
SENATE BILL 5661

State of Washington

68th Legislature

2023 Regular Session

By Senators Boehnke and Lovelett

1 AN ACT Relating to skill center class size; amending RCW
2 28A.150.260 and 28A.150.260; creating a new section; providing an
3 effective date; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that skill centers
6 provide critical career and technical education skills to students
7 and are critical to workforce development. Workforce development is a
8 high priority for Washington state supporting growth of both existing
9 and new industries. The legislature further finds reinstating the
10 student-teacher ratio that existed prior to budget reductions that
11 occurred during the great recession will increase overall classroom
12 capacity for students to access our state's skill centers.

13 **Sec. 2.** RCW 28A.150.260 and 2022 c 109 s 3 are each amended to
14 read as follows:

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

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

5 (2)(a) The distribution formula under this section shall be for
6 allocation purposes only. Except as may be required under subsections
7 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
8 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
9 nothing in this section requires school districts to use basic
10 education instructional funds to implement a particular instructional
11 approach or service. Nothing in this section requires school
12 districts to maintain a particular classroom teacher-to-student ratio
13 or other staff-to-student ratio or to use allocated funds to pay for
14 particular types or classifications of staff. Nothing in this section
15 entitles an individual teacher to a particular teacher planning
16 period.

17 (b) To promote transparency in state funding allocations, the
18 superintendent of public instruction must report state per-pupil
19 allocations for each school district for the general apportionment,
20 special education, learning assistance, transitional bilingual,
21 highly capable, and career and technical education programs. The
22 superintendent must report this information in a user-friendly format
23 on the main page of the office's website. School districts must
24 include a link to the superintendent's per-pupil allocations report
25 on the main page of the school district's website. In addition, the
26 budget documents published by the legislature for the enacted omnibus
27 operating appropriations act must report statewide average per-pupil
28 allocations for general apportionment and the categorical programs
29 listed in this subsection.

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

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

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

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

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

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

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

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

36 (ii) The minimum class size allocation for each prototypical high
37 school shall also provide for enhanced funding for class size
38 reduction for two laboratory science classes within grades nine
39 through twelve per full-time equivalent high school student

1 multiplied by a laboratory science course factor of 0.0833, based on
2 the number of full-time equivalent classroom teachers needed to
3 provide instruction over the minimum required annual instructional
4 hours in RCW 28A.150.220, and providing at least one teacher planning
5 period per school day:

6		Laboratory science	
7		average class size	
8	Grades 9-12.		19.98

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

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

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

19		Career and technical	
20		education average	
21		class size	
22	Approved career and technical education offered at		
23	the middle school and high school level.		23.00
24	Skill center programs meeting the standards established		
25	by the office of the superintendent of public		
26	instruction.		((19.00))
27			<u>18.24</u>

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

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

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

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

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

	Elementary School	Middle School	High School
6 Principals, assistant principals, and other certificated building-level 7 administrators.....	1.253	1.353	1.880
8 Teacher-librarians, a function that includes information literacy, technology, 9 and media to support school library media programs.....	0.663	0.519	0.523
10 Teaching assistance, including any aspect of educational instructional services 11 provided by classified employees.....	0.936	0.700	0.652
12 Office support and other noninstructional aides.....	2.012	2.325	3.269
13 Custodians.....	1.657	1.942	2.965
14 Nurses.....	0.246	0.336	0.339
15 Social workers.....	0.132	0.033	0.052
16 Psychologists.....	0.046	0.009	0.021
17 Counselors.....	0.660	1.383	2.706
18 Classified staff providing student and staff safety.....	0.079	0.092	0.141
19 Parent involvement coordinators.....	0.0825	0.00	0.00

20 (b) (i) The superintendent may only allocate funding, up to the
 21 combined minimum allocations, for nurses, social workers,
 22 psychologists, counselors, classified staff providing student and
 23 staff safety, and parent involvement coordinators under (a) and (c)
 24 of this subsection to the extent of and proportionate to a school
 25 district's demonstrated actual ratios of: Full-time equivalent
 26 physical, social, and emotional support staff to full-time equivalent
 27 students.

