
SECOND SUBSTITUTE SENATE BILL 5595

State of Washington

67th Legislature

2022 Regular Session

By Senate Ways & Means (originally sponsored by Senators Wellman, C. Wilson, Billig, Das, Frockt, Nobles, Pedersen, Randall, Saldaña, and J. Wilson; by request of Office of Financial Management)

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 reenacting and amending RCW 28A.150.260 and 28A.150.260; creating a
4 new section; providing effective dates; and providing an expiration
5 date.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes that school
8 nurses, social workers, psychologists, and school counselors are
9 uniquely qualified to provide essential supports that address the
10 physical, social, and emotional needs of students. As the COVID-19
11 pandemic continues to impact the health and well-being of students,
12 the need for comprehensive student supports has grown beyond what is
13 currently funded in the prototypical school model. Therefore, the
14 legislature intends to provide increased allocations to school
15 districts exclusively for the use of support staff salaries and
16 benefits. The legislature hopes that this enhanced state funding will
17 allow school districts to redirect local levy dollars previously
18 spent on these positions to address learning loss resulting from the
19 COVID-19 pandemic or to hire additional physical, social, and
20 emotional support staff.

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

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

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

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

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

37 (3)(a) To the extent the technical details of the formula have
38 been adopted by the legislature and except when specifically provided
39 as a school district allocation, the distribution formula for the
40 basic education instructional allocation shall be based on minimum

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

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

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

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

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

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

	General education average class size
36 Grades K-3.	17.00
37	
38 Grade 4.	27.00
39	

1	Grades 5-6.	27.00
2	Grades 7-8.	28.53
3	Grades 9-12.	28.74

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

13		Laboratory science
14		average class size
15	Grades 9-12.	19.98

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

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

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

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

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

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

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

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

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

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

32 (b) (i) School districts may use allocations provided for
 33 physical, social, and emotional support staff in this subsection (5),
 34

1 which includes school nurses, social workers, psychologists, school
 2 counselors addressing academic, career development, and social and
 3 emotional needs, classified staff providing student and staff safety,
 4 and parent involvement coordinators, only for salaries and benefits
 5 for staff employed or contracted to serve as physical, social, and
 6 emotional support staff.

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

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

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

	Staff per 1,000 K-12 students
20 Technology.	0.628
21 Facilities, maintenance, and grounds.	1.813
22 Warehouse, laborers, and mechanics.	0.332

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

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

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

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

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

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

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

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

1 (10) In addition to the allocations otherwise provided under this
2 section, amounts shall be provided to support the following programs
3 and services:

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

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

37 (b)(i) To provide supplemental instruction and services for
38 students whose primary language is other than English, allocations
39 shall be based on the head count number of students in each school
40 who are eligible for and enrolled in the transitional bilingual

1 instruction program under RCW 28A.180.010 through 28A.180.080. The
2 minimum allocation for each level of prototypical school shall
3 provide resources to provide, on a statewide average, 4.7780 hours
4 per week in extra instruction for students in grades kindergarten
5 through six and 6.7780 hours per week in extra instruction for
6 students in grades seven through twelve, with fifteen transitional
7 bilingual instruction program students per teacher. Notwithstanding
8 other provisions of this subsection (10), the actual per-student
9 allocation may be scaled to provide a larger allocation for students
10 needing more intensive intervention and a commensurate reduced
11 allocation for students needing less intensive intervention, as
12 detailed in the omnibus appropriations act.

13 (ii) To provide supplemental instruction and services for
14 students who have exited the transitional bilingual program,
15 allocations shall be based on the head count number of students in
16 each school who have exited the transitional bilingual program within
17 the previous two years based on their performance on the English
18 proficiency assessment and are eligible for and enrolled in the
19 transitional bilingual instruction program under RCW
20 28A.180.040(1)(g). The minimum allocation for each prototypical
21 school shall provide resources to provide, on a statewide average,
22 3.0 hours per week in extra instruction with fifteen exited students
23 per teacher.

