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HOUSE BILL 1067

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State of Washington

63rd Legislature

2013 Regular Session

By Representatives Lytton, Ryu, Maxwell, Haigh, Tharinger, Stonier, Pollet, Bergquist, and Reykdal; by request of Governor Gregoire

Prefiled 01/11/13. Read first time 01/14/13. Referred to Committee on Appropriations.

1 AN ACT Relating to enhancing the basic education allocation formula  
2 for principals, assistant principals, and other certificated  
3 building-level administrators to support the teacher evaluation program  
4 requirements of RCW 28A.405.100; amending RCW 28A.150.260; creating a  
5 new section; and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that providing an  
8 effective basic education program includes the fundamental task of  
9 conducting thorough teacher evaluations.

10 (2) The legislature also finds that:

11 (a) The teacher evaluation program required in RCW 28A.405.100 was  
12 significantly strengthened in the 2010 legislative session and further  
13 refined in the 2012 legislative session. The new teacher evaluation  
14 criteria now clearly sets forth expectations for teaching practice by  
15 establishing levels of performance and the use of multiple measures to  
16 demonstrate evidence of practice.

17 (b) The new teacher evaluation program requires additional duties  
18 for school principals, including but not limited to: Attention to new  
19 evaluation processes, deep analysis of instructional and learning data

1 related to each teacher, precise ratings of teacher performance, and  
2 the provision of meaningful programs of improvement for teachers  
3 needing to improve their practice to be retained in teaching positions  
4 as well as to assist other teachers in reaching distinguished levels of  
5 performance.

6 (c) Due to the ongoing development and piloting of the new teacher  
7 evaluation system, principal responsibilities related to the new  
8 teacher evaluation were not considered when the principal, assistant  
9 principal and other certificated building level administrator staffing  
10 ratios were adopted in the basic education prototypical school models.

11 (3) Therefore, the legislature intends to assure implementation of  
12 the new teacher evaluation system by providing additional capacity for  
13 school principals and assistant principals to carry out their  
14 responsibilities to professionally conduct teacher evaluations by  
15 adjusting the principal staffing ratios in the prototypical school  
16 models.

17 **Sec. 2.** RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each  
18 amended to read as follows:

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

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

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

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

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

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

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

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

32 (iii) A prototypical elementary school has four hundred average  
33 annual full-time equivalent students in grades kindergarten through  
34 six.

35 (4)(a) The minimum allocation for each level of prototypical school  
36 shall be based on the number of full-time equivalent classroom teachers  
37 needed to provide instruction over the minimum required annual  
38 instructional hours under RCW 28A.150.220 and provide at least one

1 teacher planning period per school day, and based on the following  
2 general education average class size of full-time equivalent students  
3 per teacher:

	General education average class size
4	
5	
6	
7 Grades K-3 . . . . .	25.23
8 Grade 4 . . . . .	27.00
9 Grades 5-6 . . . . .	27.00
10 Grades 7-8 . . . . .	28.53
11 Grades 9-12 . . . . .	28.74

12 (b) During the 2011-2013 biennium and beginning with schools with  
13 the highest percentage of students eligible for free and reduced-price  
14 meals in the prior school year, the general education average class  
15 size for grades K-3 shall be reduced until the average class size  
16 funded under this subsection (4) is no more than 17.0 full-time  
17 equivalent students per teacher beginning in the 2017-18 school year.

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

	Career and technical education average class size
22	
23	
24	
25 Approved career and technical education offered at	
26 the middle school and high school level . . . . .	26.57
27 Skill center programs meeting the standards established	
28 by the office of the superintendent of public	
29 instruction . . . . .	22.76

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

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

35 (ii) A specialty average class size for laboratory science,  
36 advanced placement, and international baccalaureate courses.

(5) 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	<del>((1.253))</del>	<del>((1.353))</del>	<del>((1.880))</del>
	<u>1.403</u>	<u>1.503</u>	<u>2.030</u>
Teacher librarians, a function that includes information literacy, technology, and media to support school library media programs	0.663	0.519	0.523
Health and social services:			
School nurses	0.076	0.060	0.096
Social workers	0.042	0.006	0.015
Psychologists	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising	0.493	1.116	1.909
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
Classified staff providing student and staff safety	0.079	0.092	0.141
Parent involvement coordinators	0.00	0.00	0.00

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

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

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central

1 administration shall be 5.30 percent of the staff units generated under  
2 subsections (4)(a) and (b) and (5) of this section and (a) of this  
3 subsection.

