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**HOUSE BILL 1960**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Representatives Stonier, Santos, Pollet, Doglio, Hackney, Callan, Riccelli, Berg, Street, Farivar, Rule, Shavers, Reeves, Ortiz-Self, Harris, and Reed

Prefiled 12/15/23.

1 AN ACT Relating to increasing prototypical school staffing to  
2 better meet student needs; amending RCW 28A.150.260, 28A.150.260, and  
3 28A.400.007; creating a new section; providing effective dates; and  
4 providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** Youth mental and behavioral health has  
7 been a rising crisis for a decade. As youth grapple with new  
8 pressures from social media and impacts of a pandemic, their needs  
9 can manifest as disruptive behaviors in the school environment.  
10 Teachers, counselors, administrators, and education support  
11 professionals have identified the need to have more caring and  
12 committed education staff in schools to meet the needs of students.

13 Education support professionals are vital team members in a  
14 school and often directly support students. Educational staff  
15 professionals drive students safely to school, provide one-on-one  
16 individualized instruction for special education students, run small  
17 group instruction for English language learners and for students  
18 struggling with certain academic concepts, supervise and monitor  
19 students before and after school, at lunch, and during recess,  
20 provide physical and behavioral health services in schools, serve  
21 lunches, keep buildings clean and maintained, and many other support

1 services that are essential to school operations and student  
2 learning.

3 Therefore, to improve the individualized support for student  
4 learning and behavioral needs, the legislature intends to phase in  
5 additional staffing allocations for paraprofessionals in  
6 instructional and noninstructional roles.

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

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

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

18 (2)(a) The distribution formula under this section shall be for  
19 allocation purposes only. Except as may be required under subsections  
20 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,  
21 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,  
22 nothing in this section requires school districts to use basic  
23 education instructional funds to implement a particular instructional  
24 approach or service. Nothing in this section requires school  
25 districts to maintain a particular classroom teacher-to-student ratio  
26 or other staff-to-student ratio or to use allocated funds to pay for  
27 particular types or classifications of staff. Nothing in this section  
28 entitles an individual teacher to a particular teacher planning  
29 period.

30 (b) To promote transparency in state funding allocations, the  
31 superintendent of public instruction must report state per-pupil  
32 allocations for each school district for the general apportionment,  
33 special education, learning assistance, transitional bilingual,  
34 highly capable, and career and technical education programs. The  
35 superintendent must report this information in a user-friendly format  
36 on the main page of the office's website. School districts must  
37 include a link to the superintendent's per-pupil allocations report  
38 on the main page of the school district's website. In addition, the  
39 budget documents published by the legislature for the enacted omnibus

1 operating appropriations act must report statewide average per-pupil  
2 allocations for general apportionment and the categorical programs  
3 listed in this subsection.

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

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

28 (i) A prototypical high school has 600 average annual full-time  
29 equivalent students in grades nine through 12;

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

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

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

1		General education	
2		average class size	
3	Grades K-3. . . . .		17.00
4	Grade 4. . . . .		27.00
5	Grades 5-6. . . . .		27.00
6	Grades 7-8. . . . .		28.53
7	Grades 9-12. . . . .		28.74

8 (ii) The minimum class size allocation for each prototypical high  
9 school shall also provide for enhanced funding for class size  
10 reduction for two laboratory science classes within grades nine  
11 through 12 per full-time equivalent high school student multiplied by  
12 a laboratory science course factor of 0.0833, based on the number of  
13 full-time equivalent classroom teachers needed to provide instruction  
14 over the minimum required annual instructional hours in RCW  
15 28A.150.220, and providing at least one teacher planning period per  
16 school day:

17		Laboratory science	
18		average class size	
19	Grades 9-12. . . . .		19.98

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

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

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

30		Career and technical	
31		education average	
32		class size	
33	Approved career and technical education offered at		
34	the middle school and high school level. . . . .		23.00
35	Skill center programs meeting the standards established		
36	by the office of the superintendent of public		
37	instruction. . . . .		19.00

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

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

5 (i) A high-poverty average class size in schools where more than  
6 50 percent of the students are eligible for free and reduced-price  
7 meals; and