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

34 (iii) For the purposes of this subsection (5) (b), "physical,
 35 social, and emotional support staff" include nurses, social workers,
 36 psychologists, counselors, classified staff providing student and

1 staff safety, parent involvement coordinators, and other school
 2 district employees and contractors who provide physical, social, and
 3 emotional support to students as defined by the superintendent.

4 (c) For the 2023-24 school year, in addition to the minimum
 5 allocation under (a) of this subsection, the following additional
 6 staffing units for each level of prototypical school will be
 7 provided:

	Elementary	Middle	High
	School	School	School
10 Nurses.....	0.170	0.276	0.243
11 Social workers.....	0.090	0.027	0.037
12 Psychologists.....	0.029	0.007	0.014
13 Counselors.....	0.167	0.167	0.176

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

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

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

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

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

	Per annual average full-time equivalent student in grades K-12
1 Technology.	\$130.76
2 Utilities and insurance.	\$355.30
3 Curriculum and textbooks.	\$140.39
4 Other supplies	\$278.05
5 Library materials.	\$20.00
6 Instructional professional development for certificated and 7 classified staff.	\$21.71
8 Facilities maintenance.	\$176.01
9 Security and central office administration.	\$121.94

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

	Per annual average full-time equivalent student in grades 9-12
19 Technology.	\$36.35
20 Curriculum and textbooks.	\$39.02
21 Other supplies	\$77.28
22 Library materials.	\$5.56
23 Instructional professional development for certificated and 24 classified staff.	\$6.04

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

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

19 (ii) In addition to funding allocated under (a)(i) of this
20 subsection, to provide supplemental instruction and services for
21 students who are not meeting academic standards in qualifying
22 schools. A qualifying school means a school in which the three-year
23 rolling average of the prior year total annual average enrollment
24 that qualifies for free or reduced-price meals equals or exceeds
25 fifty percent or more of its total annual average enrollment. A
26 school continues to meet the definition of a qualifying school if the
27 school: Participates in the United States department of agriculture's
28 community eligibility provision; and met the definition of a
29 qualifying school in the year immediately preceding their
30 participation. The minimum allocation for this additional high
31 poverty-based allocation must provide for each level of prototypical
32 school resources to provide, on a statewide average, 1.1 hours per
33 week in extra instruction with a class size of fifteen learning
34 assistance program students per teacher, under RCW 28A.165.055,
35 school districts must distribute the high poverty-based allocation to
36 the schools that generated the funding allocation.

37 (b)(i) To provide supplemental instruction and services for
38 students whose primary language is other than English, allocations
39 shall be based on the head count number of students in each school
40 who are eligible for and enrolled in the transitional bilingual

1 instruction program under RCW 28A.180.010 through 28A.180.080. The
2 minimum allocation for each level of prototypical school shall
3 provide resources to provide, on a statewide average, 4.7780 hours
4 per week in extra instruction for students in grades kindergarten
5 through six and 6.7780 hours per week in extra instruction for
6 students in grades seven through twelve, with fifteen transitional
7 bilingual instruction program students per teacher. Notwithstanding
8 other provisions of this subsection (10), the actual per-student
9 allocation may be scaled to provide a larger allocation for students
10 needing more intensive intervention and a commensurate reduced
11 allocation for students needing less intensive intervention, as
12 detailed in the omnibus appropriations act.

13 (ii) To provide supplemental instruction and services for
14 students who have exited the transitional bilingual program,
15 allocations shall be based on the head count number of students in
16 each school who have exited the transitional bilingual program within
17 the previous two years based on their performance on the English
18 proficiency assessment and are eligible for and enrolled in the
19 transitional bilingual instruction program under RCW
20 28A.180.040(1)(g). The minimum allocation for each prototypical
21 school shall provide resources to provide, on a statewide average,
22 3.0 hours per week in extra instruction with fifteen exited students
23 per teacher.

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

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

35 (12)(a) For the purposes of allocations for prototypical high
36 schools and middle schools under subsections (4) and (10) of this
37 section that are based on the percent of students in the school who
38 are eligible for free and reduced-price meals, the actual percent of
39 such students in a school shall be adjusted by a factor identified in

1 the omnibus appropriations act to reflect underreporting of free and
2 reduced-price meal eligibility among middle and high school students.

