

SENATE BILL REPORT

SB 5882

As Reported by Senate Committee On:
Early Learning & K-12 Education, January 18, 2024
Ways & Means, February 5, 2024

Title: An act relating to increasing prototypical school staffing to better meet student needs.

Brief Description: Increasing prototypical school staffing to better meet student needs.

Sponsors: Senators Stanford, Wellman, Hunt, Pedersen, Wilson, C., Conway, Hasegawa, Kuderer, Nobles, Salomon, Shewmake, Valdez and Van De Wege.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/10/24, 1/18/24 [DPS-WM, DNP].

Ways & Means: 2/03/24, 2/05/24 [DP2S, DNP, w/oRec].

Brief Summary of Second Substitute Bill

- Increases staff allocations for paraeducators, office support staff, and noninstructional aides in the prototypical school funding model.
- Directs the Superintendent of Public Instruction to develop rules that require school districts to use the additional funding to support increased staffing, prevent layoffs, or increase salaries for those staff types in the 2024-25 school year and collect data on how the increased allocations are used.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 5882 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt, Mullet and Pedersen.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass.

Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Staff: Alex Fairfortune (786-7416)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5882 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Billig, Conway, Dhingra, Hasegawa, Hunt, Keiser, Pedersen, Randall, Saldaña, Van De Wege and Wellman.

Minority Report: Do not pass.

Signed by Senators Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Warnick, Assistant Ranking Member, Capital; Boehnke and Muzzall.

Minority Report: That it be referred without recommendation.

Signed by Senators Rivers, Assistant Ranking Member, Capital; Braun, Torres and Wagoner.

Staff: Richard Ramsey (786-7909)

Background: Prototypical School Model. The state's public school funding model allocates funding to school districts based on assumed levels of staff and other resources necessary to support a prototypical school serving an assumed number of students at defined elementary, middle, and high schools levels. The use of prototypical schools is intended to illustrate the level of resources needed to operate a school of a particular size using commonly understood terms such as class size, hours of instruction, and specified staff positions.

The structure of the formula, which appears in statute, provides allocations for classroom teachers at an assumed class size, plus other building-level staff. Based on these staffing ratios, the state uses salary assumptions for each of the different staff types to generate state funding allocations. The funding provided to school districts through the prototypical school formulas is for allocation purposes only, and districts have discretion over how the money is spent, subject to some limits.

The staffing ratios for teaching assistants, office supports, and noninstructional aides are as follows:

	Elementary	Middle	High
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

Summary of Bill (Second Substitute): The term "teaching assistance" is changed to "paraeducators" in the prototypical school model.

The staffing ratios for paraeducators, office supports, and noninstructional aides are increased to the following amounts beginning in the 2024-25 school year:

	Elementary	Middle	High
Paraeducators, including any aspect of educational instructional services provided by classified employees	1.054	0.817	0.769
Office support and other noninstructional aides	2.130	2.442	3.386

The intent of this additional funding is to assist school districts in hiring additional support staff or providing the staff they already employ with better wages. The Superintendent of Public Instruction must develop rules that require school districts to use the additional funding to support increased staffing, prevent layoffs, or increase salaries for paraeducators, office support, and noninstructional aides in the 2024-25 school year. The Superintendent must also collect data from school districts on how the increased allocations are used.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Second Substitute):

- Replaces all references to "teaching assistance" with "paraeducators" in the prototypical school model.
- Modifies the staff allocation adjustments in the prototypical funding model for

paraeducators, office support staff, and noninstructional aides, replacing the 3-year phase-in with an immediate but reduced increase to allocations beginning in the 2024-25 SY.

- Specifies that the intent of the additional funding is to assist school districts in hiring additional support staff or providing the staff they already employ with better wages.
- Directs the Superintendent to develop rules to require school districts to use the additional funding to support increased staffing, prevent layoffs, or increase salaries for the following staff types in the 2024-25 school year: paraeducators, office support, and noninstructional aides.
- Directs the Superintendent to collect data from school districts on how the increased allocations are used.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):

- Corrects two numerical errors in the phase-in schedule for office support and other non-instructional aides in high school during the 2024-25 and 2025-26 school years, changing "0.77" to "0.077" and "1.54" to "0.154."

