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**SENATE BILL 6397**

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**State of Washington****65th Legislature****2018 Regular Session**

**By** Senators Hunt, Wellman, Kuderer, Llias, Chase, Conway, Keiser, and Saldaña

Read first time 01/15/18. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to public schools; amending RCW 28A.150.410,  
2 28A.400.200, 28A.150.412, 84.52.053, 84.52.0531, 28A.500.015,  
3 84.52.054, 84.52.065, 28A.320.330, 84.55.010, 28A.150.260,  
4 28A.400.007, 28A.165.055, 28A.510.250, 28A.510.250, 28A.150.276,  
5 41.56.800, 41.59.800, 28A.400.006, 41.56.907, and 41.59.937; creating  
6 new sections; repealing RCW 28A.415.020, 28A.415.023, 28A.415.024,  
7 41.56.800, 41.59.800, and 28A.400.006; providing effective dates; and  
8 providing an expiration date.

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

10 NEW SECTION. **Sec. 1.** The legislature recognizes the state must  
11 provide education funding that corresponds to the cost of providing  
12 all students with the opportunity to learn statewide through the  
13 state's statutory program of basic education. The legislature  
14 recognizes based on input from school districts, as they attempt to  
15 implement the major education funding reforms contained within  
16 Engrossed House Bill No. 2242 (chapter 13, Laws of 2017 3rd sp.  
17 sess.), changes to the initial policies will be needed to ensure the  
18 enacted policies do not negatively impact school districts or their  
19 employees and can be carried out as intended. The legislature also  
20 recognizes that the state supreme court ruled in their *McCleary et*  
21 *al. v. state of Washington* November 2017 order, the state is not on

1 track to meet the September 1, 2018, deadline to fully implement its  
2 program of basic education. Therefore, the legislature intends to  
3 make changes to these education funding reforms to comply with the  
4 supreme court's order, to incorporate changes needed for school  
5 districts to implement previously enacted reforms, and to ensure  
6 equitable educational opportunities for students statewide.

7 **PART I**  
8 **COMPENSATION**

9 **Sec. 101.** RCW 28A.150.410 and 2017 3rd sp.s. c 13 s 101 are each  
10 amended to read as follows:

11 (1) Through the 2017-18 school year, the legislature shall  
12 establish for each school year in the appropriations act a statewide  
13 salary allocation schedule, for allocation purposes only, to be used  
14 to distribute funds for basic education certificated instructional  
15 staff salaries under RCW 28A.150.260. For the purposes of this  
16 section, the staff allocations for classroom teachers, teacher-  
17 librarians, guidance counselors, and student health services staff  
18 under RCW 28A.150.260 are considered allocations for certificated  
19 instructional staff.

20 (2) Through the 2017-18 school year, salary allocations for  
21 state-funded basic education certificated instructional staff shall  
22 be calculated by the superintendent of public instruction by  
23 determining the district's average salary for certificated  
24 instructional staff, using the statewide salary allocation schedule  
25 and related documents, conditions, and limitations established by the  
26 omnibus appropriations act.

27 (3) Through the 2017-18 school year, no more than ninety college  
28 quarter-hour credits received by any employee after the baccalaureate  
29 degree may be used to determine compensation allocations under the  
30 state salary allocation schedule and LEAP documents referenced in the  
31 omnibus appropriations act, or any replacement schedules and  
32 documents, unless:

33 (a) The employee has a master's degree; or

34 (b) The credits were used in generating state salary allocations  
35 before January 1, 1992.

36 (4) Beginning in the 2007-08 school year and through the 2017-18  
37 school year, the calculation of years of service for occupational  
38 therapists, physical therapists, speech-language pathologists,

1 audiologists, nurses, social workers, counselors, and psychologists  
2 regulated under Title 18 RCW may include experience in schools and  
3 other nonschool positions as occupational therapists, physical  
4 therapists, speech-language pathologists, audiologists, nurses,  
5 social workers, counselors, or psychologists. The calculation shall  
6 be that one year of service in a nonschool position counts as one  
7 year of service for purposes of this chapter, up to a limit of two  
8 years of nonschool service. Nonschool years of service included in  
9 calculations under this subsection shall not be applied to service  
10 credit totals for purposes of any retirement benefit under chapter  
11 41.32, 41.35, or 41.40 RCW, or any other state retirement system  
12 benefits.

13 (5) By the 2019-20 school year, the minimum state allocation for  
14 salaries for certificated instructional staff in the basic education  
15 program must be increased beginning in the 2018-19 school year to  
16 provide a statewide average allocation of sixty-four thousand dollars  
17 adjusted for inflation from the 2017-18 school year.

18 (6) By the 2019-20 school year, the minimum state allocation for  
19 salaries for certificated administrative staff in the basic education  
20 program must be increased beginning in the 2018-19 school year to  
21 provide a statewide average allocation of ninety-five thousand  
22 dollars adjusted for inflation from the 2017-18 school year.

23 (7) By the 2019-20 school year, the minimum state allocation for  
24 salaries for classified staff in the basic education program must be  
25 increased beginning in the 2018-19 school year to provide a statewide  
26 average allocation of forty-five thousand nine hundred twelve dollars  
27 adjusted by inflation from the 2017-18 school year.

28 (8) To implement the new minimum salary allocations in  
29 subsections (5) through (7) of this section, the legislature must  
30 fund (~~(fifty percent of the increased salary allocation in the~~  
31 ~~2018-19 school year and))~~ the entire increased salary allocation in  
32 the 2019-20 school year. For school year 2018-19, a district's  
33 minimum state allocation for salaries is the greater of the  
34 district's 2017-18 state salary allocation, adjusted for inflation,  
35 or the district's allocation based on the state salary level  
36 specified in subsections (5) through (7) of this section, and as  
37 further specified in the omnibus appropriations act.

38 (9) Beginning with the 2018-19 school year, state allocations for  
39 salaries for certificated instructional staff, certificated  
40 administrative staff, and classified staff must be adjusted for

1 regional differences in the cost of hiring staff. Adjustments for  
2 regional differences must be specified in the omnibus appropriations  
3 act for each school year through at least school year 2022-23. For  
4 school years 2018-19 through school year 2022-23, the school district  
5 regionalization factors are based on the median single-family  
6 residential value of each school district and proximate school  
7 district median single-family residential value as described in RCW  
8 28A.150.412.

9 (10) Beginning in the 2018-19 school year, state salary  
10 allocations for certificated instructional staff in school districts  
11 in which the total certificated instructional staff median experience  
12 and average ratio of bachelor's degrees to advanced degrees exceeds  
13 the statewide averages must be increased by an eight percent  
14 experience mix adjustment.

15 (11) Beginning with the 2023-24 school year and every six years  
16 thereafter, the minimum state salary allocations and school district  
17 regionalization factors for certificated instructional staff,  
18 certificated (~~administration—[administrative]~~) administrative  
19 staff, and classified staff must be reviewed and rebased, as provided  
20 under RCW 28A.150.412, to ensure that state salary allocations  
21 continue to align with staffing costs for the state's program of  
22 basic education.

23 (12) The office of the superintendent of public instruction must  
24 allocate the greater of the following:

25 (a) The derived salary allocations for the current school year  
26 provided in the omnibus appropriations act; or

27 (b) The derived salary allocations for school year 2017-18  
28 increased annually by inflation.

29 (13) For the purposes of this section, "inflation" means the  
30 annual percentage change of the previous calendar year's annual  
31 change in the implicit price deflator for personal consumption  
32 expenditure for the United States as published by the bureau of  
33 economic analysis of the federal department of commerce.

34 **Sec. 102.** RCW 28A.400.200 and 2017 3rd sp.s. c 13 s 103 are each  
35 amended to read as follows:

36 (1) Every school district board of directors shall fix, alter,  
37 allow, and order paid salaries and compensation for all district  
38 employees in conformance with this section.

