this section
2 entitles an individual teacher to a particular teacher planning
3 period.

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

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

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

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

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

6 (iii) A prototypical elementary school has four hundred average
7 annual full-time equivalent students in grades kindergarten through
8 six.

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

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

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

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

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

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

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

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

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

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

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

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

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

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators.	1.253	1.353	1.880
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs.	0.663	0.519	0.523
(Health and social services:			
School nurses.	0.076	0.060	0.096
Social workers.	0.042	0.006	0.015
Psychologists.	0.017	0.002	0.007

1	Guidance counselors, a function that includes parent outreach and graduation			
2	advising.....	0.493	1.216	2.539))
3	Teaching assistance, including any aspect of educational instructional services			
4	provided by classified employees.....	0.936	0.700	0.652
5	Office support and other noninstructional aides.....	2.012	2.325	3.269
6	Custodians.....	1.657	1.942	2.965
7	<u>Nurses.....</u>	<u>0.246</u>	<u>0.336</u>	<u>0.339</u>
8	<u>Social workers.....</u>	<u>0.132</u>	<u>0.033</u>	<u>0.052</u>
9	<u>Psychologists.....</u>	<u>0.046</u>	<u>0.009</u>	<u>0.021</u>
10	<u>Counselors.....</u>	<u>0.660</u>	<u>1.383</u>	<u>2.706</u>
11	Classified staff providing student and staff safety.....	0.079	0.092	0.141
12	Parent involvement coordinators.....	0.0825	0.00	0.00

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

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

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

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

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
	<u>School</u>	<u>School</u>	<u>School</u>
3 <u>Nurses.....</u>	<u>0.170</u>	<u>0.276</u>	<u>0.243</u>
4 <u>Social workers.....</u>	<u>0.090</u>	<u>0.027</u>	<u>0.037</u>
5 <u>Psychologists.....</u>	<u>0.029</u>	<u>0.007</u>	<u>0.014</u>
6 <u>Counselors.....</u>	<u>0.167</u>	<u>0.167</u>	<u>0.176</u>

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

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

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

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

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

	Per annual average full-time equivalent student in grades K-12
34 Technology.	\$130.76
35 Utilities and insurance.	\$355.30
36 Curriculum and textbooks.	\$140.39
37 Other supplies	\$278.05

1	Library materials.	\$20.00
2	Instructional professional development for certificated and	
3	classified staff.	\$21.71
4	Facilities maintenance.	\$176.01
5	Security and central office administration.	\$121.94

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

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

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

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

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

- 34 (a) (i) To provide supplemental instruction and services for
- 35 students who are not meeting academic standards through the learning
- 36 assistance program under RCW 28A.165.005 through 28A.165.065,
- 37 allocations shall be based on the greater of either: The district
- 38 percentage of students in kindergarten through grade twelve who were
- 39 eligible for free or reduced-price meals for the school year

1 immediately preceding the district's participation, in whole or part,
2 in the United States department of agriculture's community
3 eligibility provision, or the district percentage of students in
4 grades K-12 who were eligible for free or reduced-price meals in the
5 prior school year. The minimum allocation for the program shall
6 provide for each level of prototypical school resources to provide,
7 on a statewide average, 2.3975 hours per week in extra instruction
8 with a class size of fifteen learning assistance program students per
9 teacher.

10 (ii) In addition to funding allocated under (a)(i) of this
11 subsection, to provide supplemental instruction and services for
12 students who are not meeting academic standards in qualifying
13 schools. A qualifying school means a school in which the three-year
14 rolling average of the prior year total annual average enrollment
15 that qualifies for free or reduced-price meals equals or exceeds
16 fifty percent or more of its total annual average enrollment. A
17 school continues to meet the definition of a qualifying school if the
18 school: Participates in the United States department of agriculture's
19 community eligibility provision; and met the definition of a
20 qualifying school in the year immediately preceding their
21 participation. The minimum allocation for this additional high
22 poverty-based allocation must provide for each level of prototypical
23 school resources to provide, on a statewide average, 1.1 hours per
24 week in extra instruction with a class size of fifteen learning
25 assistance program students per teacher, under RCW 28A.165.055,
26 school districts must distribute the high poverty-based allocation to
27 the schools that generated the funding allocation.

