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**HOUSE BILL 1741**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Representatives Rule, Leavitt, Reed, Callan, Davis, Berry, Paul, Ramel, Kloba, Reeves, Doglio, and Pollet; by request of Superintendent of Public Instruction

Read first time 02/03/23. Referred to Committee on Appropriations.

1 AN ACT Relating to increased prototypical school formulas to  
2 support student health, well-being, and educational outcomes;  
3 amending RCW 28A.150.260; creating new sections; and providing an  
4 effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes the state must  
7 provide education funding that corresponds to the cost of providing  
8 all students with the opportunity to learn through the state's  
9 statutory program of basic education. In section 905, chapter 13,  
10 Laws of 2017 and section 951, chapter 334, Laws of 2021, the state  
11 established a staffing enrichment work group and compensation work  
12 group to make recommendations on strengthening and enhancing the  
13 state's program of basic education. The legislature intends to  
14 realize the promise of these commitments and to improve student  
15 outcomes by increasing state allocations in a way that prioritizes  
16 staffing ratio increases to focus on reducing the opportunity gap,  
17 supporting the health and well-being of students, and enhancing the  
18 educational outcomes for all students.

19 **Sec. 2.** RCW 28A.150.260 and 2022 c 109 s 4 are each amended to  
20 read as follows:

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

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

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

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

35 (3)(a) To the extent the technical details of the formula have  
36 been adopted by the legislature and except when specifically provided  
37 as a school district allocation, the distribution formula for the  
38 basic education instructional allocation shall be based on minimum  
39 staffing and nonstaff costs the legislature deems necessary to  
40 support instruction and operations in prototypical schools serving

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

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

19 (i) A prototypical high school has (~~six hundred~~) 600 average  
20 annual full-time equivalent students in grades nine through  
21 (~~twelve~~) 12;

22 (ii) A prototypical middle school has (~~four hundred thirty two~~)  
23 432 average annual full-time equivalent students in grades seven and  
24 eight; and

25 (iii) A prototypical elementary school has (~~four hundred~~) 400  
26 average annual full-time equivalent students in grades kindergarten  
27 through six.

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

	General education average class size
35	
36	
37	Grades K-3. . . . . 17.00
38	Grade 4. . . . . 27.00
39	Grades 5-6. . . . . 27.00

1	Grades 7-8. . . . .	28.53
2	Grades 9-12. . . . .	28.74

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

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

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

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

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

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

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

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

1 (i) A high-poverty average class size in schools where more than  
 2 ~~((fifty))~~ 50 percent of the students are eligible for free and  
 3 reduced-price 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, to be increased as specified in the  
 9 omnibus appropriations act until the values below are provided in the  
 10 2025-26 school year:

	Elementary School	Middle School	High School
11 Principals, assistant principals, and other certificated building-level			
12 administrators. ....	<del>((1.253))</del>	<del>((1.353))</del>	<del>((1.880))</del>
	<u>1.334</u>	<u>1.440</u>	<u>2.000</u>
16 Teacher-librarians, a function that includes information literacy, technology,			
17 and media to support school library media programs. ....	0.663	0.519	0.523
18 Teaching assistance, including any aspect of educational instructional services			
19 provided by classified employees. ....	0.936	0.700	0.652
20 Office support and other noninstructional aides. ....	2.012	2.325	3.269
21 Custodians. ....	1.657	1.942	2.965
22 Nurses. ....	0.585	0.888	0.824
23 Social workers. ....	0.311	0.088	0.127
24 Psychologists. ....	0.104	0.024	0.049
25 Counselors. ....	<del>((0.993))</del>	<del>((1.716))</del>	<del>((3.039))</del>
	<u>1.200</u>	<u>2.500</u>	<u>3.500</u>
27 Classified staff providing student and staff safety. ....	0.079	0.092	0.141
28 <del>((Parent involvement))</del> <u>Family engagement</u> coordinators. ....	<del>((0.0825))</del>	<del>((0.00))</del>	<del>((0.00))</del>
	<u>1.000</u>	<u>1.000</u>	<u>1.000</u>
30 <u>Continuous improvement coaches</u> . ....	<u>1.000</u>	<u>1.00</u>	<u>1.00</u>

31 (b) (i) The superintendent may only allocate funding, up to the  
 32 combined minimum allocations, for nurses, social workers,  
 33 psychologists, counselors, classified staff providing student and  
 34 staff safety, and parent involvement coordinators under (a) of this  
 35 subsection to the extent of and proportionate to a school district's

1 demonstrated actual ratios of: Full-time equivalent physical, social,  
2 and emotional support staff to full-time equivalent students.

