
HOUSE BILL 2886

State of Washington

60th Legislature

2008 Regular Session

By Representatives Seaquist, Priest, Sullivan, Haigh, Green, Quall, Haler, Jarrett, Santos, Kenney, Appleton, Moeller, Morrell, Barlow, Roberts, Lias, Simpson, Goodman, Lantz, McIntire, VanDeWege, Conway, and Nelson; by request of Superintendent of Public Instruction

Read first time 01/17/08. Referred to Committee on Education.

1 AN ACT Relating to school nurses; amending RCW 28A.150.260; adding
2 new sections to chapter 28A.210 RCW; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that schools are
5 increasingly required to play an expanding role in protecting our
6 children's health and that school nurses play a pivotal role in
7 improving the health and education success of school-age children.
8 Current data from the office of the superintendent of public
9 instruction indicates the statewide average ratio of nurses to students
10 is one to two thousand six hundred fifty.

11 Certificated school nurses are increasingly responsible for the
12 health and well-being of students including medically fragile students.
13 The Legislature finds that:

14 (1) Peanut allergies in children have doubled in the five-year
15 period covering 1997-2002;

16 (2) The number of asthmatic students has increased over four
17 percent per year; and

18 (3) Diabetes type 2 is currently described as a new epidemic

1 affecting the American pediatric population with a thirty-three percent
2 increase in prevalence in the past ten years.

3 The legislature further finds that the need for injections,
4 administering prescription medicines, creating and maintaining safe
5 school environments, providing mandatory health education, health
6 screening, and immunizations, delivering early intervention services,
7 designing wellness-driven programs, and providing vital medical
8 services to students with chronic and acute illnesses are crucial to
9 the health and well-being of all students. This is in addition to the
10 increasing list of duties and responsibilities school nurses are
11 required to perform. Current nurse staffing must be improved in order
12 to ensure the safety and health of all students.

13 The legislature finds that each school district has unique
14 challenges to provide the level of support needed to safely meet the
15 needs of students with special health care needs. Smaller, rural,
16 isolated communities may be challenged to obtain or keep a nurse when
17 offering only a part-time position. In addition, districts need
18 additional support and technical assistance at a regional level as
19 individual student health needs increase and policies regarding the
20 care of those students change.

21 The legislature finds that unless students are healthy, they cannot
22 learn to their maximum potential. Studies show that an adequate nurse-
23 to-student staffing ratio requires one nurse per seven hundred fifty
24 students. Therefore, in order to adequately attend to the increasing
25 health care needs of students, the legislature intends to create a
26 nurse-to-student ratio of one to seven hundred fifty.

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

29 The basic education allocation for each annual average full time
30 equivalent student shall be determined in accordance with the following
31 procedures:

32 (1) The governor shall and the superintendent of public instruction
33 may recommend to the legislature a formula based on a ratio of students
34 to staff for the distribution of a basic education allocation for each
35 annual average full time equivalent student enrolled in a common
36 school. The distribution formula shall have the primary objective of

1 equalizing educational opportunities and shall provide appropriate
2 recognition of the following costs among the various districts within
3 the state:

- 4 (a) Certificated instructional staff and their related costs;
- 5 (b) Certificated administrative staff and their related costs;
- 6 (c) Classified staff and their related costs;
- 7 (d) Nonsalary costs;
- 8 (e) Extraordinary costs, including school facilities, of remote and
9 necessary schools as judged by the superintendent of public
10 instruction, with recommendations from the school facilities citizen
11 advisory panel under RCW 28A.525.025, and small high schools, including
12 costs of additional certificated and classified staff; and

13 (f) The attendance of students pursuant to RCW 28A.335.160 and
14 28A.225.250 who do not reside within the servicing school district.

15 (2)(a) This formula for distribution of basic education funds shall
16 be reviewed biennially by the superintendent and governor. The
17 recommended formula shall be subject to approval, amendment or
18 rejection by the legislature. The formula shall be for allocation
19 purposes only. While the legislature intends that the allocations for
20 additional instructional staff be used to increase the ratio of such
21 staff to students, nothing in this section shall require districts to
22 reduce the number of administrative staff below existing levels.

