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ENGROSSED SUBSTITUTE HOUSE BILL 2494

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State of Washington

68th Legislature

2024 Regular Session

**By** House Appropriations (originally sponsored by Representatives Bergquist, Rude, Simmons, Senn, Pollet, Callan, Paul, Macri, Stonier, and Gregerson)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to state funding for operating costs in schools;  
2 amending RCW 28A.150.260; creating new sections; and providing an  
3 expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that schools are  
6 facing increased operating costs to serve students and staff. Some of  
7 these increases are beyond inflationary adjustments and reflect the  
8 evolving needs and requirements of schools. Therefore, the  
9 legislature intends to increase funding for materials, supplies, and  
10 operating costs in schools to address evolving operational needs.

11 **Sec. 2.** RCW 28A.150.260 and 2023 c 379 s 6 are each amended to  
12 read as follows:

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

18 (1) The governor shall and the superintendent of public  
19 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), (5)(b), and (9) of this section, chapter 28A.155,  
6 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,  
7 nothing in this section requires school districts to use basic  
8 education instructional funds to implement a particular instructional  
9 approach or service. Nothing in this section requires school  
10 districts to maintain a particular classroom teacher-to-student ratio  
11 or other 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 600 average annual full-time  
13 equivalent students in grades nine through 12;

14 (ii) A prototypical middle school has 432 average annual full-  
15 time equivalent students in grades seven and eight; and

16 (iii) A prototypical elementary school has 400 average annual  
17 full-time equivalent students in grades kindergarten through six.

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

|                         | General education<br>average class size |
|-------------------------|---|
| 25                      |   |
| 26                      |   |
| 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                                   |

32 (ii) The minimum class size allocation for each prototypical high  
33 school shall also provide for enhanced funding for class size  
34 reduction for two laboratory science classes within grades nine  
35 through 12 per full-time equivalent high school student multiplied by  
36 a laboratory science course factor of 0.0833, based on the number of  
37 full-time equivalent classroom teachers needed to provide instruction  
38 over the minimum required annual instructional hours in RCW

1 28A.150.220, and providing at least one teacher planning period per  
2 school day:

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

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

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

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

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

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

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

28 (i) A high-poverty average class size in schools where more than  
29 50 percent of the students are eligible for free and reduced-price  
30 meals; and

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

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

36 Elementary Middle High  
37 School School School

|    |   |        |       |       |
|----|---|--------|-------|-------|
| 1  | Principals, assistant principals, and other certificated building-level         |        |       |       |
| 2  | administrators. ....  | 1.253  | 1.353 | 1.880 |
| 3  | Teacher-librarians, a function that includes information literacy, technology,  |        |       |       |
| 4  | and media to support school library media programs. ....                        | 0.663  | 0.519 | 0.523 |
| 5  | Teaching assistance, including any aspect of educational instructional services |        |       |       |
| 6  | provided by classified employees. ....  | 0.936  | 0.700 | 0.652 |
| 7  | Office support and other noninstructional aides. ....                           | 2.012  | 2.325 | 3.269 |
| 8  | Custodians. ....  | 1.657  | 1.942 | 2.965 |
| 9  | Nurses. ....  | 0.585  | 0.888 | 0.824 |
| 10 | Social workers. ....  | 0.311  | 0.088 | 0.127 |
| 11 | Psychologists. ....   | 0.104  | 0.024 | 0.049 |
| 12 | Counselors. ....  | 0.993  | 1.716 | 3.039 |
| 13 | Classified staff providing student and staff safety. ....                       | 0.079  | 0.092 | 0.141 |
| 14 | Parent involvement coordinators. ....   | 0.0825 | 0.00  | 0.00  |

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

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

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

34 (6) (a) The minimum staffing allocation for each school district  
35 to provide district-wide support services shall be allocated per one  
36 thousand annual average full-time equivalent students in grades K-12  
37 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  
19 ((2017-18)) 2023-24 school year, after which the allocations shall be  
20 adjusted annually for inflation as specified in the omnibus  
21 appropriations act:

|    |   |   |
|----|---|---|
| 22 |   | Per annual average                        |
| 23 |   | full-time equivalent student              |
| 24 |   | in grades K-12                            |
| 25 | Technology. . . . .   | (( <del>\$130.76</del> )) <u>\$178.98</u> |
| 26 | Utilities and insurance. . . . .                            | (( <del>\$355.30</del> )) <u>\$430.26</u> |
| 27 | Curriculum and textbooks. . . . .                           | (( <del>\$140.39</del> )) <u>\$164.48</u> |
| 28 | Other supplies . . . . .                                    | (( <del>\$278.05</del> )) <u>\$326.54</u> |
| 29 | Library materials. . . . .                                  | (( <del>\$20.00</del> )) <u>\$22.65</u>   |
| 30 | Instructional professional development for certificated and |   |
| 31 | classified staff. . . . .                                   | (( <del>\$21.71</del> )) <u>\$28.94</u>   |
| 32 | Facilities maintenance. . . . .                             | (( <del>\$176.01</del> )) <u>\$206.22</u> |
| 33 | Security and central office administration. . . . .         | (( <del>\$121.94</del> )) <u>\$146.37</u> |