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

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

12 (b) In the event the legislature rejects the distribution formula
13 recommended by the governor, without adopting a new distribution
14 formula, the distribution formula for the previous school year shall
15 remain in effect.

16 (c) The enrollment of any district shall be the annual average
17 number of full-time equivalent students and part-time students as
18 provided in RCW 28A.150.350, enrolled on the first school day of each
19 month, including students who are in attendance pursuant to RCW
20 28A.335.160 and 28A.225.250 who do not reside within the servicing
21 school district. The definition of full-time equivalent student shall
22 be determined by rules of the superintendent of public instruction
23 and shall be included as part of the superintendent's biennial budget
24 request. The definition shall be based on the minimum instructional
25 hour offerings required under RCW 28A.150.220. Any revision of the
26 present definition shall not take effect until approved by the house
27 ways and means committee and the senate ways and means committee.

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

31 **Sec. 3.** RCW 28A.150.260 and 2022 c 109 s 4 are each amended to
32 read as follows:

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

38 (1) The governor shall and the superintendent of public
39 instruction may recommend to the legislature a formula for the

1 distribution of a basic education instructional allocation for each
2 common school district.

3 (2)(a) The distribution formula under this section shall be for
4 allocation purposes only. Except as may be required under subsections
5 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
6 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
7 nothing in this section requires school districts to use basic
8 education instructional funds to implement a particular instructional
9 approach or service. Nothing in this section requires school
10 districts to maintain a particular classroom teacher-to-student ratio
11 or other staff-to-student ratio or to use allocated funds to pay for
12 particular types or classifications of staff. Nothing in this section
13 entitles an individual teacher to a particular teacher planning
14 period.

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

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

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

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

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

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

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

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

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

34 (ii) The minimum class size allocation for each prototypical high
35 school shall also provide for enhanced funding for class size
36 reduction for two laboratory science classes within grades nine
37 through twelve per full-time equivalent high school student
38 multiplied by a laboratory science course factor of 0.0833, based on
39 the number of full-time equivalent classroom teachers needed to

1 provide instruction over the minimum required annual instructional
2 hours in RCW 28A.150.220, and providing at least one teacher planning
3 period per school day:

4 Laboratory science
5 average class size
6 Grades 9-12. 19.98

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

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

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

17 Career and technical
18 education average
19 class size

20 Approved career and technical education offered at
21 the middle school and high school level. 23.00

22 ~~((Skill))~~ (A) In the 2024-25 school year, skill center programs
23 meeting the standards established
24 by the office of the superintendent of public
25 instruction. ((19.00))
26 17.45

27 (B) Beginning in the 2025-26 school year, skill center programs
28 meeting the standards established by the office of the superintendent
29 of public instruction. 16.67

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

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

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

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

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

	Elementary School	Middle School	High School
6 Principals, assistant principals, and other certificated building-level 7 administrators.....	1.253	1.353	1.880
8 Teacher-librarians, a function that includes information literacy, technology, 9 and media to support school library media programs.....	0.663	0.519	0.523
10 Teaching assistance, including any aspect of educational instructional services 11 provided by classified employees.....	0.936	0.700	0.652
12 Office support and other noninstructional aides.....	2.012	2.325	3.269
13 Custodians.....	1.657	1.942	2.965
14 Nurses.....	0.585	0.888	0.824
15 Social workers.....	0.311	0.088	0.127
16 Psychologists.....	0.104	0.024	0.049
17 Counselors.....	0.993	1.716	3.039
18 Classified staff providing student and staff safety.....	0.079	0.092	0.141
19 Parent involvement coordinators.....	0.0825	0.00	0.00

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

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

33 (iii) For the purposes of this subsection (5)(b), "physical,
 34 social, and emotional support staff" include nurses, social workers,
 35 psychologists, counselors, classified staff providing student and
 36 staff safety, parent involvement coordinators, and other school

1 district employees and contractors who provide physical, social, and
2 emotional support to students as defined by the superintendent.

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

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

10
11
12 (b) The minimum allocation of staff units for each school
13 district to support certificated and classified staffing of central
14 administration shall be 5.30 percent of the staff units generated
15 under subsections (4)(a) and (5) of this section and (a) of this
16 subsection.