1 (2)(a) Through the 2017-18 school year, salaries for certificated  
2 instructional staff shall not be less than the salary provided in the  
3 appropriations act in the statewide salary allocation schedule for an  
4 employee with a baccalaureate degree and zero years of service;

5 (b) Salaries for certificated instructional staff with a master's  
6 degree shall not be less than the salary provided in the  
7 appropriations act in the statewide salary allocation schedule for an  
8 employee with a master's degree and zero years of service; and

9 (c) Beginning with the 2019-20 school year:

10 (i) Salaries for full-time certificated instructional staff must  
11 not be less than forty thousand dollars, to be adjusted for regional  
12 differences in the cost of hiring staff as specified in RCW  
13 28A.150.410, and to be adjusted annually by the same inflationary  
14 measure as provided in RCW 28A.400.205;

15 (ii) Salaries for full-time certificated instructional staff with  
16 at least five years of experience must exceed by at least ten percent  
17 the value specified in (c)(i) of this subsection;

18 (iii) A district may not pay full-time certificated instructional  
19 staff a salary that exceeds ninety thousand dollars, subject to  
20 adjustment for regional differences in the cost of hiring staff as  
21 specified in RCW 28A.150.410. This maximum salary is adjusted  
22 annually by the inflationary measure in RCW 28A.400.205;

23 (iv) These minimum and maximum salaries apply to the services  
24 provided as part of the state's statutory program of basic education  
25 and exclude supplemental contracts for additional time,  
26 responsibility, or incentive pursuant to this section or for  
27 enrichment pursuant to RCW 28A.150.276;

28 (v) A district may pay a salary that exceeds this maximum salary  
29 by up to ten percent for full-time certificated instructional staff:  
30 Who are educational staff associates; who teach in the subjects of  
31 science, technology, engineering, or math; or who teach in the  
32 transitional bilingual instruction or special education programs.

33 (3)(a)(i) Through the 2017-18 school year the actual average  
34 salary paid to certificated instructional staff shall not exceed the  
35 district's average certificated instructional staff salary used for  
36 the state basic education allocations for that school year as  
37 determined pursuant to RCW 28A.150.410.

38 (ii) For the 2018-19 school year, salaries for certificated  
39 instructional staff are subject to the limitations in RCW 41.59.800.

1 (iii) Beginning with the 2019-20 school year, for purposes of  
2 subsection (4) of this section, RCW 28A.150.276, and 28A.505.100,  
3 each school district must annually identify the actual salary paid to  
4 each certificated instructional staff for services rendered as part  
5 of the state's program of basic education.

6 (b) Through the 2018-19 school year, fringe benefit contributions  
7 for certificated instructional staff shall be included as salary  
8 under (a)(i) of this subsection only to the extent that the  
9 district's actual average benefit contribution exceeds the amount of  
10 the insurance benefits allocation, less the amount remitted by  
11 districts to the health care authority for retiree subsidies,  
12 provided per certificated instructional staff unit in the state  
13 operating appropriations act in effect at the time the compensation  
14 is payable. For purposes of this section, fringe benefits shall not  
15 include payment for unused leave for illness or injury under RCW  
16 28A.400.210; employer contributions for old age survivors insurance,  
17 workers' compensation, unemployment compensation, and retirement  
18 benefits under the Washington state retirement system; or employer  
19 contributions for health benefits in excess of the insurance benefits  
20 allocation provided per certificated instructional staff unit in the  
21 state operating appropriations act in effect at the time the  
22 compensation is payable. A school district may not use state funds to  
23 provide employer contributions for such excess health benefits.

24 (c) Salary and benefits for certificated instructional staff in  
25 programs other than basic education shall be consistent with the  
26 salary and benefits paid to certificated instructional staff in the  
27 basic education program.

28 (4)(a) Salaries and benefits for certificated instructional staff  
29 may exceed the limitations in subsection (3) of this section only by  
30 separate contract for additional time, for additional  
31 responsibilities, or for incentives. Supplemental contracts shall not  
32 cause the state to incur any present or future funding obligation.  
33 Supplemental contracts must be accounted for by a school district  
34 when the district is developing its four-year budget plan under RCW  
35 28A.505.040.

36 (b) Supplemental contracts shall be subject to the collective  
37 bargaining provisions of chapter 41.59 RCW and the provisions of RCW  
38 28A.405.240, shall not exceed one year, and if not renewed shall not  
39 constitute adverse change in accordance with RCW 28A.405.300 through  
40 28A.405.380. No district may enter into a supplemental contract under

1 this subsection for the provision of services which are a part of the  
2 basic education program required by Article IX, section 1 of the  
3 state Constitution and RCW 28A.150.220. Beginning September 1, 2019,  
4 supplemental contracts for certificated instructional staff are  
5 subject to the following additional restrictions: School districts  
6 may enter into supplemental contracts only for enrichment activities  
7 as defined in and subject to the limitations of RCW 28A.150.276. The  
8 rate the district pays under a time-based supplemental contract may  
9 not exceed the hourly rate provided to that same instructional staff  
10 for services under the basic education salary identified pursuant to  
11 subsection (3)(a)(iii) of this section. Nothing in this section  
12 prohibits school districts from providing overtime payments for time  
13 worked outside the employee's normal schedule.

14 (5) Employee benefit plans offered by any district shall comply  
15 with RCW 28A.400.350, 28A.400.275, and 28A.400.280.

16 **Sec. 103.** RCW 28A.150.412 and 2017 3rd sp.s. c 13 s 104 are each  
17 amended to read as follows:

18 (1) Beginning with the 2023 regular legislative session, and  
19 every six years thereafter, the legislature shall review and rebase  
20 state basic education compensation allocations compared to school  
21 district compensation data, regionalization factors, and other  
22 economic information as provided in this section. The legislature  
23 shall revise the minimum allocations and regionalization factors if  
24 necessary to ensure that state basic education allocations continue  
25 to provide market-rate salaries and that regionalization adjustments  
26 reflect actual economic differences between school districts.

27 (2)(a) For school districts with single-family residential values  
28 above the statewide median residential value, regionalization factors  
29 for school years 2018-19 through school year 2022-23 are as follows:

30 (i) For school districts in tercile 1, state salary allocations  
31 for school district employees are regionalized by six percent;

32 (ii) For school districts in tercile 2, state salary allocations  
33 for school district employees are regionalized by twelve percent;  
34 ((and))

35 (iii) For school districts in tercile 3, state salary allocations  
36 for school district employees are regionalized by eighteen percent;  
37 and

38 (iv) For school districts sharing a boundary with a school  
39 district receiving a higher regionalization factor, state salary

1 allocations for school district employees are increased by half of  
2 the difference of the higher regionalized shared boundary school  
3 district and the school district.

4 (b) Additional school district adjustments are identified in the  
5 omnibus appropriations act, and these adjustments are partially  
6 reduced or eliminated by the 2022-23 school year as follows: ~~((+i))~~  
7 These additional adjustments that increase the regionalization factor  
8 to a value that is greater than ~~((the tercile 3 regionalization~~  
9 factor)) specified in (a) of this subsection must be reduced by  
10 ~~((two))~~ one percentage point~~((s))~~ each school year beginning with  
11 school year 2020-21, through 2022-23.

12 ~~((+ii) Adjustments that increase the regionalization factor to a~~  
13 ~~value that is less than or equal to the tercile 3 regionalization~~  
14 ~~factor must be reduced by one percentage point each school year~~  
15 ~~beginning with school year 2020-21, through 2022-23.))~~

16 (3) ~~((To aid the legislature in reviewing and rebasing~~  
17 ~~regionalization factors,)) The department of revenue shall, by~~  
18 ~~November 1, 2022, and by November 1st every six years thereafter,~~  
19 ~~determine the median single-family residential value of each school~~  
20 ~~district as well as the median value of proximate districts within~~  
21 ~~fifteen miles of the boundary of the school district for which the~~  
22 ~~median residential value is being calculated.~~

23 (4) No district may receive less state funding for the minimum  
24 state salary allocation as compared to its prior school year salary  
25 allocation as a result of adjustments that reflect updated  
26 regionalized salaries.