28 (b)(i) To provide supplemental instruction and services for
29 students whose primary language is other than English, allocations
30 shall be based on the head count number of students in each school
31 who are eligible for and enrolled in the transitional bilingual
32 instruction program under RCW 28A.180.010 through 28A.180.080. The
33 minimum allocation for each level of prototypical school shall
34 provide resources to provide, on a statewide average, 4.7780 hours
35 per week in extra instruction for students in grades kindergarten
36 through six and 6.7780 hours per week in extra instruction for
37 students in grades seven through twelve, with fifteen transitional
38 bilingual instruction program students per teacher. Notwithstanding
39 other provisions of this subsection (10), the actual per-student
40 allocation may be scaled to provide a larger allocation for students

1 needing more intensive intervention and a commensurate reduced
2 allocation for students needing less intensive intervention, as
3 detailed in the omnibus appropriations act.

4 (ii) To provide supplemental instruction and services for
5 students who have exited the transitional bilingual program,
6 allocations shall be based on the head count number of students in
7 each school who have exited the transitional bilingual program within
8 the previous two years based on their performance on the English
9 proficiency assessment and are eligible for and enrolled in the
10 transitional bilingual instruction program under RCW
11 28A.180.040(1)(g). The minimum allocation for each prototypical
12 school shall provide resources to provide, on a statewide average,
13 3.0 hours per week in extra instruction with fifteen exited students
14 per teacher.

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

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

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

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

38 (13)(a) This formula for distribution of basic education funds
39 shall be reviewed biennially by the superintendent and governor. The

1 recommended formula shall be subject to approval, amendment or
2 rejection by the legislature.

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

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

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

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

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

29 (1) The governor shall and the superintendent of public
30 instruction may recommend to the legislature a formula for the
31 distribution of a basic education instructional allocation for each
32 common school district.

33 (2)(a) The distribution formula under this section shall be for
34 allocation purposes only. Except as may be required under subsections
35 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
36 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
37 nothing in this section requires school districts to use basic
38 education instructional funds to implement a particular instructional
39 approach or service. Nothing in this section requires school

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

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

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

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

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

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

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

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

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

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

	Laboratory science average class size
Grades 9-12.	19.98

(b)(i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of,

1 and proportionate to, the school district's demonstrated actual class
2 size in grades K-3, up to the funded class sizes.

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

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

	Career and technical education average class size
9	
10	
11	
12 Approved career and technical education offered at	
13 the middle school and high school level.	23.00
14 Skill center programs meeting the standards established	
15 by the office of the superintendent of public	
16 instruction.	((20.00)) <u>19.00</u>

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

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

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

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

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

	Elementary School	Middle School	High School
29			
30			
31 Principals, assistant principals, and other certificated building-level			
32 administrators.	1.253	1.353	1.880
33 Teacher-librarians, a function that includes information literacy, technology,			
34 and media to support school library media programs.	0.663	0.519	0.523
35 ((Health and social services:			
36 School nurses.	0.076	0.060	0.096
37 Social workers.	0.042	0.006	0.015

1	Psychologists.....	0.017	0.002	0.007
2	Guidance counselors, a function that includes parent outreach and graduation			
3	advising.....	0.493	1.216	2.539))
4	Teaching assistance, including any aspect of educational instructional services			
5	provided by classified employees.	0.936	0.700	0.652
6	Office support and other noninstructional aides.	2.012	2.325	3.269
7	Custodians.	1.657	1.942	2.965
8	Nurses.....	0.585	0.888	0.824
9	Social workers.....	0.311	0.088	0.127
10	Psychologists.....	0.104	0.024	0.049
11	Counselors.....	0.993	1.716	3.039
12	Classified staff providing student and staff safety.	0.079	0.092	0.141
13	Parent involvement coordinators.	0.0825	0.00	0.00

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

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

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

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

Staff per 1,000

1		K-12 students
2	Technology.	0.628
3	Facilities, maintenance, and grounds.	1.813
4	Warehouse, laborers, and mechanics.	0.332

