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SENATE BILL 5805

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State of Washington

54th Legislature

1995 Regular Session

By Senator McAuliffe

Read first time 02/07/95. Referred to Committee on Education.

1 AN ACT Relating to school district enrollment reporting dates;  
2 amending RCW 28A.150.260 and 28A.150.260; and providing a contingent  
3 effective date.

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

5 **Sec. 1.** RCW 28A.150.260 and 1992 c 141 s 303 are each amended to  
6 read as follows:

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

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

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

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

1 (c) Classified staff and their related costs;

2 (d) Nonsalary costs;

3 (e) Extraordinary costs of remote and necessary schools and small  
4 high schools, including costs of additional certificated and classified  
5 staff; and

6 (f) The attendance of students pursuant to RCW 28A.335.160 and  
7 28A.225.250 who do not reside within the servicing school district.

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

16 (b) The formula adopted by the legislature shall reflect the  
17 following ratios at a minimum: (i) Forty-nine certificated  
18 instructional staff to one thousand annual average full-time equivalent  
19 students enrolled in grades kindergarten through three; (ii) forty-six  
20 certificated instructional staff to one thousand annual average full-  
21 time equivalent students in grades four through twelve; (iii) four  
22 certificated administrative staff to one thousand annual average full-  
23 time equivalent students in grades kindergarten through twelve; and  
24 (iv) sixteen and sixty-seven one-hundredths classified personnel to one  
25 thousand annual average full-time equivalent students enrolled in  
26 grades kindergarten through twelve.

27 (c) In the event the legislature rejects the distribution formula  
28 recommended by the governor, without adopting a new distribution  
29 formula, the distribution formula for the previous school year shall  
30 remain in effect: PROVIDED, That the distribution formula developed  
31 pursuant to this section shall be for state apportionment and  
32 equalization purposes only and shall not be construed as mandating  
33 specific operational functions of local school districts other than  
34 those program requirements identified in RCW 28A.150.220 and  
35 28A.150.100. The enrollment of any district shall be the annual  
36 average number of full-time equivalent students and part-time students  
37 as provided in RCW 28A.150.350, enrolled on the first school day of  
38 each month, except that the first enrollment count day of each school  
39 year shall be the later of the second Monday students are required to

1 be in attendance or the second Monday in September, and the enrollment  
2 of any district shall exclude full-time equivalent handicapped students  
3 recognized for the purposes of allocation of state funds for programs  
4 under RCW 28A.155.010 through 28A.155.100. The definition of full-time  
5 equivalent student shall be determined by rules ((and regulations)) of  
6 the superintendent of public instruction: PROVIDED, That the  
7 definition shall be included as part of the superintendent's biennial  
8 budget request: PROVIDED, FURTHER, That any revision of the present  
9 definition shall not take effect until approved by the house  
10 appropriations committee and the senate ways and means committee:  
11 PROVIDED, FURTHER, That the office of financial management shall make  
12 a monthly review of the superintendent's reported full-time equivalent  
13 students in the common schools in conjunction with RCW 43.62.050.

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

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

27 (4) Each annual average full-time equivalent certificated classroom  
28 teacher's direct classroom contact hours shall average at least twenty-  
29 five hours per week. Direct classroom contact hours shall be exclusive  
30 of time required to be spent for preparation, conferences, or any other  
31 nonclassroom instruction duties. Up to two hundred minutes per week  
32 may be deducted from the twenty-five contact hour requirement, at the  
33 discretion of the school district board of directors, to accommodate  
34 authorized teacher/parent-guardian conferences, recess, passing time  
35 between classes, and informal instructional activity. Implementing  
36 rules to be adopted by the state board of education pursuant to RCW  
37 28A.150.220(4) shall provide that compliance with the direct contact  
38 hour requirement shall be based upon teachers' normally assigned weekly  
39 instructional schedules, as assigned by the district administration.

1 Additional record((-))keeping by classroom teachers as a means of  
2 accounting for contact hours shall not be required. Waivers from  
3 contact hours may be requested under RCW 28A.305.140.

4 **Sec. 2.** RCW 28A.150.260 and 1992 c 141 s 507 are each amended to  
5 read as follows:

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

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

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

19 (c) Classified staff and their related costs;

20 (d) Nonsalary costs;

21 (e) Extraordinary costs of remote and necessary schools and small  
22 high schools, including costs of additional certificated and classified  
23 staff; and

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

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

34 (b) The formula adopted by the legislature shall reflect the  
35 following ratios at a minimum: (i) Forty-nine certificated  
36 instructional staff to one thousand annual average full-time equivalent  
37 students enrolled in grades kindergarten through three; (ii) forty-six  
38 certificated instructional staff to one thousand annual average full-

1 time equivalent students in grades four through twelve; (iii) four  
2 certificated administrative staff to one thousand annual average full\_  
3 time equivalent students in grades kindergarten through twelve; and  
4 (iv) sixteen and sixty-seven one-hundredths classified personnel to one  
5 thousand annual average full-time equivalent students enrolled in  
6 grades kindergarten through twelve.

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

33 (3)(a) Certificated instructional staff shall include those persons  
34 employed by a school district who are nonsupervisory employees within  
35 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,  
36 people of unusual competence but without certification may teach  
37 students so long as a certificated person exercises general  
38 supervision: PROVIDED, FURTHER, That the hiring of such  
39 noncertificated people shall not occur during a labor dispute and such

1 noncertificated people shall not be hired to replace certificated  
2 employees during a labor dispute.

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

7 NEW SECTION. **Sec. 3.** Section 2 of this act shall take effect  
8 September 1, 2000. However, this section shall not take effect if, by  
9 September 1, 2000, a law is enacted stating that a school  
10 accountability and academic assessment system is not in place.

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