27 (5)(a) By July 1, 2022, and every six years thereafter, the  
28 office of financial management must convene a technical working group  
29 on school employee salaries. The working group shall consist of one  
30 member selected by the executive head or the executive head's  
31 designee of the following:

32 (i) The office of financial management;

33 (ii) The legislative evaluation and accountability program  
34 committee;

35 (iii) The ways and means committee of the senate;

36 (iv) The appropriations committee of the house of  
37 representatives;

38 (v) The office of the superintendent of public instruction;

39 (vi) The employment security department;

40 (vii) The department of revenue;



1 (viii) A professional organization representing the majority of  
2 certificated instructional staff;

3 (ix) A professional organization representing classified staff;

4 (x) An association representing school boards; and

5 (xi) An association representing school administrators.

6 (b) The employment security department shall make available to  
7 the working group the information necessary to determine the  
8 comparable occupations and wages for each K-12 job category in RCW  
9 28A.150.260. The technical working group must use this data and data  
10 from subsection (3) of this section to make recommendations to ensure  
11 that state salary allocations continue to align with staffing costs  
12 for the state's program of basic education.

13 (c) The office of financial management shall report the technical  
14 working group's determinations and recommendations for changes to the  
15 state's basic education employee salaries necessary to hire and  
16 retain qualified staff to the school employee salary council created  
17 in subsection (6) of this section.

18 (d) The initial report of this working group must include  
19 recommendations for the following:

20 (i) Hedonic wage adjustments intended to recruit staff in school  
21 districts across the state;

22 (ii) Policies to mitigate retention impacts created by the border  
23 effects created by the regionalization factors; and

24 (iii) Adjustments to regionalization factors by including out-of-  
25 state property valuations for school districts with limited  
26 residential housing available for K-12 staff within the district.

27 (6)(a) The school employee salary council is created to review  
28 the work of the technical working group and submit recommendations to  
29 the governor and the legislature.

30 (b) The school employee salary council consists of the following  
31 members:

32 (i) The director of financial management or the director's  
33 designee;

34 (ii) The chair and ranking minority member of the senate ways and  
35 means committee or their designees;

36 (iii) The chair and ranking minority member of the house of  
37 representatives appropriations committee or their designees; and

38 (iv) The superintendent of public instruction or the  
39 superintendent's designee.

1       (7) The recommendations of the school employee salary council  
2 regarding basic education school salary allocations shall take effect  
3 in the ensuing biennial period, subject to any legislative  
4 modifications and final legislative approval, beginning in the  
5 2023-24 school year and thereafter.

6       (8) The definitions in this subsection apply throughout this  
7 section unless the context clearly requires otherwise.

8       (a) "Median residential value of each school district" means the  
9 median value of all single-family residential parcels included within  
10 a school district and any other school district that is proximate to  
11 the school district.

12       (b) "Proximate to the school district" means within fifteen miles  
13 of the boundary of the school district for which the median  
14 residential value is being calculated.

15       (c) "School district employees" means state-funded certificated  
16 instructional staff, certificated administrative staff, and  
17 classified staff.

18       (d) "School districts in tercile 1" means school districts with  
19 median single-family residential values in the first tercile of  
20 districts with single-family residential values above the statewide  
21 median residential value.

22       (e) "School districts in tercile 2" means school districts with  
23 median single-family residential values in the second tercile of  
24 districts with single-family residential values above the statewide  
25 median residential value.

26       (f) "School districts in tercile 3" means school districts with  
27 median single-family residential values in the third tercile of  
28 districts with single-family residential values above the statewide  
29 median residential value.

30       (g) "Statewide median residential value" means the median value  
31 of single-family residential parcels located within all school  
32 districts, reduced by five percent.

33   **PART II**

34   **LEVIES**

35       **Sec. 201.** RCW 84.52.053 and 2017 3rd sp.s. c 13 s 201 are each  
36 amended to read as follows:

37       (1) The limitations imposed by RCW 84.52.050 through 84.52.056,  
38 and 84.52.043 shall not prevent the levy of taxes by school

1 districts, when authorized so to do by the voters of such school  
2 district in the manner and for the purposes and number of years  
3 allowable under Article VII, section 2(a) and Article IX, section 1  
4 of the Constitution of this state. Elections for such taxes shall be  
5 held in the year in which the levy is made or, in the case of  
6 propositions authorizing two-year through four-year levies for  
7 enrichment funding for a school district, authorizing two-year levies  
8 for transportation vehicle funds established in RCW 28A.160.130  
9 (~~through calendar year 2019, authorizing two-year levies for~~  
10 ~~transportation vehicle enrichment beginning with calendar year~~  
11 ~~2020,~~) or authorizing two-year through six-year levies to support  
12 the construction, modernization, or remodeling of school facilities,  
13 which includes the purposes of RCW 28A.320.330(2) (f) and (g), in the  
14 year in which the first annual levy is made.

15 (2)(a) Once additional tax levies have been authorized for  
16 enrichment funding for a school district for a two-year through four-  
17 year period as provided under subsection (1) of this section, no  
18 further additional tax levies for enrichment funding for the district  
19 for that period may be authorized, except for additional levies to  
20 provide for subsequently enacted increases affecting the district's  
21 maximum levy.

22 (b) Notwithstanding (a) of this subsection, any school district  
23 that is required to annex or receive territory pursuant to a  
24 dissolution of a financially insolvent school district pursuant to  
25 RCW 28A.315.225 may call either a replacement or supplemental levy  
26 election within the school district, including the territory annexed  
27 or transferred, as follows:

28 (i) An election for a proposition authorizing two-year through  
29 four-year levies for enrichment funding for a school district may be  
30 called and held before the effective date of dissolution to replace  
31 existing enrichment levies and to provide for increases due to the  
32 dissolution.

33 (ii) An election for a proposition authorizing additional tax  
34 levies may be called and held before the effective date of  
35 dissolution to provide for increases due to the dissolution.

36 (iii) In the event a replacement levy election under (b)(i) of  
37 this subsection is held but does not pass, the affected school  
38 district may subsequently hold a supplemental levy election pursuant  
39 to (b)(ii) of this subsection if the supplemental levy election is  
40 held before the effective date of dissolution. In the event a

1 supplemental levy election is held under (b)(ii) of this subsection  
2 but does not pass, the affected school district may subsequently hold  
3 a replacement levy election pursuant to (b)(i) of this subsection if  
4 the replacement levy election is held before the effective date of  
5 dissolution. Failure of a replacement levy or supplemental levy  
6 election does not affect any previously approved and existing  
7 enrichment levy within the affected school district or districts.

8 (c) For the purpose of applying the limitation of this subsection  
9 (2), a two-year through six-year levy to support the construction,  
10 modernization, or remodeling of school facilities shall not be deemed  
11 to be a tax levy for enrichment funding for a school district.

12 (3) A special election may be called and the time therefor fixed  
13 by the board of school directors, by giving notice thereof by  
14 publication in the manner provided by law for giving notices of  
15 general elections, at which special election the proposition  
16 authorizing such excess levy shall be submitted in such form as to  
17 enable the voters favoring the proposition to vote "yes" and those  
18 opposed thereto to vote "no."

19 (4)(a) Beginning September 1, 2019, school districts may use  
20 enrichment levies (~~(and transportation vehicle enrichment levies)~~)  
21 solely to enrich the state's statutory program of basic education as  
22 authorized under RCW 28A.150.276.