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

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

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

20		Per annual average
21		full-time equivalent student
22		in grades K-12
23	Technology.	\$130.76
24	Utilities and insurance.	\$355.30
25	Curriculum and textbooks.	\$140.39
26	Other supplies	\$278.05
27	Library materials.	\$20.00
28	Instructional professional development for certificated and	
29	classified staff.	\$21.71
30	Facilities maintenance.	\$176.01
31	Security and central office administration.	\$121.94

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

38 Per annual average

1	full-time equivalent student	
2		in grades 9-12
3	Technology.	\$36.35
4	Curriculum and textbooks.	\$39.02
5	Other supplies	\$77.28
6	Library materials.	\$5.56
7	Instructional professional development for certificated and	
8	classified staff.	\$6.04

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

- 13 (a) Exploratory career and technical education courses for
- 14 students in grades seven through twelve;
- 15 (b) Preparatory career and technical education courses for
- 16 students in grades nine through twelve offered in a high school; and
- 17 (c) Preparatory career and technical education courses for
- 18 students in grades eleven and twelve offered through a skill center.

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

22 (a)(i) To provide supplemental instruction and services for
23 students who are not meeting academic standards through the learning
24 assistance program under RCW 28A.165.005 through 28A.165.065,
25 allocations shall be based on the greater of either: The district
26 percentage of students in kindergarten through grade twelve who were
27 eligible for free or reduced-price meals for the school year
28 immediately preceding the district's participation, in whole or part,
29 in the United States department of agriculture's community
30 eligibility provision, or the district percentage of students in
31 grades K-12 who were eligible for free or reduced-price meals in the
32 prior school year. The minimum allocation for the program shall
33 provide for each level of prototypical school resources to provide,
34 on a statewide average, 2.3975 hours per week in extra instruction
35 with a class size of fifteen learning assistance program students per
36 teacher.

37 (ii) In addition to funding allocated under (a)(i) of this
38 subsection, to provide supplemental instruction and services for
39 students who are not meeting academic standards in qualifying

1 schools. A qualifying school means a school in which the three-year
2 rolling average of the prior year total annual average enrollment
3 that qualifies for free or reduced-price meals equals or exceeds
4 fifty percent or more of its total annual average enrollment. A
5 school continues to meet the definition of a qualifying school if the
6 school: Participates in the United States department of agriculture's
7 community eligibility provision; and met the definition of a
8 qualifying school in the year immediately preceding their
9 participation. The minimum allocation for this additional high
10 poverty-based allocation must provide for each level of prototypical
11 school resources to provide, on a statewide average, 1.1 hours per
12 week in extra instruction with a class size of fifteen learning
13 assistance program students per teacher, under RCW 28A.165.055,
14 school districts must distribute the high poverty-based allocation to
15 the schools that generated the funding allocation.

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

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

1 3.0 hours per week in extra instruction with fifteen exited students
2 per teacher.

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

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

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

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

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

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

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

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

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

9 **Sec. 4.** RCW 28A.400.007 and 2017 3rd sp.s. c 13 s 904 are each
 10 amended to read as follows:

11 (1) In addition to the staffing units in RCW 28A.150.260, the
 12 superintendent of public instruction must provide school districts
 13 with allocations for the following staff units if and to the extent
 14 that funding is specifically appropriated and designated for that
 15 category of staffing unit in the omnibus operating appropriations
 16 act.

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

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

1 Parent involvement coordinators..... 0.9175 1.0000 1.0000

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

5 General education
6 certificated instructional
7 staff units sufficient to
8 achieve class size reduction of:

9	Grades K-3 class size.	0.00
10	Grade 4.	2.00
11	Grades 5-6.	2.00
12	Grades 7-8.	3.53
13	Grades 9-12.	3.74
14	CTE.	4.00
15	Skills.	((4.00)) <u>3.00</u>

16 High poverty
17 certificated instructional
18 staff units sufficient to
19 achieve class size reduction of:

20	Grades K-3 class size.	2.00
21	Grade 4.	5.00
22	Grades 5-6.	4.00
23	Grades 7-8.	5.53
24	Grades 9-12.	5.74

25 (2) The staffing units in subsection (1) of this section are an
26 enrichment to and are beyond the state's statutory program of basic
27 education in RCW 28A.150.220 and 28A.150.260. However, if and to the
28 extent that any of these additional staffing units are funded by
29 specific reference to this section in the omnibus operating
30 appropriations act, those units become part of prototypical school
31 funding formulas and a component of the state funding that the
32 legislature deems necessary to support school districts in offering
33 the statutory program of basic education under Article IX, section 1
34 of the state Constitution.