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

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

	Elementary School	Middle School	High School
15 Principals, assistant principals, and other certificated building-level 16 administrators.....	1.253	1.353	1.880
17 Teacher-librarians, a function that includes information literacy, technology, 18 and media to support school library media programs.....	0.663	0.519	0.523
19 Teaching assistance, including any aspect of educational instructional services 20 provided by classified employees.....	0.936	0.700	0.652
21 Office support and other noninstructional aides.....	2.012	2.325	3.269
22 Custodians.....	1.657	1.942	2.965
23 Nurses.....	0.585	0.888	0.824
24 Social workers.....	0.311	0.088	0.127
25 Psychologists.....	0.104	0.024	0.049
26 Counselors.....	0.993	1.716	3.039
27 Classified staff providing student and staff safety.....	0.079	0.092	0.141
28 Parent involvement coordinators.....	0.0825	0.00	0.00

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

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

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

(c) In addition to the minimum allocation under (a) of this subsection, the following additional staffing units for each level of prototypical school will be provided:

(i) For the 2024-25 school year, the following additional staffing units:

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
	<u>School</u>	<u>School</u>	<u>School</u>
<u>Teaching assistance, including any aspect of educational instructional services provided by classified employees.....</u>	<u>0.356</u>	<u>0.100</u>	<u>0.116</u>
<u>Office support and other noninstructional aides.....</u>	<u>0.330</u>	<u>0.391</u>	<u>0.770</u>

(ii) For the 2025-26 school year, the following additional staffing units:

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
	<u>School</u>	<u>School</u>	<u>School</u>
<u>Teaching assistance, including any aspect of educational instructional services provided by classified employees.....</u>	<u>0.712</u>	<u>0.200</u>	<u>0.232</u>
<u>Office support and other noninstructional aides.....</u>	<u>0.660</u>	<u>0.782</u>	<u>1.540</u>

(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

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 full-time equivalent student 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 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 12 for the following materials, supplies, and operating  
34 costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student 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 12;
- 12 (b) Preparatory career and technical education courses for  
13 students in grades nine through 12 offered in a high school; and
- 14 (c) Preparatory career and technical education courses for  
15 students in grades 11 and 12 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 12 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 except as provided in (a)(iii) of this subsection, provide for each  
31 level of prototypical school resources to provide, on a statewide  
32 average, 2.3975 hours per week in extra instruction with a class size  
33 of 15 learning assistance program students per 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, except as provided in (a)(iv) of this  
38 subsection, means a school in which the three-year rolling average of  
39 the prior year total annual average enrollment that qualifies for



1 free or reduced-price meals equals or exceeds 50 percent or more of  
2 its total annual average enrollment. A school continues to meet the  
3 definition of a qualifying school if the school: Participates in the  
4 United States department of agriculture's community eligibility  
5 provision; and met the definition of a qualifying school in the year  
6 immediately preceding their participation. The minimum allocation for  
7 this additional high poverty-based allocation must provide for each  
8 level of prototypical school resources to provide, on a statewide  
9 average, 1.1 hours per week in extra instruction with a class size of  
10 15 learning assistance program students per teacher, under RCW  
11 28A.165.055, school districts must distribute the high poverty-based  
12 allocation to the schools that generated the funding allocation.

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

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

28 (b)(i) To provide supplemental instruction and services for  
29 students whose primary language is other than English, allocations  
30 shall be based on the head count number of students in each school  
31 who are eligible for and enrolled in the transitional bilingual  
32 instruction program under RCW 28A.180.010 through 28A.180.080. The  
33 minimum allocation for each level of prototypical school shall  
34 provide resources to provide, on a statewide average, 4.7780 hours  
35 per week in extra instruction for students in grades kindergarten  
36 through six and 6.7780 hours per week in extra instruction for  
37 students in grades seven through 12, with 15 transitional bilingual  
38 instruction program students per teacher. Notwithstanding other  
39 provisions of this subsection (10), the actual per-student allocation  
40 may be scaled to provide a larger allocation for students needing

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

4 (ii) To provide supplemental instruction and services for  
5 students who have exited the transitional bilingual program,  
6 allocations shall be based on the head count number of students in  
7 each school who have exited the transitional bilingual program within  
8 the previous two years based on their performance on the English  
9 proficiency assessment and are eligible for and enrolled in the  
10 transitional bilingual instruction program under RCW  
11 28A.180.040(1)(g). The minimum allocation for each prototypical  
12 school shall provide resources to provide, on a statewide average,  
13 3.0 hours per week in extra instruction with 15 exited students per  
14 teacher.