23 (b) Beginning with propositions for enrichment levies (~~(and~~  
24 ~~transportation vehicle enrichment levies)~~) for collection in calendar  
25 year 2020 and thereafter, a district must receive approval of an  
26 enrichment levy expenditure plan from the superintendent of public  
27 instruction under RCW 28A.505.240 before submission of the  
28 proposition to the voters.

29 **Sec. 202.** RCW 84.52.0531 and 2017 3rd sp.s. c 13 s 203 are each  
30 amended to read as follows:

31 (1) Beginning with taxes levied for collection in 2019, the  
32 maximum dollar amount which may be levied by or for any school  
33 district for enrichment levies under RCW 84.52.053 is either:

34 (a) Equal to the lesser of one dollar and fifty cents per  
35 thousand dollars of the assessed value of property in the school  
36 district or the maximum per-pupil limit; or

37 (b) For school districts with less than one thousand average  
38 annual resident full-time equivalent student enrollments, one dollar

1 and fifty cents per thousand dollars of the assessed value of  
2 property in the school district.

3 (2) The definitions in this subsection apply to this section  
4 unless the context clearly requires otherwise.

5 (a) "Inflation" means (~~inflation as defined in RCW 84.55.005~~)  
6 the three-year average of the annual change in percentage of the  
7 total statewide assessed property valuations not adjusted by the  
8 ratio specified in RCW 84.48.075 (county indicated ratio) as  
9 published electronically by the department of revenue on an annual  
10 basis.

11 (b) "Maximum per-pupil limit" means (~~two~~) three thousand (~~five~~  
12 ~~hundred~~) dollars, multiplied by the number of average annual  
13 resident full-time equivalent students enrolled in the school  
14 district in the prior school year. Beginning with property taxes  
15 levied for collection in 2020, the maximum per-pupil limit shall be  
16 increased annually by inflation each year from collection year 2018  
17 and the percentage of increase in state basic education funding per  
18 average annual full-time equivalent student between the prior school  
19 year and the current school year.

20 (c) "Prior school year" means the most recent school year  
21 completed prior to the year in which the levies are to be collected.

22 (3) Beginning with propositions for enrichment levies for  
23 collection in calendar year 2020 and thereafter, a district must  
24 receive approval of an enrichment levy expenditure plan under RCW  
25 28A.505.240 before submission of the proposition to the voters.

26 (4) The superintendent of public instruction shall develop rules  
27 and regulations and inform school districts of the pertinent data  
28 necessary to carry out the provisions of this section.

29 (5) Beginning with taxes levied for collection in 2020,  
30 enrichment levy revenues must be deposited in a separate subfund of  
31 the school district's general fund pursuant to RCW 28A.320.330, and  
32 are subject to the restrictions of RCW 28A.150.276 and the audit  
33 requirements of RCW 43.09.2856.

34 (~~Funds collected from transportation vehicle enrichment~~  
35 ~~levies shall not be subject to the levy limitations in this section~~)  
36 The office of the superintendent of public instruction shall adjust  
37 the average annual full-time equivalent resident enrollments when  
38 determining the maximum dollar amount that may be levied by a school  
39 district for the following:

1 (a) For districts in a high-nonhigh relationship, the enrollments  
2 of the nonhigh resident students attending the high school must only  
3 be counted by the nonhigh school districts.

4 (b) For school districts participating in an innovation academy  
5 cooperative established under RCW 28A.340.080, enrollments of  
6 students attending the academy must be adjusted so that each  
7 participant district receives its proportional share of student  
8 enrollments.

9 **Sec. 203.** RCW 28A.500.015 and 2017 3rd sp.s. c 13 s 206 are each  
10 amended to read as follows:

11 (1) Beginning in calendar year 2019 and each calendar year  
12 thereafter, the state must provide state local effort assistance  
13 funding to supplement school district enrichment levies as provided  
14 in this section.

15 (2) For an eligible school district, annual local effort  
16 assistance funding is equal to the school district's maximum local  
17 effort assistance multiplied by a fraction equal to the school  
18 district's actual enrichment levy divided by the school district's  
19 maximum allowable enrichment levy.

20 (3) The state local effort assistance funding provided under this  
21 section is not part of the state's program of basic education deemed  
22 by the legislature to comply with the requirements of Article IX,  
23 section 1 of the state Constitution.

24 (4) The definitions in this subsection apply throughout this  
25 section unless the context clearly requires otherwise.

26 (a) "Eligible school district" means a school district whose  
27 maximum allowable enrichment levy divided by the school district's  
28 total student enrollment in the prior school year is less than the  
29 state local effort assistance threshold.

30 (b) "Inflation" means inflation as defined in RCW ~~((84.55.005))~~  
31 84.52.0531.

32 (c) "Maximum allowable enrichment levy" means the maximum levy  
33 permitted by RCW 84.52.0531.

34 (d) "Maximum local effort assistance" means ~~((the—school~~  
35 ~~district's student enrollment in the prior school year multiplied~~  
36 ~~by))~~ the difference ~~((of))~~ between:

37 (i) The school district's actual prior school year enrollment  
38 multiplied by the state local effort assistance threshold; and ((a))

1       (ii) The school district's maximum allowable enrichment levy  
2 ((divided by the school district's student enrollment in the prior  
3 school year)).

4       (e) "Prior school year" means the most recent school year  
5 completed prior to the year in which the state local effort  
6 assistance funding is to be distributed.

7       (f) "State local effort assistance threshold" means either:

8       (i) One thousand five hundred dollars per student, ((adjusted))  
9 increased annually for inflation beginning in calendar year ((2020))  
10 2018 and the percentage of increase in state basic education funding  
11 per average annual full-time equivalent student between the prior  
12 school year and the current school year; or

13       (ii) For school districts with less than one thousand average  
14 annual resident full-time equivalent student enrollments, the  
15 statewide average per pupil rate at one dollar and fifty cents per  
16 one thousand dollars of assessed property value for property values  
17 within school districts of less than one thousand average annual  
18 resident full-time equivalent student enrollments, increased annually  
19 for inflation beginning in calendar year 2018 and the percentage of  
20 increase in state basic education funding per average annual full-  
21 time equivalent student between the prior school year and the current  
22 school year.

23       (g) "Student enrollment" means the average annual resident full-  
24 time equivalent student enrollment.

25       **Sec. 204.** RCW 84.52.054 and 2007 c 54 s 27 are each amended to  
26 read as follows:

27       (1) The additional tax provided for in Article VII, section 2 of  
28 the state Constitution, and specifically authorized by RCW 84.52.052,  
29 84.52.053, 84.52.0531, and 84.52.130, shall be set forth in terms of  
30 dollars on the ballot of the proposition to be submitted to the  
31 voters except as provided in subsection (2) of this section, together  
32 with an estimate of the dollar rate of tax levy that will be required  
33 to produce the dollar amount; and the county assessor, in spreading  
34 this tax upon the rolls, shall determine the eventual dollar rate  
35 required to produce the amount of dollars so voted upon, regardless  
36 of the estimate of dollar rate of tax levy carried in said  
37 proposition. In the case of a school district or fire protection  
38 district proposition for a particular period, the dollar amount and  
39 the corresponding estimate of the dollar rate of tax levy shall be

1 set forth for each of the years in that period. The dollar amount for  
2 each annual levy in the particular period may be equal or in  
3 different amounts.

4 (2) For school districts levying the maximum enrichment funding  
5 levy rate of one dollar and fifty cents as specifically authorized by  
6 RCW 84.52.053 and 84.52.0531, the additional tax shall be set forth  
7 in terms of the dollar rate of tax levy on the ballot of the  
8 proposition to be submitted to the voters.