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

1 (1) For the purposes of this section and RCW 28A.150.410 and
2 28A.400.200, "basic education certificated instructional staff" means
3 all full-time equivalent classroom teachers, teacher-librarians,
4 (~~(guidance)~~) counselors, certificated student health services staff,
5 and other certificated instructional staff in the following programs
6 as defined for statewide school district accounting purposes: Basic
7 education, secondary vocational education, general instructional
8 support, and general supportive services.

9 (2) Each school district shall maintain a ratio of at least
10 (~~(forty-six)~~) 46 basic education certificated instructional staff to
11 (~~(one thousand)~~) 1,000 annual average full-time equivalent students.
12 This requirement does not apply to that portion of a district's
13 annual average full-time equivalent enrollment that is enrolled in
14 alternative learning experience courses as defined in RCW
15 28A.232.010.

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

18 (1) Through the 2017-18 school year, the legislature shall
19 establish for each school year in the appropriations act a statewide
20 salary allocation schedule, for allocation purposes only, to be used
21 to distribute funds for basic education certificated instructional
22 staff salaries under RCW 28A.150.260. For the purposes of this
23 section, the staff allocations for classroom teachers, teacher-
24 librarians, (~~(guidance)~~) counselors, and student health services
25 staff under RCW 28A.150.260 are considered allocations for
26 certificated instructional staff.

27 (2) Through the 2017-18 school year, salary allocations for
28 state-funded basic education certificated instructional staff shall
29 be calculated by the superintendent of public instruction by
30 determining the district's average salary for certificated
31 instructional staff, using the statewide salary allocation schedule
32 and related documents, conditions, and limitations established by the
33 omnibus appropriations act.

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

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

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

4 (4) Beginning in the 2007-08 school year and through the 2017-18
5 school year, the calculation of years of service for occupational
6 therapists, physical therapists, speech-language pathologists,
7 audiologists, nurses, social workers, counselors, and psychologists
8 regulated under Title 18 RCW may include experience in schools and
9 other nonschool positions as occupational therapists, physical
10 therapists, speech-language pathologists, audiologists, nurses,
11 social workers, counselors, or psychologists. The calculation shall
12 be that one year of service in a nonschool position counts as one
13 year of service for purposes of this chapter, up to a limit of two
14 years of nonschool service. Nonschool years of service included in
15 calculations under this subsection shall not be applied to service
16 credit totals for purposes of any retirement benefit under chapter
17 41.32, 41.35, or 41.40 RCW, or any other state retirement system
18 benefits.

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

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

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

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

1 (9) Beginning with the 2018-19 school year, state allocations for
2 salaries for certificated instructional staff, certificated
3 administrative staff, and classified staff must be adjusted for
4 regional differences in the cost of hiring staff. Adjustments for
5 regional differences must be specified in the omnibus appropriations
6 act for each school year through at least school year 2022-23. For
7 school years 2018-19 through school year 2022-23, the school district
8 regionalization factors are based on the median single-family
9 residential value of each school district and proximate school
10 district median single-family residential value as described in RCW
11 28A.150.412.

12 (10) Beginning with the 2023-24 school year and every four years
13 thereafter, the minimum state salary allocations and school district
14 regionalization factors for certificated instructional staff,
15 certificated administrative staff, and classified staff must be
16 reviewed and rebased, as provided under RCW 28A.150.412, to ensure
17 that state salary allocations continue to align with staffing costs
18 for the state's program of basic education.

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

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

24 NEW SECTION. **Sec. 8.** Section 2 of this act expires September 1,
25 2024.

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

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

--- END ---