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

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

	Per annual average full-time equivalent student in grades K-12
27 Technology.	\$130.76
28 Utilities and insurance.	\$355.30
29 Curriculum and textbooks.	\$140.39
30 Other supplies	\$278.05
31 Library materials.	\$20.00
32 Instructional professional development for certificated and 33 classified staff.	\$21.71
34 Facilities maintenance.	\$176.01
35 Security and central office administration.	\$121.94

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

	Per annual average full-time equivalent student in grades 9-12
7	
8	
9	
10	Technology. \$36.35
11	Curriculum and textbooks. \$39.02
12	Other supplies \$77.28
13	Library materials. \$5.56
14	Instructional professional development for certificated and
15	classified staff. \$6.04

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

- 20 (a) Exploratory career and technical education courses for
21 students in grades seven through twelve;
- 22 (b) Preparatory career and technical education courses for
23 students in grades nine through twelve offered in a high school; and
- 24 (c) Preparatory career and technical education courses for
25 students in grades eleven and twelve offered through a skill center.

26 (10) In addition to the allocations otherwise provided under this
27 section, amounts shall be provided to support the following programs
28 and services:

29 (a)(i) To provide supplemental instruction and services for
30 students who are not meeting academic standards through the learning
31 assistance program under RCW 28A.165.005 through 28A.165.065,
32 allocations shall be based on the greater of either: The district
33 percentage of students in kindergarten through grade twelve who were
34 eligible for free or reduced-price meals for the school year
35 immediately preceding the district's participation, in whole or part,
36 in the United States department of agriculture's community
37 eligibility provision, or the district percentage of students in
38 grades K-12 who were eligible for free or reduced-price meals in the
39 prior school year. The minimum allocation for the program shall

1 provide for each level of prototypical school resources to provide,
2 on a statewide average, 2.3975 hours per week in extra instruction
3 with a class size of fifteen learning assistance program students per
4 teacher.

5 (ii) In addition to funding allocated under (a)(i) of this
6 subsection, to provide supplemental instruction and services for
7 students who are not meeting academic standards in qualifying
8 schools. A qualifying school means a school in which the three-year
9 rolling average of the prior year total annual average enrollment
10 that qualifies for free or reduced-price meals equals or exceeds
11 fifty percent or more of its total annual average enrollment. A
12 school continues to meet the definition of a qualifying school if the
13 school: Participates in the United States department of agriculture's
14 community eligibility provision; and met the definition of a
15 qualifying school in the year immediately preceding their
16 participation. The minimum allocation for this additional high
17 poverty-based allocation must provide for each level of prototypical
18 school resources to provide, on a statewide average, 1.1 hours per
19 week in extra instruction with a class size of fifteen learning
20 assistance program students per teacher, under RCW 28A.165.055,
21 school districts must distribute the high poverty-based allocation to
22 the schools that generated the funding allocation.

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

39 (ii) To provide supplemental instruction and services for
40 students who have exited the transitional bilingual program,

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

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

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

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

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

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

37 (b) In the event the legislature rejects the distribution formula
38 recommended by the governor, without adopting a new distribution
39 formula, the distribution formula for the previous school year shall
40 remain in effect.

1 (c) The enrollment of any district shall be the annual average
2 number of full-time equivalent students and part-time students as
3 provided in RCW 28A.150.350, enrolled on the first school day of each
4 month, including students who are in attendance pursuant to RCW
5 28A.335.160 and 28A.225.250 who do not reside within the servicing
6 school district. The definition of full-time equivalent student shall
7 be determined by rules of the superintendent of public instruction
8 and shall be included as part of the superintendent's biennial budget
9 request. The definition shall be based on the minimum instructional
10 hour offerings required under RCW 28A.150.220. Any revision of the
11 present definition shall not take effect until approved by the house
12 ways and means committee and the senate ways and means committee.

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

16 NEW SECTION. **Sec. 4.** Section 2 of this act expires September 1,
17 2024.

18 NEW SECTION. **Sec. 5.** Section 3 of this act takes effect
19 September 1, 2024.

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