9 **Sec. 205.** RCW 84.52.065 and 2017 3rd sp.s. c 13 s 301 are each  
10 amended to read as follows:

11 (1) Except as otherwise provided in this section, subject to the  
12 limitations in RCW 84.55.010, in each year the state shall levy for  
13 collection in the following year for the support of common schools of  
14 the state a tax of three dollars and sixty cents per thousand dollars  
15 of assessed value upon the assessed valuation of all taxable property  
16 within the state adjusted to the state equalized value in accordance  
17 with the indicated ratio fixed by the state department of revenue.

18 (2)(a) In addition to the tax authorized under subsection (1) of  
19 this section, the state must levy an additional property tax for the  
20 support of common schools of the state. ~~((i))~~ For taxes levied for  
21 collection beginning in calendar year ~~((s))~~ 2018 ~~((through 2021))~~ and  
22 thereafter, the rate of tax is the rate necessary to bring the  
23 aggregate rate for state property tax levies levied under this  
24 subsection and subsection (1) of this section to a combined rate of  
25 two dollars and seventy cents per thousand dollars of assessed value  
26 upon the assessed valuation of all taxable property within the state  
27 adjusted to the state equalized value in accordance with the  
28 indicated ratio fixed by the state department of revenue.

29 ~~((ii) For taxes levied for collection in calendar year 2022 and~~  
30 ~~thereafter, the tax authorized under this subsection (2) is subject~~  
31 ~~to the limitations of chapter 84.55 RCW.))~~

32 (b) Taxes collected under this subsection (2) must be deposited  
33 into the state general fund.

34 ~~((For taxes levied for collection in calendar years 2019~~  
35 ~~through 2021,))~~ The state property taxes levied under subsections (1)  
36 and (2) of this section are not subject to the limitations in chapter  
37 84.55 RCW.

38 (4) For taxes levied for collection in calendar year 2022 and  
39 thereafter, the aggregate rate limit for state property taxes levied



1 under subsections (1) and (2) of this section is three dollars and  
2 sixty cents per thousand dollars of assessed value upon the assessed  
3 valuation of all taxable property within the state adjusted to the  
4 state equalized value in accordance with the indicated ratio fixed by  
5 the state department of revenue.

6 (5) For property taxes levied for collection in calendar years  
7 2019 through 2021, the rate of tax levied under subsection (1) of  
8 this section is the actual rate that was levied for collection in  
9 calendar year 2018 under subsection (1) of this section.

10 (6) As used in this section, "the support of common schools"  
11 includes the payment of the principal and interest on bonds issued  
12 for capital construction projects for the common schools.

13 **Sec. 206.** RCW 28A.320.330 and 2017 3rd sp.s. c 13 s 601 are each  
14 amended to read as follows:

15 School districts shall establish the following funds in addition  
16 to those provided elsewhere by law:

17 (1)(a) A general fund for the school district to account for all  
18 financial operations of the school district except those required to  
19 be accounted for in another fund.

20 (b) By the 2019-20 school year, a local revenue subfund of its  
21 general fund to account for the financial operations of a school  
22 district that are paid from local revenues. The local revenues that  
23 must be deposited in the local revenue subfund are enrichment levies  
24 (~~and transportation vehicle enrichment levies~~) collected under RCW  
25 84.52.053, local effort assistance funding received under chapter  
26 28A.500 RCW, and other school district local revenues including, but  
27 not limited to, grants, donations, and state and federal payments in  
28 lieu of taxes, but do not include other federal revenues, or local  
29 revenues that operate as an offset to the district's basic education  
30 allocation under RCW 28A.150.250. School districts must track  
31 expenditures from this subfund separately to account for the  
32 expenditure of each of these streams of revenue by source, and must  
33 provide any supplemental expenditure schedules required by the  
34 superintendent of public instruction or state auditor for purposes of  
35 RCW 43.09.2856.

36 (2) A capital projects fund shall be established for major  
37 capital purposes. All statutory references to a "building fund" shall  
38 mean the capital projects fund so established. Money to be deposited  
39 into the capital projects fund shall include, but not be limited to,

1 bond proceeds, proceeds from excess levies authorized by RCW  
2 84.52.053, state apportionment proceeds as authorized by RCW  
3 28A.150.270, earnings from capital projects fund investments as  
4 authorized by RCW 28A.320.310 and 28A.320.320, and state forest  
5 revenues transferred pursuant to subsection (3) of this section.

6 Money derived from the sale of bonds, including interest earnings  
7 thereof, may only be used for those purposes described in RCW  
8 28A.530.010, except that accrued interest paid for bonds shall be  
9 deposited in the debt service fund.

10 Money to be deposited into the capital projects fund shall  
11 include but not be limited to rental and lease proceeds as authorized  
12 by RCW 28A.335.060, and proceeds from the sale of real property as  
13 authorized by RCW 28A.335.130.

14 Money legally deposited into the capital projects fund from other  
15 sources may be used for the purposes described in RCW 28A.530.010,  
16 and for the purposes of:

17 (a) Major renovation and replacement of facilities and systems  
18 where periodical repairs are no longer economical or extend the  
19 useful life of the facility or system beyond its original planned  
20 useful life. Such renovation and replacement shall include, but shall  
21 not be limited to, major repairs, exterior painting of facilities,  
22 replacement and refurbishment of roofing, exterior walls, windows,  
23 heating and ventilating systems, floor covering in classrooms and  
24 public or common areas, and electrical and plumbing systems.

25 (b) Renovation and rehabilitation of playfields, athletic fields,  
26 and other district real property.

27 (c) The conduct of preliminary energy audits and energy audits of  
28 school district buildings. For the purpose of this section:

29 (i) "Preliminary energy audits" means a determination of the  
30 energy consumption characteristics of a building, including the size,  
31 type, rate of energy consumption, and major energy using systems of  
32 the building.

33 (ii) "Energy audit" means a survey of a building or complex which  
34 identifies the type, size, energy use level, and major energy using  
35 systems; which determines appropriate energy conservation maintenance  
36 or operating procedures and assesses any need for the acquisition and  
37 installation of energy conservation measures, including solar energy  
38 and renewable resource measures.

39 (iii) "Energy capital improvement" means the installation, or  
40 modification of the installation, of energy conservation measures in

1 a building which measures are primarily intended to reduce energy  
2 consumption or allow the use of an alternative energy source.

3 (d) Those energy capital improvements which are identified as  
4 being cost-effective in the audits authorized by this section.

5 (e) Purchase or installation of additional major items of  
6 equipment and furniture: PROVIDED, That vehicles shall not be  
7 purchased with capital projects fund money.

8 (f)(i) Costs associated with implementing technology systems,  
9 facilities, and projects, including acquiring hardware, licensing  
10 software, and online applications and training related to the  
11 installation of the foregoing. However, the software or applications  
12 must be an integral part of the district's technology systems,  
13 facilities, or projects.

14 (ii) Costs associated with the application and modernization of  
15 technology systems for operations and instruction including, but not  
16 limited to, the ongoing fees for online applications, subscriptions,  
17 or software licenses, including upgrades and incidental services, and  
18 ongoing training related to the installation and integration of these  
19 products and services. However, to the extent the funds are used for  
20 the purpose under this subsection (2)(f)(ii), the school district  
21 shall transfer to the district's general fund the portion of the  
22 capital projects fund used for this purpose. The office of the  
23 superintendent of public instruction shall develop accounting  
24 guidelines for these transfers in accordance with internal revenue  
25 service regulations.

26 (g) Major equipment repair, painting of facilities, and other  
27 major preventative maintenance purposes. However, to the extent the  
28 funds are used for the purpose under this subsection (2)(g), the  
29 school district shall transfer to the district's general fund the  
30 portion of the capital projects fund used for this purpose. The  
31 office of the superintendent of public instruction shall develop  
32 accounting guidelines for these transfers in accordance with internal  
33 revenue service regulations. Based on the district's most recent two-  
34 year history of general fund maintenance expenditures, funds used for  
35 this purpose may not replace routine annual preventive maintenance  
36 expenditures made from the district's general fund.