34 (b) In addition to the amounts provided in (a) of this  
35 subsection, beginning in the ((2014-15)) 2023-24 school year, the  
36 omnibus appropriations act shall provide the following minimum  
37 allocation for each annual average full-time equivalent student in

1 grades nine through 12 for the following materials, supplies, and  
2 operating costs, to be adjusted annually for inflation:

|    | Per annual average<br>full-time equivalent student<br>in grades 9-12      |
|----|---|
| 3  |   |
| 4  |   |
| 5  |   |
| 6  | Technology. . . . . ( <del>(\$36.35)</del> ) <u>\$44.05</u>               |
| 7  | Curriculum and textbooks. . . . . ( <del>(\$39.02)</del> ) <u>\$48.06</u> |
| 8  | Other supplies . . . . . ( <del>(\$77.28)</del> ) <u>\$94.07</u>          |
| 9  | Library materials. . . . . ( <del>(\$5.56)</del> ) <u>\$6.05</u>          |
| 10 | Instructional professional development for certificated and               |
| 11 | classified staff. . . . . ( <del>(\$6.04)</del> ) <u>\$8.01</u>           |

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

- 16 (a) Exploratory career and technical education courses for
- 17 students in grades seven through 12;
- 18 (b) Preparatory career and technical education courses for
- 19 students in grades nine through 12 offered in a high school; and
- 20 (c) Preparatory career and technical education courses for
- 21 students in grades 11 and 12 offered through a skill center.

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

25 (a)(i) To provide supplemental instruction and services for  
26 students who are not meeting academic standards through the learning  
27 assistance program under RCW 28A.165.005 through 28A.165.065,  
28 allocations shall be based on the greater of either: The district  
29 percentage of students in kindergarten through grade 12 who were  
30 eligible for free or reduced-price meals for the school year  
31 immediately preceding the district's participation, in whole or part,  
32 in the United States department of agriculture's community  
33 eligibility provision, or the district percentage of students in  
34 grades K-12 who were eligible for free or reduced-price meals in the  
35 prior school year. The minimum allocation for the program shall,  
36 except as provided in (a)(iii) of this subsection, provide for each  
37 level of prototypical school resources to provide, on a statewide  
38 average, 2.3975 hours per week in extra instruction with a class size  
39 of 15 learning assistance program students per 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, except as provided in (a)(iv) of this  
5 subsection, means a school in which the three-year rolling average of  
6 the prior year total annual average enrollment that qualifies for  
7 free or reduced-price meals equals or exceeds 50 percent or more of  
8 its total annual average enrollment. A school continues to meet the  
9 definition of a qualifying school if the school: Participates in the  
10 United States department of agriculture's community eligibility  
11 provision; and met the definition of a qualifying school in the year  
12 immediately preceding their participation. The minimum allocation for  
13 this additional high poverty-based allocation must provide for each  
14 level of prototypical school resources to provide, on a statewide  
15 average, 1.1 hours per week in extra instruction with a class size of  
16 15 learning assistance program students per teacher, under RCW  
17 28A.165.055, school districts must distribute the high poverty-based  
18 allocation to the schools that generated the funding allocation.

19 (iii) For the 2024-25 and 2025-26 school years, allocations under  
20 (a)(i) of this subsection for school districts providing meals at no  
21 charge to students under RCW 28A.235.135 that are not participating,  
22 in whole or in part, in the United States department of agriculture's  
23 community eligibility provision shall be based on the school district  
24 percentage of students in grades K-12 who were eligible for free or  
25 reduced-price meals in school years 2019-20 through 2022-23 or the  
26 prior school year, whichever is greatest.

27 (iv) For the 2024-25 and 2025-26 school years, a school providing  
28 meals at no charge to students under RCW 28A.235.135 that is not  
29 participating in the department of agriculture's community  
30 eligibility provision continues to meet the definition of a  
31 qualifying school under (a)(ii) of this subsection if the school met  
32 the definition during one year of the 2019-20 through 2022-23 school  
33 years, or in the prior school year.

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 12, with 15 transitional bilingual  
4 instruction program students per teacher. Notwithstanding other  
5 provisions of this subsection (10), the actual per-student allocation  
6 may be scaled to provide a larger allocation for students needing  
7 more intensive intervention and a commensurate reduced allocation for  
8 students needing less intensive intervention, as detailed in the  
9 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 15 exited students per  
20 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 NEW SECTION. **Sec. 3.** The state must provide the full school  
28 year amount for materials, supplies, and operating costs provided in  
29 this act for the 2023-24 school year. The first month's distribution  
30 of additional amounts provided under this act in the 2023-24 school  
31 year must be a proportion of the total annual additional amount  
32 provided in this act equal to the sum of the proportional shares  
33 under RCW 28A.510.250 from September 2023 to the first month's  
34 distribution.

35 This section expires September 1, 2024.

36 NEW SECTION. **Sec. 4.** If specific funding for the purposes of  
37 this act, referencing this act by bill or chapter number, is not

1 provided by June 30, 2024, in the omnibus appropriations act, this  
2 act is null and void.

--- **END** ---