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

8 (8)(a) Except as provided in (b) of this subsection, the minimum  
9 allocation for each school district shall include allocations per  
10 annual average full-time equivalent student for the following  
11 materials, supplies, and operating costs, to be adjusted for inflation  
12 from the 2008-09 school year:

	Per annual average full-time equivalent student in grades K-12
13 Technology . . . . .	\$54.43
14 Utilities and insurance . . . . .	\$147.90
15 Curriculum and textbooks . . . . .	\$58.44
16 Other supplies and library materials . . . . .	\$124.07
17 Instructional professional development for certified and 18 classified staff . . . . .	\$9.04
19 Facilities maintenance . . . . .	\$73.27
20 Security and central office . . . . .	\$50.76

21 (b) During the 2011-2013 biennium, the minimum allocation for  
22 maintenance, supplies, and operating costs shall be increased as  
23 specified in the omnibus appropriations act. The following  
24 allocations, adjusted for inflation from the 2007-08 school year, are  
25 provided in the 2015-16 school year, after which the allocations shall  
26 be adjusted annually for inflation as specified in the omnibus  
27 appropriations act:

	Per annual average full-time equivalent student in grades K-12
28 Technology . . . . .	\$113.80
29 Utilities and insurance . . . . .	\$309.21
30 Curriculum and textbooks . . . . .	\$122.17
31 Other supplies and library materials . . . . .	\$259.39

1 Instructional professional development for certificated and  
2 classified staff . . . . . \$18.89  
3 Facilities maintenance . . . . . \$153.18  
4 Security and central office administration . . . . . \$106.12

5 (9) In addition to the amounts provided in subsection (8) of this  
6 section, the omnibus appropriations act shall provide an amount based  
7 on full-time equivalent student enrollment in each of the following:

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

10 (b) Laboratory science courses for students in grades nine through  
11 twelve;

12 (c) Preparatory career and technical education courses for students  
13 in grades nine through twelve offered in a high school; and

14 (d) Preparatory career and technical education courses for students  
15 in grades eleven and twelve offered through a skill center.

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

19 (a) To provide supplemental instruction and services for  
20 underachieving students through the learning assistance program under  
21 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the  
22 district percentage of students in grades K-12 who were eligible for  
23 free or reduced-price meals in the prior school year. The minimum  
24 allocation for the program shall provide for each level of prototypical  
25 school resources to provide, on a statewide average, 1.5156 hours per  
26 week in extra instruction with a class size of fifteen learning  
27 assistance program students per teacher.

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

1 intervention and a commensurate reduced allocation for students needing  
2 less intensive intervention, as detailed in the omnibus appropriations  
3 act.

4 (c) To provide additional allocations to support programs for  
5 highly capable students under RCW 28A.185.010 through 28A.185.030,  
6 allocations shall be based on two and three hundred fourteen one-  
7 thousandths percent of each school district's full-time equivalent  
8 basic education enrollment. The minimum allocation for the programs  
9 shall provide resources to provide, on a statewide average, 2.1590  
10 hours per week in extra instruction with fifteen highly capable program  
11 students per teacher.

12 (11) The allocations under subsections (4)(a) and (b), (5), (6),  
13 and (8) of this section shall be enhanced as provided under RCW  
14 28A.150.390 on an excess cost basis to provide supplemental  
15 instructional resources for students with disabilities.

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

23 (b) Allocations or enhancements provided under subsections (4),  
24 (7), and (9) of this section for exploratory and preparatory career and  
25 technical education courses shall be provided only for courses approved  
26 by the office of the superintendent of public instruction under chapter  
27 28A.700 RCW.

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

32 (b) In the event the legislature rejects the distribution formula  
33 recommended by the governor, without adopting a new distribution  
34 formula, the distribution formula for the previous school year shall  
35 remain in effect.

36 (c) The enrollment of any district shall be the annual average  
37 number of full-time equivalent students and part-time students as  
38 provided in RCW 28A.150.350, enrolled on the first school day of each



1 month, including students who are in attendance pursuant to RCW  
2 28A.335.160 and 28A.225.250 who do not reside within the servicing  
3 school district. The definition of full-time equivalent student shall  
4 be determined by rules of the superintendent of public instruction and  
5 shall be included as part of the superintendent's biennial budget  
6 request. The definition shall be based on the minimum instructional  
7 hour offerings required under RCW 28A.150.220. Any revision of the  
8 present definition shall not take effect until approved by the house  
9 ways and means committee and the senate ways and means committee.

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

13 NEW SECTION. **Sec. 3.** This act takes effect September 1, 2013.

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