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

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

35 (12)(a) For the purposes of allocations for prototypical high
36 schools and middle schools under subsections (4) and (10) of this
37 section that are based on the percent of students in the school who
38 are eligible for free and reduced-price meals, the actual percent of
39 such students in a school shall be adjusted by a factor identified in

1 the omnibus appropriations act to reflect underreporting of free and
2 reduced-price meal eligibility among middle and high school students.

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

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

12 (b) In the event the legislature rejects the distribution formula
13 recommended by the governor, without adopting a new distribution
14 formula, the distribution formula for the previous school year shall
15 remain in effect.

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

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

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

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

38 (1) The governor shall and the superintendent of public
39 instruction may recommend to the legislature a formula for the

1 distribution of a basic education instructional allocation for each
2 common school district.

3 (2) (a) The distribution formula under this section shall be for
4 allocation purposes only. Except as may be required under subsections
5 (4) (b) and (c) and (9) of this section, chapter 28A.155, 28A.165,
6 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in
7 this section requires school districts to use basic education
8 instructional funds to implement a particular instructional approach
9 or service. Nothing in this section requires school districts to
10 maintain a particular classroom teacher-to-student ratio or other
11 staff-to-student ratio or to use allocated funds to pay for
12 particular types or classifications of staff. Nothing in this section
13 entitles an individual teacher to a particular teacher planning
14 period.

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

28 (3) (a) To the extent the technical details of the formula have
29 been adopted by the legislature and except when specifically provided
30 as a school district allocation, the distribution formula for the
31 basic education instructional allocation shall be based on minimum
32 staffing and nonstaff costs the legislature deems necessary to
33 support instruction and operations in prototypical schools serving
34 high, middle, and elementary school students as provided in this
35 section. The use of prototypical schools for the distribution formula
36 does not constitute legislative intent that schools should be
37 operated or structured in a similar fashion as the prototypes.
38 Prototypical schools illustrate the level of resources needed to
39 operate a school of a particular size with particular types and grade
40 levels of students using commonly understood terms and inputs, such

1 as class size, hours of instruction, and various categories of school
2 staff. It is the intent that the funding allocations to school
3 districts be adjusted from the school prototypes based on the actual
4 number of annual average full-time equivalent students in each grade
5 level at each school in the district and not based on the grade-level
6 configuration of the school to the extent that data is available. The
7 allocations shall be further adjusted from the school prototypes with
8 minimum allocations for small schools and to reflect other factors
9 identified in the omnibus appropriations act.

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

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

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

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

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

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

34 (ii) The minimum class size allocation for each prototypical high
35 school shall also provide for enhanced funding for class size
36 reduction for two laboratory science classes within grades nine
37 through twelve per full-time equivalent high school student
38 multiplied by a laboratory science course factor of 0.0833, based on
39 the number of full-time equivalent classroom teachers needed to

1 provide instruction over the minimum required annual instructional
2 hours in RCW 28A.150.220, and providing at least one teacher planning
3 period per school day:

4 Laboratory science
5 average class size
6 Grades 9-12. 19.98

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

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

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

17 Career and technical
18 education average
19 class size
20 Approved career and technical education offered at
21 the middle school and high school level. 23.00
22 Skill center programs meeting the standards established
23 by the office of the superintendent of public
24 instruction. ((20.00)) 19.00

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

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

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

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

34 (5) (a) The minimum allocation for each level of prototypical
35 school shall include allocations for the following types of staff in
36 addition to classroom teachers, except as provided in (b) of this
37 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
((Health and social services:			
School nurses.	0.076	0.060	0.096
Social workers.	0.042	0.006	0.015
Psychologists.	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising.	0.493	1.216	2.539)
Teaching assistance, including any aspect of educational instructional services provided by classified employees.	0.936	0.700	0.652
Office support and other noninstructional aides.	2.012	2.325	3.269
Custodians.	1.657	1.942	2.965
<u>Physical, social, and emotional support staff:</u>			
<u>School nurses.</u>	<u>0.585</u>	<u>0.888</u>	<u>0.824</u>
<u>Social workers.</u>	<u>0.311</u>	<u>0.088</u>	<u>0.127</u>
<u>Psychologists.</u>	<u>0.104</u>	<u>0.024</u>	<u>0.049</u>
<u>School counselors addressing academic, career development, and social and emotional needs.</u>	<u>0.993</u>	<u>1.716</u>	<u>3.039</u>
Classified staff providing student and staff safety.	0.079	0.092	0.141
Parent involvement coordinators.	0.0825	0.00	0.00

