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HOUSE BILL 2458

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State of Washington                      60th Legislature                      2008 Regular Session

By Representatives Sullivan, Fromhold, McIntire, Lantz, Conway, Appleton, Green, Haler, Quall, Priest, Sells, VanDeWege, Upthegrove, Haigh, Hunt, Barlow, Simpson, Williams, McCoy, Rolfes, Morrell, Ormsby, Armstrong, Jarrett, Moeller, Wallace, Seaquist, Linville, Pedersen, Blake, Hasegawa, Hurst, Goodman, Kenney, Santos, Kessler, Nelson, Chase, Lias, and Darneille

Prefiled 12/10/07. Read first time 01/14/08. Referred to Committee on Education.

1            AN ACT Relating to the basic education kindergarten through grade  
2 three certificated instructional staff allocation; amending RCW  
3 28A.150.260; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.** The state of Washington has set high  
6 expectations for its public school students and its school districts.  
7 Washington state currently ranks forty-seventh in the nation in its  
8 student:teacher ratio. Washington cannot expect to be competitive with  
9 other states and other nations with such low rankings. Meeting high  
10 expectations will require additional investments in public schools.

11            The purpose of this act is to improve public education by enabling  
12 learner-focused education through smaller class sizes in the early  
13 grades. Studies show that smaller classes in the early grades can  
14 significantly increase the amount of learning that takes place in the  
15 classroom. Significant class size reductions will provide children  
16 with more individualized instruction and the attention they need and  
17 lead to better results.

18            The state's long-term goal is to reduce class size in grades

1 kindergarten through three to no more than seventeen students per  
2 teacher in a class by the 2013-14 school year.

3 **Sec. 2.** RCW 28A.150.260 and 2006 c 263 s 322 are each amended to  
4 read as follows:

5 The basic education allocation for each annual average full-time  
6 equivalent student shall be determined in accordance with the following  
7 procedures:

8 (1) The governor shall and the superintendent of public instruction  
9 may recommend to the legislature a formula based on a ratio of students  
10 to staff for the distribution of a basic education allocation for each  
11 annual average full-time equivalent student enrolled in a common  
12 school. The distribution formula shall have the primary objective of  
13 equalizing educational opportunities and shall provide appropriate  
14 recognition of the following costs among the various districts within  
15 the state:

16 (a) Certificated instructional staff and their related costs;

17 (b) Certificated administrative staff and their related costs;

18 (c) Classified staff and their related costs;

19 (d) Nonsalary costs;

20 (e) Extraordinary costs, including school facilities, of remote and  
21 necessary schools as judged by the superintendent of public  
22 instruction, with recommendations from the school facilities citizen  
23 advisory panel under RCW 28A.525.025, and small high schools, including  
24 costs of additional certificated and classified staff; and

25 (f) The attendance of students pursuant to RCW 28A.335.160 and  
26 28A.225.250 who do not reside within the servicing school district.

27 (2)(a) This formula for distribution of basic education funds shall  
28 be reviewed biennially by the superintendent and governor. The  
29 recommended formula shall be subject to approval, amendment or  
30 rejection by the legislature. The formula shall be for allocation  
31 purposes only, except as provided in (c) of this subsection. While the  
32 legislature intends that the allocations for additional instructional  
33 staff be used to increase the ratio of such staff to students, nothing  
34 in this section shall require districts to reduce the number of  
35 administrative staff below existing levels.

36 (b) The formula adopted by the legislature shall reflect the  
37 following ratios at a minimum: (i) Forty-nine certificated

1 instructional staff to one thousand annual average full-time equivalent  
2 students enrolled in grades kindergarten through three; (ii) forty-six  
3 certificated instructional staff to one thousand annual average  
4 full-time equivalent students in grades four through twelve; (iii) four  
5 certificated administrative staff to one thousand annual average  
6 full-time equivalent students in grades kindergarten through twelve;  
7 and (iv) sixteen and sixty-seven one-hundredths classified personnel to  
8 one thousand annual average full-time equivalent students enrolled in  
9 grades kindergarten through twelve.

10 (c) In addition to the base allocation in (b)(i) of this  
11 subsection, additional certificated instructional staff shall be  
12 allocated only if the district documents an actual ratio in grades  
13 kindergarten through three equal to or greater than the sum of the base  
14 allocation in (b)(i) of this subsection and any allocation provided in  
15 (c)(i) through (vi) of this subsection for the applicable year. The  
16 additional funds allocated under this subsection (2)(c) may be used to  
17 provide improvements or additions to facilities directly related to  
18 class size reductions in grades kindergarten through three. The  
19 allocation in this subsection (2)(c) per one thousand annual average  
20 full-time equivalent students enrolled in grades kindergarten through  
21 three shall be as follows: (i) For the 2008-09 school year, an  
22 additional six and ninety-five one-hundredths certificated  
23 instructional staff; (ii) for the 2009-10 school year, an additional  
24 nine and seven-tenths certificated instructional staff; (iii) for the  
25 2010-11 school year, an additional twelve and forty-five one-hundredths  
26 certificated instructional staff; (iv) for the 2011-12 school year, an  
27 additional fifteen and nineteen one-hundredths certificated  
28 instructional staff; (v) for the 2012-13 school year, an additional  
29 seventeen and ninety-three one-hundredths certificated instructional  
30 staff; (vi) for the 2013-14 school year and thereafter, an additional  
31 twenty and sixty-nine one-hundredths certificated instructional staff.

32 (d) In the event the legislature rejects the distribution formula  
33 recommended by the governor, without adopting a new distribution  
34 formula, the distribution formula for the previous school year shall  
35 remain in effect: PROVIDED, That the distribution formula developed  
36 pursuant to this section shall be for state apportionment and  
37 equalization purposes only and shall not be construed as mandating  
38 specific operational functions of local school districts other than

1 those program requirements identified in RCW 28A.150.220 and  
2 28A.150.100. The enrollment of any district shall be the annual  
3 average number of full-time equivalent students and part-time students  
4 as provided in RCW 28A.150.350, enrolled on the first school day of  
5 each month and shall exclude full-time equivalent students with  
6 disabilities recognized for the purposes of allocation of state funds  
7 for programs under RCW 28A.155.010 through 28A.155.100. The definition  
8 of full-time equivalent student shall be determined by rules of the  
9 superintendent of public instruction: PROVIDED, That the definition  
10 shall be included as part of the superintendent's biennial budget  
11 request: PROVIDED, FURTHER, That any revision of the present  
12 definition shall not take effect until approved by the house  
13 appropriations committee and the senate ways and means committee:  
14 PROVIDED, FURTHER, That the office of financial management shall make  
15 a monthly review of the superintendent's reported full-time equivalent  
16 students in the common schools in conjunction with RCW 43.62.050.

17 (3)(a) Certificated instructional staff shall include those persons  
18 employed by a school district who are nonsupervisory employees within  
19 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,  
20 people of unusual competence but without certification may teach  
21 students so long as a certificated person exercises general  
22 supervision: PROVIDED, FURTHER, That the hiring of such classified  
23 people shall not occur during a labor dispute and such classified  
24 people shall not be hired to replace certificated employees during a  
25 labor dispute.

26 (b) Certificated administrative staff shall include all those  
27 persons who are chief executive officers, chief administrative  
28 officers, confidential employees, supervisors, principals, or assistant  
29 principals within the meaning of RCW 41.59.020(4).

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