37 (3) A debt service fund to provide for tax proceeds, other  
38 revenues, and disbursements as authorized in chapter 39.44 RCW. State  
39 forestland revenues that are deposited in a school district's debt  
40 service fund pursuant to RCW 79.64.110 and to the extent not

1 necessary for payment of debt service on school district bonds may be  
2 transferred by the school district into the district's capital  
3 projects fund.

4 (4) An associated student body fund as authorized by RCW  
5 28A.325.030.

6 (5) Advance refunding bond funds and refunded bond funds to  
7 provide for the proceeds and disbursements as authorized in chapter  
8 39.53 RCW.

9 **Sec. 207.** RCW 84.55.010 and 2017 3rd sp.s. c 13 s 302 are each  
10 amended to read as follows:

11 (1) Except as provided in this chapter, the levy for a taxing  
12 district in any year must be set so that the regular property taxes  
13 payable in the following year do not exceed the limit factor  
14 multiplied by the amount of regular property taxes lawfully levied  
15 for such district in the highest of the three most recent years in  
16 which such taxes were levied for such district plus an additional  
17 dollar amount calculated by multiplying the regular property tax levy  
18 rate of that district for the preceding year by the increase in  
19 assessed value in that district resulting from:

20 (a) New construction;

21 (b) Increases in assessed value due to construction of wind  
22 turbine, solar, biomass, and geothermal facilities, if such  
23 facilities generate electricity and the property is not included  
24 elsewhere under this section for purposes of providing an additional  
25 dollar amount. The property may be classified as real or personal  
26 property;

27 (c) Improvements to property; and

28 (d) Any increase in the assessed value of state-assessed  
29 property.

30 (2) The requirements of this section do not apply to:

31 (a) State property taxes levied under RCW 84.52.065(1) for  
32 collection in calendar year(~~s~~) 2019 (~~(through—2021)~~) and  
33 thereafter; and

34 (b) State property taxes levied under RCW 84.52.065(2) for  
35 collection in calendar year(~~s~~) 2018 (~~(through—2021)~~) and  
36 thereafter.

37 **PART III**  
38 **SCHOOL DISTRICT EDUCATION FUNDING**

1        NEW SECTION.        **Sec. 301.**        The legislature recognizes that  
2 Initiative Measure No. 1433 was approved by the voters of the state  
3 of Washington in 2016 requiring employers to provide paid sick leave  
4 to each of its employees. The legislature also recognizes the state  
5 supreme court has found the state's K-12 funding formulas must  
6 provide for the actual costs of operating the state's program of  
7 basic education. The legislature acknowledges the enactment of  
8 Initiative Measure No. 1433 contributes to the minimum costs  
9 necessary to support instruction and operations of the state's public  
10 schools and intends to adjust the current K-12 funding formulas for  
11 this change to state law.

12        **Sec. 302.**        RCW 28A.150.260 and 2017 3rd sp.s. c 13 s 402 are each  
13 amended to read as follows:

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

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

23        (2)(a) The distribution formula under this section shall be for  
24 allocation purposes only. Except as may be required under subsections  
25 (4)(b) and (c) and (9) of this section, chapter 28A.155, 28A.165,  
26 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in  
27 this section requires school districts to use basic education  
28 instructional funds to implement a particular instructional approach  
29 or service. Nothing in this section requires school districts to  
30 maintain a particular classroom teacher-to-student ratio or other  
31 staff-to-student ratio or to use allocated funds to pay for  
32 particular types or classifications of staff. Nothing in this section  
33 entitles an individual teacher to a particular teacher planning  
34 period.

35        (b) To promote transparency in state funding allocations, the  
36 superintendent of public instruction must report state per-pupil  
37 allocations for each school district for the general apportionment,  
38 special education, learning assistance, transitional bilingual,  
39 highly capable, and career and technical education programs. The

1 superintendent must also report state general apportionment per-pupil  
2 allocations by grade for each school district. The superintendent  
3 must report this information in a user-friendly format on the main  
4 page of the office's web site and on school district apportionment  
5 reports. School districts must include a link to the superintendent's  
6 per-pupil allocations report on the main page of the school  
7 district's web site. In addition, the budget documents published by  
8 the legislature for the enacted omnibus operating appropriations act  
9 must report statewide average per-pupil allocations for general  
10 apportionment and the categorical programs listed in this subsection.

11 (c) Allocations provided in this section are sufficient to  
12 provide for the minimum requirements of paid sick leave in RCW  
13 49.46.020.

14 (3)(a) To the extent the technical details of the formula have  
15 been adopted by the legislature and except when specifically provided  
16 as a school district allocation, the distribution formula for the  
17 basic education instructional allocation shall be based on minimum  
18 staffing and nonstaff costs the legislature deems necessary to  
19 support instruction and operations in prototypical schools serving  
20 high, middle, and elementary school students as provided in this  
21 section. The use of prototypical schools for the distribution formula  
22 does not constitute legislative intent that schools should be  
23 operated or structured in a similar fashion as the prototypes.  
24 Prototypical schools illustrate the level of resources needed to  
25 operate a school of a particular size with particular types and grade  
26 levels of students using commonly understood terms and inputs, such  
27 as class size, hours of instruction, and various categories of school  
28 staff. It is the intent that the funding allocations to school  
29 districts be adjusted from the school prototypes based on the actual  
30 number of annual average full-time equivalent students in each grade  
31 level at each school in the district and not based on the grade-level  
32 configuration of the school to the extent that data is available. The  
33 allocations shall be further adjusted from the school prototypes with  
34 minimum allocations for small schools and to reflect other factors  
35 identified in the omnibus appropriations act.

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

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

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

4 (iii) A prototypical elementary school has four hundred average  
5 annual full-time equivalent students in grades kindergarten through  
6 six.

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

	General education average class size
14 Grades K-3. . . . .	17.00
15 Grade 4. . . . .	27.00
16 Grades 5-6. . . . .	27.00
17 Grades 7-8. . . . .	28.53
18 Grades 9-12. . . . .	28.74

21 (ii) The minimum class size allocation for each prototypical high  
22 school shall also provide for enhanced funding for class size  
23 reduction for two laboratory science classes within grades nine  
24 through twelve per full-time equivalent high school student  
25 multiplied by a laboratory science course factor of 0.0833, based on  
26 the number of full-time equivalent classroom teachers needed to  
27 provide instruction over the minimum required annual instructional  
28 hours in RCW 28A.150.220, and providing at least one teacher planning  
29 period per school day:

	Laboratory science average class size
30 Grades 9-12. . . . .	19.98

33 (b)(i) Beginning September 1, 2018, funding for average K-3 class  
34 sizes in this subsection (4) may be provided only to the extent of,  
35 and proportionate to, the school district's demonstrated actual class  
36 size in grades K-3, up to the funded class sizes, except as provided  
37 in this subsection (4)(b).

1 (ii) School districts demonstrating a lack of capital capacity  
 2 must be funded at the class sizes specified in (a) of this  
 3 subsection.

4 (iii) The office of the superintendent of public instruction  
 5 shall develop rules to implement this subsection (4)(b).