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

9 (iii) For the purposes of this subsection (5)(b), "physical,  
10 social, and emotional support staff" include nurses, social workers,  
11 psychologists, counselors, classified staff providing student and  
12 staff safety, parent involvement coordinators, and other school  
13 district employees and contractors who provide physical, social, and  
14 emotional support to students as defined by the superintendent.

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

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

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

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

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

39 Per annual average

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

12       **(b) In addition to the amounts provided in (a) of this**  
13 **subsection, beginning in the 2025-26 school year, the omnibus**  
14 **appropriations act shall provide the following minimum allocation for**  
15 **each annual average full-time equivalent student:**

16	<u>Classroom supplies. . . . .</u>		<u>\$25.00</u>
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17       **The superintendent of public instruction must write rules by**  
18 **September 1, 2025, prohibiting local education agencies from charging**  
19 **families directly or requiring mandatory donations of necessary**  
20 **consumable school supplies.**

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

27		Per annual average	
28		full-time equivalent student	
29			in grades 9-12
30	Technology. . . . .		\$36.35
31	Curriculum and textbooks. . . . .		\$39.02
32	Other supplies . . . . .		\$77.28
33	Library materials. . . . .		\$5.56
34	Instructional professional development for certificated and		
35	classified staff. . . . .		\$6.04

36       **(9) Beginning with the 2023-24 school year, funding for**  
37 **substitute costs for classroom teachers is based on 12 funded**

1 substitute days per classroom teacher unit generated under subsection  
2 (4) of this section, at a daily rate of \$189.82.

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

7 (a) Exploratory career and technical education courses for  
8 students in grades seven through twelve;

9 (b) Preparatory career and technical education courses for  
10 students in grades nine through (~~twelve~~) 12 offered in a high  
11 school; and

12 (c) Preparatory career and technical education courses for  
13 students in grades eleven and twelve offered through a skill center.

14 (~~(10)~~) (11) In addition to the allocations otherwise provided  
15 under this section, amounts shall be provided to support the  
16 following programs and services:

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

32 (ii) In addition to funding allocated under (a)(i) of this  
33 subsection, to provide supplemental instruction and services for  
34 students who are not meeting academic standards in qualifying  
35 schools. A qualifying school means a school in which the three-year  
36 rolling average of the prior year total annual average enrollment  
37 that qualifies for free or reduced-price meals equals or exceeds  
38 (~~fifty~~) 50 percent or more of its total annual average enrollment.  
39 A school continues to meet the definition of a qualifying school if



1 the school: Participates in the United States department of  
2 agriculture's community eligibility provision; and met the definition  
3 of a qualifying school in the year immediately preceding their  
4 participation. The minimum allocation for this additional high  
5 poverty-based allocation must provide for each level of prototypical  
6 school resources to provide, on a statewide average, 1.1 hours per  
7 week in extra instruction with a class size of (~~(fifteen)~~) 15  
8 learning assistance program students per teacher, under RCW  
9 28A.165.055, school districts must distribute the high poverty-based  
10 allocation to the schools that generated the funding allocation.

11 (b) (i) To provide supplemental instruction and services for  
12 students whose primary language is other than English, allocations  
13 shall be based on the head count number of students in each school  
14 who are eligible for and enrolled in the transitional bilingual  
15 instruction program under RCW 28A.180.010 through 28A.180.080. The  
16 minimum allocation for each level of prototypical school shall  
17 provide resources to provide, on a statewide average, 4.7780 hours  
18 per week in extra instruction for students in grades kindergarten  
19 through six and 6.7780 hours per week in extra instruction for  
20 students in grades seven through (~~(twelve)~~) 12, with (~~(fifteen)~~) 15  
21 transitional bilingual instruction program students per teacher.  
22 Notwithstanding other provisions of this subsection (~~(+10+)~~) (11),  
23 the actual per-student allocation may be scaled to provide a larger  
24 allocation for students needing more intensive intervention and a  
25 commensurate reduced allocation for students needing less intensive  
26 intervention, as detailed in the omnibus appropriations act.