23 (b) The formula adopted by the legislature shall reflect the
24 following ratios at a minimum: (i) Forty-nine certificated
25 instructional staff to one thousand annual average full time equivalent
26 students enrolled in grades kindergarten through three; (ii) forty-six
27 certificated instructional staff to one thousand annual average full
28 time equivalent students in grades four through twelve; (iii) four
29 certificated administrative staff to one thousand annual average full
30 time equivalent students in grades kindergarten through twelve; ~~((and))~~
31 (iv) sixteen and sixty-seven one-hundredths classified personnel to one
32 thousand annual average full time equivalent students enrolled in
33 grades kindergarten through twelve; and (v) by the 2013-14 school year,
34 a ratio of one certificated nurse per seven hundred fifty full-time
35 equivalent students provided solely for that purpose, phased-in over
36 five years commencing with the 2008-09 school year, in accordance with
37 distribution provisions specified in the omnibus state appropriations
38 act.

1 (c) In the event the legislature rejects the distribution formula
2 recommended by the governor, without adopting a new distribution
3 formula, the distribution formula for the previous school year shall
4 remain in effect: PROVIDED, That the distribution formula developed
5 pursuant to this section shall be for state apportionment and
6 equalization purposes only and shall not be construed as mandating
7 specific operational functions of local school districts other than
8 those program requirements identified in RCW 28A.150.220 and
9 28A.150.100. The enrollment of any district shall be the annual
10 average number of full time equivalent students and part time students
11 as provided in RCW 28A.150.350, enrolled on the first school day of
12 each month and shall exclude full time equivalent students with
13 disabilities recognized for the purposes of allocation of state funds
14 for programs under RCW 28A.155.010 through 28A.155.100. The definition
15 of full time equivalent student shall be determined by rules of the
16 superintendent of public instruction: PROVIDED, That the definition
17 shall be included as part of the superintendent's biennial budget
18 request: PROVIDED, FURTHER, That any revision of the present
19 definition shall not take effect until approved by the house
20 appropriations committee and the senate ways and means committee:
21 PROVIDED, FURTHER, That the office of financial management shall make
22 a monthly review of the superintendent's reported full time equivalent
23 students in the common schools in conjunction with RCW 43.62.050.

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

33 (b) Certificated administrative staff shall include all those
34 persons who are chief executive officers, chief administrative
35 officers, confidential employees, supervisors, principals, or assistant
36 principals within the meaning of RCW 41.59.020(4).

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.210
2 RCW to read as follows:

3 (1) The office of the superintendent of public instruction, if
4 funded, shall establish the school nurse corps. The purpose of the
5 school nurse corps is to provide a regional school health service
6 system with the goal of improving the health, wellness, and safety of
7 students.

8 (2) The school nurse corps shall assign a school nurse to each
9 educational service district.

10 (3) The school nurse corps shall provide health services to
11 students in the neediest school districts. The office of the
12 superintendent of public instruction shall establish a process for
13 school districts to receive additional health services. The resources
14 provided by the school nurse corps shall not supplant funding already
15 being used by the school districts for this purpose. To the extent the
16 funding is available, the school nurse corps shall:

17 (a) Assist the office of the superintendent in conducting an annual
18 school health services district assessment for all participating school
19 districts;

20 (b) Provide technical assistance and consultation to districts in
21 development and implementation of school health services and
22 coordinated school health programs as needed;

23 (c) Coordinate and collaborate with community partners in
24 addressing school health-related issues;

25 (d) Offer school nurse professional development for districts
26 within the region; and

27 (e) Assist in the orientation and mentoring of new school nurses.

28 (4) The office of the superintendent of public instruction shall
29 report annually to the legislature on the school nurse corps and the
30 school districts and students served by the program starting December
31 1, 2008.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.210
33 RCW to read as follows:

34 In order to provide for the health and safety of students, public
35 school districts must provide for professional registered nurse

1 services to manage the student and school health services, as
2 established in RCW 28A.150.260.

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