

RCW 28A.150.250 Annual basic education allocation—Full funding—Withholding of funds for noncompliance. (1) From those funds made available by the legislature for the current use of the common schools, the superintendent of public instruction shall distribute annually as provided in RCW 28A.510.250 to each school district of the state operating a basic education instructional program approved by the state board of education an amount based on the formulas provided in RCW 28A.150.260, 28A.150.390, and 28A.150.392 which, when combined with an appropriate portion of such locally available revenues, other than receipts from federal forest revenues distributed to school districts pursuant to RCW 28A.520.010 and 28A.520.020, as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support, excluding excess property tax levies, will constitute a basic education allocation in dollars for each annual average full-time equivalent student enrolled.

(2) The instructional program of basic education shall be considered to be fully funded by those amounts of dollars appropriated by the legislature pursuant to RCW 28A.150.260, 28A.150.390, and 28A.150.392 to fund those program requirements identified in RCW 28A.150.220 in accordance with the formula provided in RCW 28A.150.260 and those amounts of dollars appropriated by the legislature to fund the salary requirements of RCW 28A.150.410.

(3) (a) If a school district's basic education program fails to meet the basic education requirements enumerated in RCW 28A.150.260 and 28A.150.220, the state board of education may recommend to the superintendent of public instruction that the superintendent withhold state funds in whole or in part for the basic education allocation until program compliance is assured. However, the state board of education may waive this requirement in the event of substantial lack of classroom space.

(b) If the state board of education recommends the withholding of a school district's basic education allocation under this subsection, the superintendent of public instruction may withhold the allocation of state funds in whole or in part for support of the school district. Written notice of the intent to withhold state funds, with reasons stated for this action, shall be made to the school district by the office of the superintendent of public instruction before any portion of the state allocation is withheld. [2018 c 177 s 601; 2009 c 548 s 105; 1990 c 33 s 107; 1987 1st ex.s. c 2 s 201; 1986 c 144 s 1; 1983 c 3 s 30; 1982 c 158 s 3; 1982 c 158 s 2; 1980 c 154 s 12; 1979 ex.s. c 250 s 2; 1977 ex.s. c 359 s 4; 1975 1st ex.s. c 211 s 1; 1973 2nd ex.s. c 4 s 1; 1973 1st ex.s. c 195 s 9; 1973 c 46 s 2. See also 1973 1st ex.s. c 195 ss 136, 137, 138 and 139. Prior: 1972 ex.s. c 124 s 1; 1972 ex.s. c 105 s 2; 1971 ex.s. c 294 s 19; 1969 c 138 s 2; 1969 ex.s. c 223 s 28A.41.130; prior: 1967 ex.s. c 140 s 3; 1965 ex.s. c 171 s 1; 1965 ex.s. c 154 s 2; prior: (i) 1949 c 212 s 1, part; 1945 c 141 s 4, part; 1923 c 96 s 1, part; 1911 c 118 s 1, part; 1909 c 97 p 312 ss 7-10, part; Rem. Supp. 1949 s 4940-4, part. (ii) 1949 c 212 s 2, part; 1945 c 141 s 5, part; 1909 c 97 p 312 ss 7-10, part; Rem. Supp. 1949 s 4940-5, part. Formerly RCW 28A.41.130, 28.41.130.]

Finding—Intent—2018 c 177: See note following RCW 28A.305.905.

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Intent—Severability—Effective date—1987 1st ex.s. c 2: See notes following RCW 84.52.0531.

Effective date—1986 c 144: "Section 1 of this act shall be effective September 1, 1987." [1986 c 144 s 2.]

Severability—1982 c 158: See note following RCW 28A.150.220.

Purpose—Effective dates—Savings—Disposition of certain funds—Severability—1980 c 154: See notes following chapter 82.45 RCW digest.

Effective date—Severability—1979 ex.s. c 250: See notes following RCW 28A.150.220.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

Emergency—Effective date—1973 2nd ex.s. c 4: See notes following RCW 84.52.043.

Severability—Effective dates and termination dates—Construction—1973 1st ex.s. c 195: See notes following RCW 84.52.043.

Effective date—1972 ex.s. c 124: "This 1972 amendatory act is necessary for the immediate preservation of the public peace, health and safety and the support of the state government and its existing public institutions, and sections 2, 3, 4, 6, 7 and 11 shall take effect immediately [February 25, 1972]; sections 1, 8, 9 and 10 hereof shall take effect July 1, 1973; and section 5 hereof shall take effect July 1, 1974." [1972 ex.s. c 124 s 12.]

Severability—1972 ex.s. c 124: "If any provision of this 1972 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1972 ex.s. c 124 s 13.]

Effective date—1972 ex.s. c 105: "This act except for section 4 will take effect July 1, 1973." [1972 ex.s. c 105 s 5.]

Severability—1972 ex.s. c 105: "If any provision of this 1972 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1972 ex.s. c 105 s 6.]

Distribution of forest reserve funds—As affects basic education allocation: RCW 28A.520.020.

*Program of basic education, RCW 28A.150.250 as part of: RCW
28A.150.200.*