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SENATE BILL 6662

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State of Washington

60th Legislature

2008 Regular Session

By Senators Kauffman, McAuliffe, Hobbs, Keiser, Tom, Marr, Kilmer, Rasmussen, Kohl-Welles, McDermott, Weinstein, Spanel, and Shin; by request of Superintendent of Public Instruction

Read first time 01/21/08. Referred to Committee on Early Learning & K-12 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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