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HOUSE BILL 1985

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State of Washington

67th Legislature

2022 Regular Session

**By** Representatives Dolan, Berry, Callan, Lekanoff, Ryu, Sells, Senn, Frame, Eslick, Ramel, Wicks, Stonier, Goodman, Duerr, Bateman, and Pollet; by request of Office of Financial Management

Read first time 01/13/22. Referred to Committee on Education.

1 AN ACT Relating to prototypical school formulas for physical,  
2 social, and emotional support in schools; amending RCW 28A.400.007;  
3 reenacting and amending RCW 28A.150.260 and 28A.150.260; providing  
4 effective dates; and providing an expiration date.

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

6 **Sec. 1.** RCW 28A.150.260 and 2020 c 288 s 4 and 2020 c 61 s 4 are  
7 each reenacted and amended to read as follows:

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

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

17 (2)(a) The distribution formula under this section shall be for  
18 allocation purposes only. Except as may be required under subsections  
19 (4)(b) and (c) and (9) of this section, chapter 28A.155, 28A.165,  
20 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in  
21 this section requires school districts to use basic education

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level. . . . .	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction. . . . .	((20.00)) <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, except as provided in (b) of this subsection:

	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

1 ((Health and social services:

2	School nurses.....	0.076	0.060	0.096
3	Social workers.....	0.042	0.006	0.015
4	Psychologists.....	0.017	0.002	0.007

5 ~~Guidance counselors, a function that includes parent outreach and graduation~~  
6 ~~advising.....~~ 0.493 1.216 2.539))

7 Teaching assistance, including any aspect of educational instructional services  
8 provided by classified employees..... 0.936 0.700 0.652

9 Office support and other noninstructional aides..... 2.012 2.325 3.269

10 Custodians..... 1.657 1.942 2.965

11 Physical, social, and emotional support staff:

12	School nurses.....	0.246	0.336	0.339
13	Social workers.....	0.311	0.088	0.127
14	Psychologists.....	0.104	0.024	0.049

15 Guidance counselors, a function that includes  
16 parent outreach and graduation advising..... 0.993 1.716 3.039

17 Classified staff providing student and staff safety..... 0.079 0.092 0.141

18 Parent involvement coordinators..... 0.0825 0.00 0.00

19 (b) (i) School districts may use allocations provided for  
20 physical, social, and emotional support staff in this subsection (5),  
21 which includes school nurses, social workers, psychologists, guidance  
22 counselors, classified staff providing student and staff safety, and  
23 parent involvement coordinators, only for salaries and benefits for  
24 staff employed as physical, social, and emotional support staff.

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

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

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

1		Staff per 1,000
2		K-12 students
3	Technology. . . . .	0.628
4	Facilities, maintenance, and grounds. . . . .	1.813
5	Warehouse, laborers, and mechanics. . . . .	0.332

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

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

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

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

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

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

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

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

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

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

38 (ii) In addition to funding allocated under (a)(i) of this  
39 subsection, to provide supplemental instruction and services for

1 students who are not meeting academic standards in qualifying  
2 schools. A qualifying school means a school in which the three-year  
3 rolling average of the prior year total annual average enrollment  
4 that qualifies for free or reduced-price meals equals or exceeds  
5 fifty percent or more of its total annual average enrollment. A  
6 school continues to meet the definition of a qualifying school if the  
7 school: Participates in the United States department of agriculture's  
8 community eligibility provision; and met the definition of a  
9 qualifying school in the year immediately preceding their  
10 participation. The minimum allocation for this additional high  
11 poverty-based allocation must provide for each level of prototypical  
12 school resources to provide, on a statewide average, 1.1 hours per  
13 week in extra instruction with a class size of fifteen learning  
14 assistance program students per teacher, under RCW 28A.165.055,  
15 school districts must distribute the high poverty-based allocation to  
16 the schools that generated the funding allocation.

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 (b) To promote transparency in state funding allocations, the  
34 superintendent of public instruction must report state per-pupil  
35 allocations for each school district for the general apportionment,  
36 special education, learning assistance, transitional bilingual,  
37 highly capable, and career and technical education programs. The  
38 superintendent must report this information in a user-friendly format  
39 on the main page of the office's website. School districts must

1 include a link to the superintendent's per-pupil allocations report  
2 on the main page of the school district's website. In addition, the  
3 budget documents published by the legislature for the enacted omnibus  
4 operating appropriations act must report statewide average per-pupil  
5 allocations for general apportionment and the categorical programs  
6 listed in this subsection.