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

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level. . . . .	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction. . . . .	20.00

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

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

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

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

27 (5) The minimum allocation for each level of prototypical school  
 28 shall include allocations for the following types of staff in  
 29 addition to classroom teachers:

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators. . . . .	((1-253)) <u>1.284</u>	((1-353)) <u>1.387</u>	((1-880)) <u>1.927</u>
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. . . . .	((0-663)) <u>0.680</u>	((0-519)) <u>0.532</u>	((0-523)) <u>0.536</u>

38 Health and social services:



1	School nurses. ....	((0.076))	((0.060))	((0.096))
2		<u>0.078</u>	<u>0.062</u>	<u>0.098</u>
3	Social workers. ....	((0.042))	0.006	0.015
4		<u>0.043</u>		
5	Psychologists. ....	0.017	0.002	0.007
6	Guidance counselors, a function that includes parent outreach and graduation			
7	advising. ....	((0.493))	((1.216))	((2.539))
8		<u>0.505</u>	<u>1.246</u>	<u>2.602</u>
9	Teaching assistance, including any aspect of educational instructional services			
10	provided by classified employees. ....	((0.936))	((0.700))	((0.652))
11		<u>0.959</u>	<u>0.718</u>	<u>0.668</u>
12	Office support and other noninstructional aides. ....	((2.012))	((2.325))	((3.269))
13		<u>2.062</u>	<u>2.383</u>	<u>3.351</u>
14	Custodians. ....	((1.657))	((1.942))	((2.965))
15		<u>1.698</u>	<u>1.991</u>	<u>3.039</u>
16	Classified staff providing student and staff safety. ....	((0.079))	((0.092))	((0.141))
17		<u>0.081</u>	<u>0.094</u>	<u>0.145</u>
18	Parent involvement coordinators. ....	((0.0825))	0.00	0.00
19		<u>0.085</u>		

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

24		Staff per 1,000
25		K-12 students
26	Technology. . . . .	((0.628)) <u>0.653</u>
27	Facilities, maintenance, and grounds. . . . .	((1.813)) <u>0.838</u>
28	Warehouse, laborers, and mechanics. . . . .	((0.332)) <u>0.357</u>

29 (b) The minimum allocation of staff units for each school  
30 district to support certificated and classified staffing of central  
31 administration shall be 5.30 percent of the staff units generated  
32 under subsections (4)(a) and (5) of this section and (a) of this  
33 subsection.

34 (7) The distribution formula shall include staffing allocations  
35 to school districts for career and technical education and skill

1 center administrative and other school-level certificated staff, as  
2 specified in the omnibus appropriations act.

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

	Per annual average full-time equivalent student in grades K-12
9 Technology. . . . .	\$130.76
10 Utilities and insurance. . . . .	\$355.30
11 Curriculum and textbooks. . . . .	\$140.39
12 Other supplies and library materials. . . . .	\$298.05
13 Instructional professional development for certificated and 14 classified staff. . . . .	\$21.71
15 Facilities maintenance. . . . .	\$176.01
16 Security and central office administration. . . . .	\$121.94

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

	Per annual average full-time equivalent student in grades 9-12
23 Technology. . . . .	\$36.35
24 Curriculum and textbooks. . . . .	\$39.02
25 Other supplies and library materials. . . . .	\$82.84
26 Instructional professional development for certificated and 27 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  
33  
34  
35  
36  
37

1 (a) Exploratory career and technical education courses for  
2 students in grades seven through twelve;

3 (b) Preparatory career and technical education courses for  
4 students in grades nine through twelve offered in a high school; and

5 (c) Preparatory career and technical education courses for  
6 students in grades eleven and twelve offered through a skill center.

7 (10) In addition to the allocations otherwise provided under this  
8 section, amounts shall be provided to support the following programs  
9 and services:

10 (a)(i) To provide supplemental instruction and services for  
11 students who are not meeting academic standards through the learning  
12 assistance program under RCW 28A.165.005 through 28A.165.065,  
13 allocations shall be based on the district percentage of students in  
14 grades K-12 who were eligible for free or reduced-price meals in the  
15 prior school year. The minimum allocation for the program shall  
16 provide for each level of prototypical school resources to provide,  
17 on a statewide average, 2.3975 hours per week in extra instruction  
18 with a class size of fifteen learning assistance program students per  
19 teacher.

20 (ii) In addition to funding allocated under (a)(i) of this  
21 subsection, to provide supplemental instruction and services for  
22 students who are not meeting academic standards in schools where at  
23 least fifty percent of students are eligible for free and reduced-  
24 price meals in the prior school year, except as provided in this  
25 subsection (10)(a). The minimum allocation for this additional high  
26 poverty-based allocation must provide for each level of prototypical  
27 school resources to provide(~~(, on a statewide average,)~~) 1.1 hours  
28 per week in extra instruction with a class size of fifteen learning  
29 assistance program students per teacher, under RCW 28A.165.055,  
30 school districts must distribute the high poverty-based allocation to  
31 the schools that generated the funding allocation.

32 (iii) School districts that received state funding under (a)(ii)  
33 of this subsection in the prior school year but no longer qualify in  
34 the current school year must receive the following reductions of the  
35 high poverty-based allocation:

36 (A) In the first year after disqualification, no reduction;

37 (B) In year two after disqualification, thirty-three percent  
38 reduction; and

39 (C) In year three after disqualification, sixty-six percent  
40 reduction.

1 (b)(i) To provide supplemental instruction and services for  
2 students whose primary language is other than English, allocations  
3 shall be based on the head count number of students in each school  
4 who are eligible for and enrolled in the transitional bilingual  
5 instruction program under RCW 28A.180.010 through 28A.180.080. The  
6 minimum allocation for each level of prototypical school shall  
7 provide resources to provide, on a statewide average, 4.7780 hours  
8 per week in extra instruction for students in grades kindergarten  
9 through six and 6.7780 hours per week in extra instruction for  
10 students in grades seven through twelve, with fifteen transitional  
11 bilingual instruction program students per teacher. Notwithstanding  
12 other provisions of this subsection (10), the actual per-student  
13 allocation may be scaled to provide a larger allocation for students  
14 needing more intensive intervention and a commensurate reduced  
15 allocation for students needing less intensive intervention, as  
16 detailed in the omnibus appropriations act.

17 (ii) To provide supplemental instruction and services for  
18 students who have exited the transitional bilingual program,  
19 allocations shall be based on the head count number of students in  
20 each school who have exited the transitional bilingual program within  
21 the previous two years based on their performance on the English  
22 proficiency assessment and are eligible for and enrolled in the  
23 transitional bilingual instruction program under RCW  
24 28A.180.040(1)(g). The minimum allocation for each prototypical  
25 school shall provide resources to provide, on a statewide average,  
26 3.0 hours per week in extra instruction with fifteen exited students  
27 per teacher.

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

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

39 (12)(a) For the purposes of allocations for prototypical high  
40 schools and middle schools under subsections (4) and (10) of this

1 section that are based on the percent of students in the school who  
2 are eligible for free and reduced-price meals, the actual percent of  
3 such students in a school shall be adjusted by a factor identified in  
4 the omnibus appropriations act to reflect underreporting of free and  
5 reduced-price meal eligibility among middle and high school students.

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

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

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

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

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

34 **Sec. 303.** RCW 28A.400.007 and 2017 3rd sp.s. c 13 s 904 are each  
35 amended to read as follows:

36 (1) In addition to the staffing units in RCW 28A.150.260, the  
37 superintendent of public instruction must provide school districts  
38 with allocations for the following staff units if and to the extent  
39 that funding is specifically appropriated and designated for that

1 category of staffing unit in the omnibus operating appropriations  
 2 act.

