
SENATE BILL 5019

State of Washington

68th Legislature

2023 Regular Session

By Senators Wellman, Braun, Dhingra, Hunt, Keiser, Randall, Saldaña, Trudeau, Valdez, and C. Wilson

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1 AN ACT Relating to classified staff providing student and staff
2 safety; amending RCW 28A.150.260 and 28A.150.260; providing an
3 effective date; and providing an expiration date.

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

5 **Sec. 1.** RCW 28A.150.260 and 2022 c 109 s 3 are each amended to
6 read as follows:

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

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

16 (2)(a) The distribution formula under this section shall be for
17 allocation purposes only. Except as may be required under subsections
18 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
19 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
20 nothing in this section requires school districts to use basic
21 education instructional funds to implement a particular instructional

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level.	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction.	19.00

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

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

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

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

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

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators.	1.253	1.353	1.880
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs.	0.663	0.519	0.523

1	Teaching assistance, including any aspect of educational instructional services			
2	provided by classified employees.	0.936	0.700	0.652
3	Office support and other noninstructional aides.	2.012	2.325	3.269
4	Custodians.	1.657	1.942	2.965
5	Nurses.	0.246	0.336	0.339
6	Social workers.	0.132	0.033	0.052
7	Psychologists.	0.046	0.009	0.021
8	Counselors.	0.660	1.383	2.706
9	Classified staff providing student and staff safety.	0.079	0.092	0.141
10	Parent involvement coordinators.	0.0825	0.00	0.00

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

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

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

31 (c) For the 2023-24 school year, in addition to the minimum
32 allocation under (a) of this subsection, the following additional
33 staffing units for each level of prototypical school will be
34 provided:

35		Elementary	Middle	High
36		School	School	School
37	Nurses.	0.170	0.276	0.243

1	Social workers.....	0.090	0.027	0.037
2	Psychologists.....	0.029	0.007	0.014
3	Counselors.....	0.167	0.167	0.176

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

8			Staff per 1,000	
9			K-12 students	
10	Technology.			0.628
11	Facilities, maintenance, and grounds.			1.813
12	Warehouse, laborers, and mechanics.			0.332

13 (b) The minimum allocation of staff units for each school
14 district to support certificated and classified staffing of central
15 administration shall be 5.30 percent of the staff units generated
16 under subsections (4) (a) and (5) of this section and (a) of this
17 subsection.

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

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

28			Per annual average	
29			full-time equivalent student	
30			in grades K-12	
31	Technology.			\$130.76
32	Utilities and insurance.			\$355.30
33	Curriculum and textbooks.			\$140.39
34	Other supplies			\$278.05
35	Library materials.			\$20.00
36	Instructional professional development for certificated and			
37	classified staff.			\$21.71

1 Facilities maintenance. \$176.01
2 Security and central office administration. \$121.94

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

	Per annual average full-time equivalent student in grades 9-12
9	
10	
11	
12 Technology.	\$36.35
13 Curriculum and textbooks.	\$39.02
14 Other supplies	\$77.28
15 Library materials.	\$5.56
16 Instructional professional development for certificated and 17 classified staff.	\$6.04

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

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

28 (10) In addition to the allocations otherwise provided under this
29 section, amounts shall be provided to support the following programs
30 and services:

31 (a)(i) To provide supplemental instruction and services for
32 students who are not meeting academic standards through the learning
33 assistance program under RCW 28A.165.005 through 28A.165.065,
34 allocations shall be based on the greater of either: The district
35 percentage of students in kindergarten through grade twelve who were
36 eligible for free or reduced-price meals for the school year
37 immediately preceding the district's participation, in whole or part,
38 in the United States department of agriculture's community
39 eligibility provision, or the district percentage of students in

1 grades K-12 who were eligible for free or reduced-price meals in the
2 prior school year. The minimum allocation for the program shall
3 provide for each level of prototypical school resources to provide,
4 on a statewide average, 2.3975 hours per week in extra instruction
5 with a class size of fifteen learning assistance program students per
6 teacher.

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

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

1 (ii) To provide supplemental instruction and services for
2 students who have exited the transitional bilingual program,
3 allocations shall be based on the head count number of students in
4 each school who have exited the transitional bilingual program within
5 the previous two years based on their performance on the English
6 proficiency assessment and are eligible for and enrolled in the
7 transitional bilingual instruction program under RCW
8 28A.180.040(1)(g). The minimum allocation for each prototypical
9 school shall provide resources to provide, on a statewide average,
10 3.0 hours per week in extra instruction with fifteen exited students
11 per teacher.

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

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

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

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

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

39 (b) In the event the legislature rejects the distribution formula
40 recommended by the governor, without adopting a new distribution

1 formula, the distribution formula for the previous school year shall
2 remain in effect.

3 (c) The enrollment of any district shall be the annual average
4 number of full-time equivalent students and part-time students as
5 provided in RCW 28A.150.350, enrolled on the first school day of each
6 month, including students who are in attendance pursuant to RCW
7 28A.335.160 and 28A.225.250 who do not reside within the servicing
8 school district. The definition of full-time equivalent student shall
9 be determined by rules of the superintendent of public instruction
10 and shall be included as part of the superintendent's biennial budget
11 request. The definition shall be based on the minimum instructional
12 hour offerings required under RCW 28A.150.220. Any revision of the
13 present definition shall not take effect until approved by the house
14 ways and means committee and the senate ways and means committee.