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 6, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: Paraprofessionals are crucial in identifying barriers to education and helping students overcome those barriers. They serve the important roles of providing one-on-one and small group instruction, which is essential for students that are struggling or trying to overcome learning loss. This is especially critical for those students who live in poverty or have IEPs. Current staff units are outdated and do not support the social, emotional, and academic needs of students. This bill helps move the levels closer to those suggested by staffing enrichment work group, and brings them fully up to the levels from Initiative 1351.

CON: This bill raises concerns about the additional taxpayer burden, as the cost would be prohibitive. The recent influx of support staff has not yielded improvements in student performance or behavior. Public school teachers have said that recently hired staff have inadequate training, experience, and oversight so funding should focus on training rather than more bodies in the classroom.

OTHER: Funding should be provided equitably rather than equally. Test scores show that

Washington has some of the biggest income-based achievement gaps in the country so the bill should be amended to allocate additional FTEs equitably for high poverty schools. This bill is a good step but it promotes itself as a behavioral and mental health bill and doesn't actually fund more mental health positions. The bill should provide greater increases in staff ratios than it currently does. The increase in non-teaching staff would further reduce the ratio of teachers to non-teachers and shift resources out of the classroom.

Persons Testifying (Early Learning & K-12 Education): PRO: Senator Derek Stanford, Prime Sponsor; Julie Salvi, Washington Education Association; Tyler Muench, Office of Superintendent of Public Instruction; Charlie Brown, South Sound School Districts ; Sara Betnel, Washington State School Directors' Association; Dune Ives; Robbi Reed, WEA - Northshore Education Association; Bob Cooper, National Association of Social Workers WA Chapter; Jim Kowalkowski, Rural Education Center; Natalya Yudkovsky, Washington State PTA; Justin McKaughan; Rick Chisa, Public School Employees of Washington (PSE); Melissa Gombosky, Evergreen, Vancouver, and Spokane Public Schools.

CON: Andy Cilley; Julie Barrett, Conservative Ladies of Washington.

OTHER: Oliver Miska, WAESN; Liv Finne, Washington Policy Center; Joy Gjersvold, Conservative Ladies of Washington; Katherine George, Johnston George LLP; Marisa Coleman; Dave Larson, Tukwila School District.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):
No one.

Staff Summary of Public Testimony on First Substitute (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: School directors prioritized staffing for this session recognizing the needs across the state. Districts continue to rely upon local levies so they need more equitable funding from the state. This bill helps respond to this need. This bill is focused on the state's role in funding paraeducators. Over three years this bill implements the recommendations of the state's quality education commission and enacted by the voters in Initiative-1351. It is time to recognize these vital workers in our funding formula.

Classified staff are crucial to school operations and insuring students receive a quality education. The staff units allocated in the current prototypical model do not provide adequate instructional support staff to the program of basic education and the social, emotional, and the academic needs of students. We would also like to see these professionals receive a living wage that allows them to live in the communities they serve. Part of our agenda this session is to drive state funding into districts where we are already hiring and paying staff out of local levies. Most staffing models are outdated. It's time to catch-up with today's public schools.

Shoreline, like many districts across the state, is facing a budget crisis because staffing models are not paying for real world student needs; they are relying upon levy funds. I have

observed the benefit of paraeducators working in collaboration with teachers. Due to the inadequate state funding for schools, our district had to make cuts that directly affect student success. Paraeducators are the duct-tape that holds a school together. Relying upon volunteers to meet needs is not equitable.

CON: This bill is bad policy because it would cut the ratio of teachers in the schools. Of the 125,000 school district employees only 50.5 percent are classroom teachers. This bill would make the ratio of teachers even lower. Sixty-one percent of students failed the Smarter Balance test for math and 49 percent failed the English test. In an emergency, every available dollar should be provided to trained teachers.

OTHER: This bill does not decrease teacher support. The recent report of the Education Law Center shows that Washington State is one of the few states that has a regressive education funding system because it provides higher allocation to districts with low poverty rates than it does for districts with high poverty rates. An amendment to this bill is not complicated; it's been done before for counselors.

Persons Testifying (Ways & Means): PRO: Marissa Rathbone, Washington State School Directors' Association; Malorie Larson, Washington State PTA; Julie Salvi, Washington Education Association; Tyler Muench, Office of Superintendent of Public Instruction; Charlie Brown, South Sound Superintendents; Rick Chisa, Public School Employees of WA/SEIU 1948; Hannah Blackburn, --None--.

CON: Liv Finne, Washington Policy Center.

OTHER: Dave Larson, Tukwila School Board.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.