
HOUSE BILL 2217

State of Washington 63rd Legislature 2014 Regular Session

By Representatives Zeiger, Sawyer, Dahlquist, Haigh, Haler, and Bergquist

Read first time 01/14/14. Referred to Committee on Education.

1 AN ACT Relating to encouraging school districts to work with
2 community partners to improve the utilization of K-12 capital
3 facilities; amending RCW 28A.150.260 and 28A.165.035; and adding a new
4 section to chapter 28A.150 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.150
7 RCW to read as follows:

8 (1) The legislature finds that cooperative partnerships between
9 school districts, early learning providers, health and social service
10 providers, and other community-based nonprofit organizations can result
11 in both effective and efficient use of school facilities for the
12 betterment of the community at large. Such partnerships build on
13 community strengths, foster family and community engagement, and
14 provide enhanced opportunities for academic and nonacademic programming
15 in readily available locations.

16 (2) School districts are encouraged to use family and community
17 engagement coordinators, including but not limited to those allocated
18 through the prototypical school funding formula under RCW 28A.150.260,
19 to coordinate cooperative partnerships between schools, the school

1 district, and an array of community-based organizations in order to
2 expand academic and nonacademic program offerings using school
3 facilities outside of the regular school day or year.

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

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

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

15 (2) The distribution formula under this section shall be for
16 allocation purposes only. Except as may be required under chapter
17 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
18 regulations, nothing in this section requires school districts to use
19 basic education instructional funds to implement a particular
20 instructional approach or service. Nothing in this section requires
21 school districts to maintain a particular classroom teacher-to-student
22 ratio or other staff-to-student ratio or to use allocated funds to pay
23 for particular types or classifications of staff. Nothing in this
24 section entitles an individual teacher to a particular teacher planning
25 period.

26 (3)(a) To the extent the technical details of the formula have been
27 adopted by the legislature and except when specifically provided as a
28 school district allocation, the distribution formula for the basic
29 education instructional allocation shall be based on minimum staffing
30 and nonstaff costs the legislature deems necessary to support
31 instruction and operations in prototypical schools serving high,
32 middle, and elementary school students as provided in this section.
33 The use of prototypical schools for the distribution formula does not
34 constitute legislative intent that schools should be operated or
35 structured in a similar fashion as the prototypes. Prototypical
36 schools illustrate the level of resources needed to operate a school of
37 a particular size with particular types and grade levels of students

1 using commonly understood terms and inputs, such as class size, hours
2 of instruction, and various categories of school staff. It is the
3 intent that the funding allocations to school districts be adjusted
4 from the school prototypes based on the actual number of annual average
5 full-time equivalent students in each grade level at each school in the
6 district and not based on the grade-level configuration of the school
7 to the extent that data is available. The allocations shall be further
8 adjusted from the school prototypes with minimum allocations for small
9 schools and to reflect other factors identified in the omnibus
10 appropriations act.

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

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

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

18 (iii) A prototypical elementary school has four hundred average
19 annual full-time equivalent students in grades kindergarten through
20 six.

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

	General education average class size
31 Grades K-3	25.23
32 Grade 4	27.00
33 Grades 5-6	27.00
34 Grades 7-8	28.53
35 Grades 9-12	28.74

36 (b) During the 2011-2013 biennium and beginning with schools with
37 the highest percentage of students eligible for free and reduced-price
38 meals in the prior school year, the general education average class

1 size for grades K-3 shall be reduced until the average class size
 2 funded under this subsection (4) is no more than 17.0 full-time
 3 equivalent students per teacher beginning in the 2017-18 school year.

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

	Career and technical education average class size
8	
9	
10	
11 Approved career and technical education offered at	
12 the middle school and high school level	26.57
13 Skill center programs meeting the standards established	
14 by the office of the superintendent of public	
15 instruction	22.76

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

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

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

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

	Elementary School	Middle School	High School
28			
29			
30 Principals, assistant principals, and other certificated building-level			
31 administrators	1.253	1.353	1.880
32 Teacher librarians, a function that includes information literacy, technology,			
33 and media to support school library media programs	0.663	0.519	0.523
34 Health and social services:			
35 School nurses	0.076	0.060	0.096

1	Social workers.....	0.042	0.006	0.015
2	Psychologists.....	0.017	0.002	0.007
3	Guidance counselors, a function that includes parent outreach and graduation			
4	advising.....	0.493	1.116	1.909
5	Teaching assistance, including any aspect of educational instructional			
6	services provided by classified employees.....	0.936	0.700	0.652
7	Office support and other noninstructional aides.....	2.012	2.325	3.269
8	Custodians.....	1.657	1.942	2.965
9	Classified staff providing student and staff safety.....	0.079	0.092	0.141
10	((Parent involvement)) <u>Family and community engagement</u> coordinators.....	0.00	0.00	0.00

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

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

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

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

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

34		Per annual average
35		full-time equivalent student
36		in grades K-12

1	Technology	\$54.43
2	Utilities and insurance	\$147.90
3	Curriculum and textbooks	\$58.44
4	Other supplies and library materials	\$124.07
5	Instructional professional development for certified and	
6	classified staff	\$9.04
7	Facilities maintenance	\$73.27
8	Security and central office	\$50.76

9 (b) During the 2011-2013 biennium, the minimum allocation for
10 maintenance, supplies, and operating costs shall be increased as
11 specified in the omnibus appropriations act. The following
12 allocations, adjusted for inflation from the 2007-08 school year, are
13 provided in the 2015-16 school year, after which the allocations shall
14 be adjusted annually for inflation as specified in the omnibus
15 appropriations act:

16		Per annual average
17		full-time equivalent student
18		in grades K-12
19	Technology	\$113.80
20	Utilities and insurance	\$309.21
21	Curriculum and textbooks	\$122.17
22	Other supplies and library materials	\$259.39
23	Instructional professional development for certificated and	
24	classified staff	\$18.89
25	Facilities maintenance	\$153.18
26	Security and central office administration	\$106.12

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

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

32 (b) Laboratory science courses for students in grades nine through
33 twelve;

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

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

1 (10) In addition to the allocations otherwise provided under this
2 section, amounts shall be provided to support the following programs
3 and services:

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

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

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

35 (11) The allocations under subsections (4)(a) and (b), (5), (6),
36 and (8) of this section shall be enhanced as provided under RCW
37 28A.150.390 on an excess cost basis to provide supplemental
38 instructional resources for students with disabilities.

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

8 (b) Allocations or enhancements provided under subsections (4),
9 (7), and (9) of this section for exploratory and preparatory career and
10 technical education courses shall be provided only for courses approved
11 by the office of the superintendent of public instruction under chapter
12 28A.700 RCW.

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

17 (b) In the event the legislature rejects the distribution formula
18 recommended by the governor, without adopting a new distribution
19 formula, the distribution formula for the previous school year shall
20 remain in effect.

21 (c) The enrollment of any district shall be the annual average
22 number of full-time equivalent students and part-time students as
23 provided in RCW 28A.150.350, enrolled on the first school day of each
24 month, including students who are in attendance pursuant to RCW
25 28A.335.160 and 28A.225.250 who do not reside within the servicing
26 school district. The definition of full-time equivalent student shall
27 be determined by rules of the superintendent of public instruction and
28 shall be included as part of the superintendent's biennial budget
29 request. The definition shall be based on the minimum instructional
30 hour offerings required under RCW 28A.150.220. Any revision of the
31 present definition shall not take effect until approved by the house
32 ways and means committee and the senate ways and means committee.

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

36 **Sec. 3.** RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each
37 amended to read as follows:

1 (1) Beginning in the 2015-16 school year, expenditure of funds from
2 the learning assistance program must be consistent with the provisions
3 of RCW 28A.655.235.

4 (2) Use of best practices that have been demonstrated through
5 research to be associated with increased student achievement magnifies
6 the opportunities for student success. To the extent they are included
7 as a best practice or strategy in one of the state menus or an approved
8 alternative under this section or RCW 28A.655.235, the following are
9 services and activities that may be supported by the learning
10 assistance program:

11 (a) Extended learning time opportunities occurring:

12 (i) Before or after the regular school day;

13 (ii) On Saturday; and

14 (iii) Beyond the regular school year;

15 (b) Services under RCW 28A.320.190;

16 (c) Professional development for certificated and classified staff
17 that focuses on:

18 (i) The needs of a diverse student population;

19 (ii) Specific literacy and mathematics content and instructional
20 strategies; and

21 (iii) The use of student work to guide effective instruction and
22 appropriate assistance;

23 (d) Consultant teachers to assist in implementing effective
24 instructional practices by teachers serving participating students;

25 (e) Tutoring support for participating students;

26 (f) Outreach activities and support for parents of participating
27 students, including employing (~~parent and~~) family and community
28 engagement coordinators; and

29 (g) Up to five percent of a district's learning assistance program
30 allocation may be used for development of partnerships with community-
31 based organizations, educational service districts, and other local
32 agencies to deliver academic and nonacademic supports to participating
33 students who are significantly at risk of not being successful in
34 school to reduce barriers to learning, increase student engagement, and
35 enhance students' readiness to learn. The office of the superintendent
36 of public instruction must approve any community-based organization or
37 local agency before learning assistance funds may be expended.

1 (3) In addition to the state menu developed under RCW 28A.655.235,
2 the office of the superintendent of public instruction shall convene a
3 panel of experts, including the Washington state institute for public
4 policy, to develop additional state menus of best practices and
5 strategies for use in the learning assistance program to assist
6 struggling students at all grade levels in English language arts and
7 mathematics and reduce disruptive behaviors in the classroom. The
8 office of the superintendent of public instruction shall publish the
9 state menus by July 1, 2015, and update the state menus by each July
10 1st thereafter.

11 (4)(a) Beginning in the 2016-17 school year, except as provided in
12 (b) of this subsection, school districts must use a practice or
13 strategy that is on a state menu developed under subsection (3) of this
14 section or RCW 28A.655.235.

15 (b) Beginning in the 2016-17 school year, school districts may use
16 a practice or strategy that is not on a state menu developed under
17 subsection (3) of this section for two school years initially. If the
18 district is able to demonstrate improved outcomes for participating
19 students over the previous two school years at a level commensurate
20 with the best practices and strategies on the state menu, the office of
21 the superintendent of public instruction shall approve use of the
22 alternative practice or strategy by the district for one additional
23 school year. Subsequent annual approval by the superintendent of
24 public instruction to use the alternative practice or strategy is
25 dependent on the district continuing to demonstrate increased improved
26 outcomes for participating students.

27 (c) Beginning in the 2016-17 school year, school districts may
28 enter cooperative agreements with state agencies, local governments, or
29 school districts for administrative or operational costs needed to
30 provide services in accordance with the state menus developed under
31 this section and RCW 28A.655.235.

32 (5) School districts are encouraged to implement best practices and
33 strategies from the state menus developed under this section and RCW
34 28A.655.235 before the use is required.

--- END ---