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

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

20 The purpose of this section is to provide for the allocation of
21 state funding that the legislature deems necessary to support school
22 districts in offering the minimum instructional program of basic
23 education under RCW 28A.150.220. The allocation shall be determined
24 as follows:

25 (1) The governor shall and the superintendent of public
26 instruction may recommend to the legislature a formula for the
27 distribution of a basic education instructional allocation for each
28 common school district.

29 (2)(a) The distribution formula under this section shall be for
30 allocation purposes only. Except as may be required under subsections
31 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
32 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
33 nothing in this section requires school districts to use basic
34 education instructional funds to implement a particular instructional
35 approach or service. Nothing in this section requires school
36 districts to maintain a particular classroom teacher-to-student ratio
37 or other staff-to-student ratio or to use allocated funds to pay for
38 particular types or classifications of staff. Nothing in this section

1 entitles an individual teacher to a particular teacher planning
2 period.

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

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

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

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

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

6 (iii) A prototypical elementary school has four hundred average
7 annual full-time equivalent students in grades kindergarten through
8 six.

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

	General education average class size
16 Grades K-3.	17.00
17 Grade 4.	27.00
18 Grades 5-6.	27.00
19 Grades 7-8.	28.53
20 Grades 9-12.	28.74

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

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

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

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

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

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level.	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction.	19.00

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

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

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

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

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

	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
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
Nurses.	0.585	0.888	0.824

1	Social workers.....	0.311	0.088	0.127
2	Psychologists.....	0.104	0.024	0.049
3	Counselors.....	0.993	1.716	3.039
4	Classified staff providing student and staff safety.....	0.079	0.092	0.141
5	Parent involvement coordinators.....	0.0825	0.00	0.00

6 (b) (i) The superintendent may only allocate funding, up to the
7 combined minimum allocations, for nurses, social workers,
8 psychologists, counselors, (~~classified staff providing student and~~
9 ~~staff safety,~~) and parent involvement coordinators under (a) of this
10 subsection to the extent of and proportionate to a school district's
11 demonstrated actual ratios of: Full-time equivalent physical, social,
12 and emotional support staff to full-time equivalent students.

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

19 (iii) For the purposes of this subsection (5) (b), "physical,
20 social, and emotional support staff" include nurses, social workers,
21 psychologists, counselors, (~~classified staff providing student and~~
22 ~~staff safety,~~) parent involvement coordinators, and other school
23 district employees and contractors who provide physical, social, and
24 emotional support to students as defined by the superintendent.

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

29			Staff per 1,000	
30			K-12 students	
31	Technology.			0.628
32	Facilities, maintenance, and grounds.			1.813
33	Warehouse, laborers, and mechanics.			0.332

34 (b) The minimum allocation of staff units for each school
35 district to support certificated and classified staffing of central
36 administration shall be 5.30 percent of the staff units generated
37 under subsections (4) (a) and (5) of this section and (a) of this
38 subsection.

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

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

	Per annual average full-time equivalent student in grades K-12
14 Technology.	\$130.76
15 Utilities and insurance.	\$355.30
16 Curriculum and textbooks.	\$140.39
17 Other supplies	\$278.05
18 Library materials.	\$20.00
19 Instructional professional development for certificated and 20 classified staff.	\$21.71
21 Facilities maintenance.	\$176.01
22 Security and central office administration.	\$121.94

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

	Per annual average full-time equivalent student in grades 9-12
32 Technology.	\$36.35
33 Curriculum and textbooks.	\$39.02
34 Other supplies	\$77.28
35 Library materials.	\$5.56
36 Instructional professional development for certificated and 37 classified staff.	\$6.04

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

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

7 (b) Preparatory career and technical education courses for
8 students in grades nine through twelve offered in a high school; and

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

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

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

29 (ii) In addition to funding allocated under (a)(i) of this
30 subsection, to provide supplemental instruction and services for
31 students who are not meeting academic standards in qualifying
32 schools. A qualifying school means a school in which the three-year
33 rolling average of the prior year total annual average enrollment
34 that qualifies for free or reduced-price meals equals or exceeds
35 fifty percent or more of its total annual average enrollment. A
36 school continues to meet the definition of a qualifying school if the
37 school: Participates in the United States department of agriculture's
38 community eligibility provision; and met the definition of a
39 qualifying school in the year immediately preceding their

1 participation. The minimum allocation for this additional high
2 poverty-based allocation must provide for each level of prototypical
3 school resources to provide, on a statewide average, 1.1 hours per
4 week in extra instruction with a class size of fifteen learning
5 assistance program students per teacher, under RCW 28A.165.055,
6 school districts must distribute the high poverty-based allocation to
7 the schools that generated the funding allocation.

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

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

35 (c) To provide additional allocations to support programs for
36 highly capable students under RCW 28A.185.010 through 28A.185.030,
37 allocations shall be based on 5.0 percent of each school district's
38 full-time equivalent basic education enrollment. The minimum
39 allocation for the programs shall provide resources to provide, on a

1 statewide average, 2.1590 hours per week in extra instruction with
2 fifteen highly capable program students per teacher.

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

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

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

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

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

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

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

4 NEW SECTION. **Sec. 3.** Section 1 of this act expires September 1,
5 2024.

6 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect
7 September 1, 2024.

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