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HOUSE BILL 1721

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State of Washington

68th Legislature

2023 Regular Session

By Representatives Paul and Stokesbary

1 AN ACT Relating to skill center class size; amending RCW  
2 28A.150.260 and 28A.150.260; providing an effective date; and  
3 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<br>average class size |
|----|---|
| 20 |   |
| 21 |   |
| 22 | Grades K-3. . . . . 17.00               |
| 23 | Grade 4. . . . . 27.00                  |
| 24 | Grades 5-6. . . . . 27.00               |
| 25 | Grades 7-8. . . . . 28.53               |
| 26 | 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<br>average class size |
|----|--|
| 36 |  |
| 37 |  |
| 38 | Grades 9-12. . . . . 19.98               |

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

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

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

|  |   |
|--|---|
|  | Career and technical<br>education average<br>class size |
| 11 Approved career and technical education offered at      |   |
| 12 the middle school and high school level. . . . .        | 23.00   |
| 13 Skill center programs meeting the standards established |   |
| 14 by the office of the superintendent of public           |   |
| 15 instruction. . . . .                                    | (( <del>19.00</del> )) <u>18.24</u>                     |

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

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

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

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

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

|   | Elementary | Middle | High   |
|---|------------|--------|--------|
|   | School     | School | School |
| 28 Principals, assistant principals, and other certificated building-level        |            |        |        |
| 29 administrators. . . . .  | 1.253      | 1.353  | 1.880  |
| 30 Teacher-librarians, a function that includes information literacy, technology, |            |        |        |
| 31 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<br>full-time equivalent student<br>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<br>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<br>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, except as provided in (c)(ii) of this subsection (4):

|  |   |
|--|---|
|  | Career and technical<br>education average<br>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)) <u>16.67</u>                                  |

(ii) In the 2024-25 school year, the career and technical education average class size for skill center programs meeting the standards established by the office of the superintendent of public instruction is 17.45.

(iii) 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<br>School | Middle<br>School | High<br>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. ....  | 0.585  | 0.888 | 0.824 |
| 6  | Social workers. ....  | 0.311  | 0.088 | 0.127 |
| 7  | Psychologists. ....   | 0.104  | 0.024 | 0.049 |
| 8  | Counselors. ....  | 0.993  | 1.716 | 3.039 |
| 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) of this  
15 subsection to the extent of and proportionate to a school district's  
16 demonstrated actual ratios of: Full-time equivalent physical, social,  
17 and emotional support staff to full-time equivalent students.

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

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

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

|    |   |                 |
|----|---|-----------------|
| 34 |   | Staff per 1,000 |
| 35 |   | K-12 students   |
| 36 | Technology. . . . .                           | 0.628           |
| 37 | Facilities, maintenance, and grounds. . . . . | 1.813           |

1 Warehouse, laborers, and mechanics. . . . . 0.332

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

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

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

|  | Per annual average<br>full-time equivalent student<br>in grades K-12 |
|--|--|
| 20 Technology. . . . .   | \$130.76   |
| 21 Utilities and insurance. . . . .  | \$355.30   |
| 22 Curriculum and textbooks. . . . .   | \$140.39   |
| 23 Other supplies . . . . .  | \$278.05   |
| 24 Library materials. . . . .  | \$20.00  |
| 25 Instructional professional development for certificated and<br>26 classified staff. . . . . | \$21.71  |
| 27 Facilities maintenance. . . . .   | \$176.01   |
| 28 Security and central office administration. . . . .   | \$121.94   |

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

|                        | Per annual average<br>full-time equivalent student<br>in grades 9-12 |
|------------------------|--|
| 38 Technology. . . . . | \$36.35  |

|   |   |         |
|---|---|---------|
| 1 | Curriculum and textbooks. . . . .                           | \$39.02 |
| 2 | Other supplies . . . . .                                    | \$77.28 |
| 3 | Library materials. . . . .                                  | \$5.56  |
| 4 | Instructional professional development for certificated and |         |
| 5 | classified staff. . . . .                                   | \$6.04  |

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

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

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



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

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

29 (ii) To provide supplemental instruction and services for  
30 students who have exited the transitional bilingual program,  
31 allocations shall be based on the head count number of students in  
32 each school who have exited the transitional bilingual program within  
33 the previous two years based on their performance on the English  
34 proficiency assessment and are eligible for and enrolled in the  
35 transitional bilingual instruction program under RCW  
36 28A.180.040(1)(g). The minimum allocation for each prototypical  
37 school shall provide resources to provide, on a statewide average,  
38 3.0 hours per week in extra instruction with fifteen exited students  
39 per teacher.

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

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

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

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

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

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

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

1 hour offerings required under RCW 28A.150.220. Any revision of the  
2 present definition shall not take effect until approved by the house  
3 ways and means committee and the senate ways and means committee.

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

7 NEW SECTION. **Sec. 3.** Section 1 of this act expires September 1,  
8 2024.

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

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