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

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

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

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

38 (13)(a) This formula for distribution of basic education funds  
39 shall be reviewed biennially by the superintendent and governor. The

1 recommended formula shall be subject to approval, amendment or  
2 rejection by the legislature.

3 (b) In the event the legislature rejects the distribution formula  
4 recommended by the governor, without adopting a new distribution  
5 formula, the distribution formula for the previous school year shall  
6 remain in effect.

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

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

22 **Sec. 3.** RCW 28A.150.260 and 2023 c 379 s 6 are each amended to  
23 read as follows:

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

29 (1) The governor shall and the superintendent of public  
30 instruction may recommend to the legislature a formula for the  
31 distribution of a basic education instructional allocation for each  
32 common school district.

33 (2)(a) The distribution formula under this section shall be for  
34 allocation purposes only. Except as may be required under subsections  
35 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,  
36 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,  
37 nothing in this section requires school districts to use basic  
38 education instructional funds to implement a particular instructional  
39 approach or service. Nothing in this section requires school

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

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

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

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

(i) A prototypical high school has 600 average annual full-time equivalent students in grades nine through 12;

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

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

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

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

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through 12 per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

	Laboratory science average class size
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 50 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. . . . .	<del>((0.936))</del> <u>2.00</u>	<del>((0.700))</del> <u>1.00</u>	<del>((0.652))</del> <u>1.00</u>
Office support and other noninstructional aides. . . . .	<del>((2.012))</del> <u>3.00</u>	<del>((2.325))</del> <u>3.50</u>	<del>((3.269))</del> <u>3.50</u>

1	Custodians.....	1.657	1.942	2.965
2	Nurses.....	0.585	0.888	0.824
3	Social workers.....	0.311	0.088	0.127
4	Psychologists.....	0.104	0.024	0.049
5	Counselors.....	0.993	1.716	3.039
6	Classified staff providing student and staff safety.....	0.079	0.092	0.141
7	Parent involvement coordinators.....	0.0825	0.00	0.00

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

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

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

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

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

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

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

4 (7) The distribution formula shall include staffing allocations  
5 to school districts for career and technical education and skill  
6 center administrative and other school-level certificated staff, as  
7 specified 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 as provided in the 2017-18  
12 school year, after which the allocations shall be adjusted annually  
13 for inflation as specified in the omnibus appropriations act:

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

26 (b) In addition to the amounts provided in (a) of this  
27 subsection, beginning in the 2014-15 school year, the omnibus  
28 appropriations act shall provide the following minimum allocation for  
29 each annual average full-time equivalent student in grades nine  
30 through 12 for the following materials, supplies, and operating  
31 costs, to be adjusted annually for inflation:

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



1 classified staff. . . . . \$6.04

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

6 (a) Exploratory career and technical education courses for  
7 students in grades seven through 12;

8 (b) Preparatory career and technical education courses for  
9 students in grades nine through 12 offered in a high school; and

10 (c) Preparatory career and technical education courses for  
11 students in grades 11 and 12 offered through a skill center.

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

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

30 (ii) In addition to funding allocated under (a)(i) of this  
31 subsection, to provide supplemental instruction and services for  
32 students who are not meeting academic standards in qualifying  
33 schools. A qualifying school, except as provided in (a)(iv) of this  
34 subsection, means a school in which the three-year rolling average of  
35 the prior year total annual average enrollment that qualifies for  
36 free or reduced-price meals equals or exceeds 50 percent or more of  
37 its total annual average enrollment. A school continues to meet the  
38 definition of a qualifying school if the school: Participates in the  
39 United States department of agriculture's community eligibility

1 provision; and met the definition of a qualifying school in the year  
2 immediately preceding their participation. The minimum allocation for  
3 this additional high poverty-based allocation must provide for each  
4 level of prototypical school resources to provide, on a statewide  
5 average, 1.1 hours per week in extra instruction with a class size of  
6 15 learning assistance program students per teacher, under RCW  
7 28A.165.055, school districts must distribute the high poverty-based  
8 allocation to the schools that generated the funding allocation.