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

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

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

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

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

39 (4)(a)(i) The minimum allocation for each level of prototypical  
40 school shall be based on the number of full-time equivalent classroom

1 teachers needed to provide instruction over the minimum required  
2 annual instructional hours under RCW 28A.150.220 and provide at least  
3 one teacher planning period per school day, and based on the  
4 following general education average class size of full-time  
5 equivalent students per teacher:

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

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

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

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

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

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

	Career and technical education average class size
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31 Approved career and technical education offered at

1 the middle school and high school level. . . . . 23.00  
 2 Skill center programs meeting the standards established  
 3 by the office of the superintendent of public  
 4 instruction. . . . . ((20.00)) 19.00

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

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

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

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

14 (5) (a) The minimum allocation for each level of prototypical  
 15 school shall include allocations for the following types of staff in  
 16 addition to classroom teachers, except as provided in (b) of this  
 17 subsection:

	Elementary	Middle	High
	School	School	School
18 Principals, assistant principals, and other certificated building-level			
19 administrators. . . . .	1.253	1.353	1.880
20 Teacher-librarians, a function that includes information literacy, technology,			
21 and media to support school library media programs. . . . .	0.663	0.519	0.523
22 <del>((Health and social services:</del>			
23 <del>School nurses. . . . .</del>	<del>0.076</del>	<del>0.060</del>	<del>0.096</del>
24 <del>Social workers. . . . .</del>	<del>0.042</del>	<del>0.006</del>	<del>0.015</del>
25 <del>Psychologists. . . . .</del>	<del>0.017</del>	<del>0.002</del>	<del>0.007</del>
26 <del>Guidance counselors, a function that includes parent outreach and graduation</del>			
27 <del>advising. . . . .</del>	<del>0.493</del>	<del>1.216</del>	<del>2.539))</del>
28 Teaching assistance, including any aspect of educational instructional services			
29 provided by classified employees. . . . .	0.936	0.700	0.652
30 Office support and other noninstructional aides. . . . .	2.012	2.325	3.269
31 Custodians. . . . .	1.657	1.942	2.965
32 <u>Physical, social, and emotional support staff:</u>			
33 <u>School nurses. . . . .</u>	<u>0.585</u>	<u>0.888</u>	<u>0.824</u>
34 <u>Social workers. . . . .</u>	<u>0.311</u>	<u>0.088</u>	<u>0.127</u>

1	Psychologists.....	0.104	0.024	0.049
2	<u>Guidance counselors, a function that includes</u>			
3	<u>parent outreach and graduation advising.....</u>	0.993	1.716	3.039
4	Classified staff providing student and staff safety.....	0.079	0.092	0.141
5	Parent involvement coordinators.....	0.0825	0.00	0.00

6 (b) School districts may use allocations provided for physical,  
7 social, and emotional support staff in this subsection (5), which  
8 includes school nurses, social workers, psychologists, guidance  
9 counselors, classified staff providing student and staff safety, and  
10 parent involvement coordinators, only for salaries and benefits for  
11 staff employed as physical, social, and emotional support staff.

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

16		Staff per 1,000
17		K-12 students
18	Technology. . . . .	0.628
19	Facilities, maintenance, and grounds. . . . .	1.813
20	Warehouse, laborers, and mechanics. . . . .	0.332

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

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

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

36	Per annual average
37	full-time equivalent student

1		in grades K-12	
2	Technology. . . . .		\$130.76
3	Utilities and insurance. . . . .		\$355.30
4	Curriculum and textbooks. . . . .		\$140.39
5	Other supplies . . . . .		\$278.05
6	Library materials. . . . .		\$20.00
7	Instructional professional development for certificated and		
8	classified staff. . . . .		\$21.71
9	Facilities maintenance. . . . .		\$176.01
10	Security and central office administration. . . . .		\$121.94

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

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

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

- 30 (a) Exploratory career and technical education courses for
- 31 students in grades seven through twelve;
- 32 (b) Preparatory career and technical education courses for
- 33 students in grades nine through twelve offered in a high school; and
- 34 (c) Preparatory career and technical education courses for
- 35 students in grades eleven and twelve offered through a skill center.

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

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

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

34 (b)(i) To provide supplemental instruction and services for  
35 students whose primary language is other than English, allocations  
36 shall be based on the head count number of students in each school  
37 who are eligible for and enrolled in the transitional bilingual  
38 instruction program under RCW 28A.180.010 through 28A.180.080. The  
39 minimum allocation for each level of prototypical school shall  
40 provide resources to provide, on a statewide average, 4.7780 hours



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

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

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

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

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

39 (b) Allocations or enhancements provided under subsections (4),  
40 (7), and (9) of this section for exploratory and preparatory career

1 and technical education courses shall be provided only for courses  
2 approved by the office of the superintendent of public instruction  
3 under chapter 28A.700 RCW.

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

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

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

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

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

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

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

37	Elementary	Middle	High
38	School	School	School

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

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

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

32			High poverty
33			certificated instructional
34			staff units sufficient to
35			achieve class size reduction of:
36	Grades K-3 class size. . . . .		2.00

1	Grade 4. . . . .	5.00
2	Grades 5-6. . . . .	4.00
3	Grades 7-8. . . . .	5.53
4	Grades 9-12. . . . .	5.74

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

15       NEW SECTION.     **Sec. 4.**     Section 1 of this act takes effect  
16 September 1, 2022.

17       NEW SECTION.     **Sec. 5.**     Section 1 of this act expires September 1,  
18 2024.

19       NEW SECTION.     **Sec. 6.**     Sections 2 and 3 of this act take effect  
20 September 1, 2024.

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