27 (ii) To provide supplemental instruction and services for  
28 students who have exited the transitional bilingual program,  
29 allocations shall be based on the head count number of students in  
30 each school who have exited the transitional bilingual program within  
31 the previous two years based on their performance on the English  
32 proficiency assessment and are eligible for and enrolled in the  
33 transitional bilingual instruction program under RCW  
34 28A.180.040(1)(g). The minimum allocation for each prototypical  
35 school shall provide resources to provide, on a statewide average,  
36 3.0 hours per week in extra instruction with (~~(fifteen)~~) 15 exited  
37 students per teacher.

38 (c) To provide additional allocations to support programs for  
39 highly capable students under RCW 28A.185.010 through 28A.185.030,  
40 allocations shall be based on 5.0 percent of each school district's

1 full-time equivalent basic education enrollment. The minimum  
2 allocation for the programs shall provide resources to provide, on a  
3 statewide average, 2.1590 hours per week in extra instruction with  
4 (~~(fifteen)~~) 15 highly capable program students per teacher.

5 (~~((+11))~~) (12) The allocations under subsections (4) (a), (5), (6),  
6 and (8) of this section shall be enhanced as provided under RCW  
7 28A.150.390 on an excess cost basis to provide supplemental  
8 instructional resources for students with disabilities.

9 (~~((+12))~~) (13) (a) For the purposes of allocations for prototypical  
10 high schools and middle schools under subsections (4) and (~~((+10))~~)  
11 (11) of this section that are based on the percent of students in the  
12 school who are eligible for free and reduced-price meals, the actual  
13 percent of such students in a school shall be adjusted by a factor  
14 identified in the omnibus appropriations act to reflect  
15 underreporting of free and reduced-price meal eligibility among  
16 middle and high school students.

17 (b) Allocations or enhancements provided under subsections (4),  
18 (7), and (~~((+9))~~) (10) of this section for exploratory and preparatory  
19 career and technical education courses shall be provided only for  
20 courses approved by the office of the superintendent of public  
21 instruction under chapter 28A.700 RCW.

22 (~~((+13))~~) (14) (a) This formula for distribution of basic education  
23 funds shall be reviewed biennially by the superintendent and  
24 governor. The recommended formula shall be subject to approval,  
25 amendment or rejection by the legislature.

26 (b) In the event the legislature rejects the distribution formula  
27 recommended by the governor, without adopting a new distribution  
28 formula, the distribution formula for the previous school year shall  
29 remain in effect.

30 (c) The enrollment of any district shall be the annual average  
31 number of full-time equivalent students and part-time students as  
32 provided in RCW 28A.150.350, enrolled on the first school day of each  
33 month, including students who are in attendance pursuant to RCW  
34 28A.335.160 and 28A.225.250 who do not reside within the servicing  
35 school district. The definition of full-time equivalent student shall  
36 be determined by rules of the superintendent of public instruction  
37 and shall be included as part of the superintendent's biennial budget  
38 request. The definition shall be based on the minimum instructional  
39 hour offerings required under RCW 28A.150.220. Any revision of the

1 present definition shall not take effect until approved by the house  
2 ways and means committee and the senate ways and means committee.

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

6 NEW SECTION. **Sec. 3.** Salary allocations provided in the omnibus  
7 appropriations act shall be increased for the purpose of staff  
8 participation in professional development, until the values below are  
9 achieved in the 2025-26 school year.

10	Certificated instructional staff. . . . .	3.33%
11	Classified staff. . . . .	3.33%
12	Certificated administrative staff. . . . .	1.67%

13 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect  
14 September 1, 2025.

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