25 (b) School districts may use allocations provided for physical,
26 social, and emotional support staff in this subsection (5), which
27 includes school nurses, social workers, psychologists, school
28 counselors addressing academic, career development, and social and
29 emotional needs, classified staff providing student and staff safety,
30 and parent involvement coordinators, only for salaries and benefits
31 for staff employed or contracted to serve as physical, social, and
32 emotional support staff.

33 (6) (a) The minimum staffing allocation for each school district
34 to provide district-wide support services shall be allocated per one

1 thousand annual average full-time equivalent students in grades K-12
2 as follows:

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

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

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

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

	Per annual average full-time equivalent student 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

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35 (b) In addition to the amounts provided in (a) of this
36 subsection, beginning in the 2014-15 school year, the omnibus
37 appropriations act shall provide the following minimum allocation for
38 each annual average full-time equivalent student in grades nine

1 through twelve for the following materials, supplies, and operating
2 costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student 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.

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

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

35 (ii) To provide supplemental instruction and services for
36 students who have exited the transitional bilingual program,
37 allocations shall be based on the head count number of students in
38 each school who have exited the transitional bilingual program within
39 the previous two years based on their performance on the English
40 proficiency assessment and are eligible for and enrolled in the

1 transitional bilingual instruction program under RCW
2 28A.180.040(1)(g). The minimum allocation for each prototypical
3 school shall provide resources to provide, on a statewide average,
4 3.0 hours per week in extra instruction with fifteen exited students
5 per teacher.

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

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

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

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

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

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

37 (c) The enrollment of any district shall be the annual average
38 number of full-time equivalent students and part-time students as
39 provided in RCW 28A.150.350, enrolled on the first school day of each
40 month, including students who are in attendance pursuant to RCW

1 28A.335.160 and 28A.225.250 who do not reside within the servicing
 2 school district. The definition of full-time equivalent student shall
 3 be determined by rules of the superintendent of public instruction
 4 and shall be included as part of the superintendent's biennial budget
 5 request. The definition shall be based on the minimum instructional
 6 hour offerings required under RCW 28A.150.220. Any revision of the
 7 present definition shall not take effect until approved by the house
 8 ways and means committee and the senate ways and means committee.

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

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

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

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

	Elementary School	Middle School	High 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

1	Custodians.	0.0430	0.0580	0.0350
2	<u>Physical, social, and emotional support staff:</u>			
3	Classified staff providing student and staff safety.	0.0000	0.6080	1.1590
4	Parent involvement coordinators.	0.9175	1.0000	1.0000

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

8			General education	
9			certificated instructional	
10			staff units sufficient to	
11			achieve class size reduction of:	
12	Grades K-3 class size.			0.00
13	Grade 4.			2.00
14	Grades 5-6.			2.00
15	Grades 7-8.			3.53
16	Grades 9-12.			3.74
17	CTE.			4.00
18	Skills.		((4.00))	<u>3.00</u>

19			High poverty	
20			certificated instructional	
21			staff units sufficient to	
22			achieve class size reduction of:	
23	Grades K-3 class size.			2.00
24	Grade 4.			5.00
25	Grades 5-6.			4.00
26	Grades 7-8.			5.53
27	Grades 9-12.			5.74

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

1 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect
2 September 1, 2022.

3 NEW SECTION. **Sec. 6.** Section 2 of this act expires September 1,
4 2024.

5 NEW SECTION. **Sec. 7.** Sections 3 and 4 of this act take effect
6 September 1, 2024.

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