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

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

24 (b)(i) To provide supplemental instruction and services for  
25 students whose primary language is other than English, allocations  
26 shall be based on the head count number of students in each school  
27 who are eligible for and enrolled in the transitional bilingual  
28 instruction program under RCW 28A.180.010 through 28A.180.080. The  
29 minimum allocation for each level of prototypical school shall  
30 provide resources to provide, on a statewide average, 4.7780 hours  
31 per week in extra instruction for students in grades kindergarten  
32 through six and 6.7780 hours per week in extra instruction for  
33 students in grades seven through 12, with 15 transitional bilingual  
34 instruction program students per teacher. Notwithstanding other  
35 provisions of this subsection (10), the actual per-student allocation  
36 may be scaled to provide a larger allocation for students needing  
37 more intensive intervention and a commensurate reduced allocation for  
38 students needing less intensive intervention, as detailed in the  
39 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 15 exited students per  
11 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. 4.** RCW 28A.400.007 and 2022 c 109 s 5 are each amended to  
19 read as follows:

20 (1) In addition to the staffing units in RCW 28A.150.260, the  
21 superintendent of public instruction must provide school districts  
22 with allocations for the following staff units if and to the extent  
23 that funding is specifically appropriated and designated for that  
24 category of staffing unit in the omnibus operating appropriations  
25 act.

26 (a) Additional staffing units for each level of prototypical  
27 school in RCW 28A.150.260:

	Elementary School	Middle School	High School
28 Principals, assistant principals, and other certificated building-level			
29 administrators.....	0.0470	0.0470	0.0200
30 Teacher-librarians, a function that includes information literacy, technology,			
31 and media to support school library media programs.....	0.3370	0.4810	0.4770
32 <del>((Teaching assistance, including any aspect of educational instructional</del>			
33 <del>services provided by classified employees.....</del>	<del>1.0640</del>	<del>0.3000</del>	<del>0.3480</del>
34 Office support and other noninstructional aides.....	0.9880	1.1750	0.2310))
35 Custodians.....	0.0430	0.0580	0.0350

1	Classified staff providing student and staff safety. ....	0.0000	0.6080	1.1590
2	Parent involvement coordinators. ....	0.9175	1.0000	1.0000

3 (b) Additional certificated instructional staff units sufficient  
4 to achieve the following reductions in class size in each level of  
5 prototypical school under RCW 28A.150.260:

6 General education  
7 certificated instructional  
8 staff units sufficient to  
9 achieve class size reduction of:

10	Grades K-3 class size. . . . .	0.00
11	Grade 4. . . . .	2.00
12	Grades 5-6. . . . .	2.00
13	Grades 7-8. . . . .	3.53
14	Grades 9-12. . . . .	3.74
15	CTE. . . . .	4.00
16	Skills. . . . .	3.00

17 High poverty  
18 certificated instructional  
19 staff units sufficient to  
20 achieve class size reduction of:

21	Grades K-3 class size. . . . .	2.00
22	Grade 4. . . . .	5.00
23	Grades 5-6. . . . .	4.00
24	Grades 7-8. . . . .	5.53
25	Grades 9-12. . . . .	5.74

26 (2) The staffing units in subsection (1) of this section are an  
27 enrichment to and are beyond the state's statutory program of basic  
28 education in RCW 28A.150.220 and 28A.150.260. However, if and to the  
29 extent that any of these additional staffing units are funded by  
30 specific reference to this section in the omnibus operating  
31 appropriations act, those units become part of prototypical school  
32 funding formulas and a component of the state funding that the  
33 legislature deems necessary to support school districts in offering  
34 the statutory program of basic education under Article IX, section 1  
35 of the state Constitution.

36 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect  
37 September 1, 2024.

1        NEW SECTION.    **Sec. 6.**    Section 2 of this act expires September 1,  
2    2026.

3        NEW SECTION.    **Sec. 7.**    Sections 3 and 4 of this act take effect  
4    September 1, 2026.

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