3 (a) Additional staffing units for each level of prototypical  
 4 school in RCW 28A.150.260:

	Elementary School	Middle School	High School
5 Principals, assistant principals, and other certificated building-level			
6 administrators. ....	((0.0470))	((0.0470))	((0.0200))
7	<u>0.0480</u>	<u>0.0480</u>	<u>0.0210</u>
8 Teacher-librarians, a function that includes information literacy, technology,			
9 and media to support school library media programs. ....	((0.3370))	((0.4810))	((0.4770))
10	<u>0.3450</u>	<u>0.493</u>	<u>0.4890</u>
11 Health and social services:			
12 School nurses. ....	((0.5090))	((0.8280))	((0.7280))
13	<u>0.5220</u>	<u>0.8490</u>	<u>0.7460</u>
14 Social workers. ....	((0.2690))	((0.0820))	((0.1120))
15	<u>0.2760</u>	<u>0.084</u>	<u>0.1150</u>
16 Psychologists. ....	((0.0870))	((0.0220))	((0.0420))
17	<u>0.0890</u>	<u>0.0230</u>	<u>0.0430</u>
18 Guidance counselors, a function that includes parent outreach and graduation			
19 advising. ....	0.0070	((0.7840))	((0.9610))
20		<u>0.804</u>	<u>0.9850</u>
21 Teaching assistance, including any aspect of educational instructional services			
22 provided by classified employees. ....	((1.0640))	((0.3000))	((0.3480))
23	<u>1.0910</u>	<u>0.3080</u>	<u>0.3570</u>
24 Office support and other noninstructional aides. ....	((0.9880))	((1.1750))	((0.2310))
25	<u>1.013</u>	<u>1.204</u>	<u>0.2370</u>
26 Custodians. ....	((0.0430))	((0.0580))	((0.0350))
27	<u>0.0440</u>	<u>0.0590</u>	<u>0.0360</u>
28 Classified staff providing student and staff safety. ....	0.0000	((0.6080))	((1.1590))
29		<u>0.6230</u>	<u>1.1880</u>
30 Parent involvement coordinators. ....	((0.9175))	((1.0000))	((1.0000))
31	<u>0.940</u>	<u>1.0250</u>	<u>1.0250</u>

34 (b) Additional certificated instructional staff units sufficient  
 35 to achieve the following reductions in class size in each level of  
 36 prototypical school under RCW 28A.150.260:

1		General education
2		certificated instructional
3		staff units sufficient to
4		achieve class size reduction of:
5	Grades K-3 class size. . . . .	0.00
6	Grade 4. . . . .	2.00
7	Grades 5-6. . . . .	2.00
8	Grades 7-8. . . . .	3.53
9	Grades 9-12. . . . .	3.74
10	CTE. . . . .	4.00
11	Skills. . . . .	4.00

12		High poverty
13		certificated instructional
14		staff units sufficient to
15		achieve class size reduction of:
16	Grades K-3 class size. . . . .	2.00
17	Grade 4. . . . .	5.00
18	Grades 5-6. . . . .	4.00
19	Grades 7-8. . . . .	5.53
20	Grades 9-12. . . . .	5.74

21 (c) Additional staffing units for each school district to provide  
 22 district-wide support services must be allocated per one thousand  
 23 annual average full-time equivalent students in grades K-12 in RCW  
 24 28A.150.260:

25	<u>Technology. . . . .</u>	<u>2.226</u>
26	<u>Facilities, maintenance, and grounds. . . . .</u>	<u>2.242</u>
27	<u>Warehouse, laborers, and mechanics. . . . .</u>	<u>1.607</u>

28 (2)(a) The staffing units in subsection (1) of this section are  
 29 an enrichment to and are beyond the state's statutory program of  
 30 basic education in RCW 28A.150.220 and 28A.150.260. However, if and  
 31 to the extent that any of these additional staffing units are funded  
 32 by specific reference to this section in the omnibus operating  
 33 appropriations act, those units become part of prototypical school  
 34 funding formulas and a component of the state funding that the  
 35 legislature deems necessary to support school districts in offering  
 36 the statutory program of basic education under Article IX, section 1  
 37 of the state Constitution.

1 (b) Allocations provided in this section are sufficient to  
2 provide for the paid sick leave minimum requirements of RCW  
3 49.46.020.

4 (3) For the 2021-2023 fiscal biennium, funding allocations in the  
5 omnibus appropriations act must provide for fifty percent phase-in of  
6 the staffing values provided in subsection (1) of this section  
7 prioritizing allocations to high-poverty school districts. For the  
8 2023-2025 fiscal biennium, funding allocations in the omnibus  
9 appropriations act must be no less than the funding necessary to  
10 support the staffing values in subsection (1) of this section.

11 **Sec. 304.** RCW 28A.165.055 and 2017 3rd sp.s. c 13 s 405 are each  
12 amended to read as follows:

13 (1) The funds for the learning assistance program shall be  
14 appropriated in accordance with RCW 28A.150.260 and the omnibus  
15 appropriations act. The distribution formula is for school district  
16 allocation purposes only, except as provided in RCW  
17 28A.150.260(10)(a)(ii), but all funds appropriated for the learning  
18 assistance program must be expended for the purposes of RCW  
19 28A.165.005 through 28A.165.065.

20 (2) A district's high poverty-based allocation (~~is generated~~  
21 ~~by~~) as provided in RCW 28A.150.260(10)(b)(ii) is based on school-  
22 level average annual full-time equivalent enrollments for schools  
23 with student participation greater than fifty percent in the free and  
24 reduced-price meals program at its qualifying schools (~~buildings~~)  
25 and must be expended by the district for those (~~buildings~~) schools.  
26 This funding must supplement and not supplant the district's  
27 expenditures under this chapter for those schools (~~buildings~~).

28 **Sec. 305.** RCW 28A.510.250 and 2011 1st sp.s. c 4 s 1 are each  
29 amended to read as follows:

30 (1) On or before the last business day of September 1969 and each  
31 month thereafter, the superintendent of public instruction shall  
32 apportion from the state general fund to the several educational  
33 service districts of the state the proportional share of the total  
34 annual amount due and apportionable to such educational service  
35 districts for the school districts thereof as follows:

36	September .....	9%
37	October .....	9%



1	November .....	5.5%
2	December .....	9%
3	January .....	9%
4	February .....	9%
5	March .....	9%
6	April .....	9%
7	May .....	5.5%
8	June .....	6.0%
9	July .....	10.0%
10	August .....	10.0%

11       The annual amount due and apportionable shall be the amount  
 12 apportionable for all apportionment credits estimated to accrue to  
 13 the schools during the apportionment year beginning September (~~(first~~  
 14 ~~{1st})~~) 1st and continuing through August (~~(thirty first~~ ~~{31st})~~)  
 15 31st. Appropriations made for school districts for each year of a  
 16 biennium shall be apportioned according to the schedule set forth in  
 17 this section for the fiscal year starting September 1st of the then  
 18 calendar year and ending August 31st of the next calendar year,  
 19 except as provided in subsection (2) of this section. The  
 20 apportionment from the state general fund for each month shall be an  
 21 amount which will equal the amount due and apportionable to the  
 22 several educational service districts during such month: PROVIDED,  
 23 That any school district may petition the superintendent of public  
 24 instruction for an emergency advance of funds which may become  
 25 apportionable to it but not to exceed ten percent of the total amount  
 26 to become due and apportionable during the school districts  
 27 apportionment year. The superintendent of public instruction shall  
 28 determine if the emergency warrants such advance and if the funds are  
 29 available therefor. If the superintendent determines in the  
 30 affirmative, he or she may approve such advance and, at the same  
 31 time, add such an amount to the apportionment for the educational  
 32 service district in which the school district is located: PROVIDED,  
 33 That the emergency advance of funds and the interest earned by school  
 34 districts on the investment of temporary cash surpluses resulting  
 35 from obtaining such advance of state funds shall be deducted by the  
 36 superintendent of public instruction from the remaining amount  
 37 apportionable to said districts during that apportionment year in  
 38 which the funds are advanced.

1 (2) In the 2010-11 school year, the June apportionment payment to  
2 school districts shall be reduced by one hundred twenty-eight million  
3 dollars, and an additional apportionment payment shall be made on  
4 July 1, 2011, in the amount of one hundred twenty-eight million  
5 dollars. This July 1st payment shall be in addition to the regularly  
6 calculated July apportionment payment.

7 (3) If the superintendent of public instruction determines that  
8 the school funding changes required in chapter 13, Laws of 2017 3rd  
9 sp. sess. have adversely impacted the net state and local levy  
10 revenues of a school district, the superintendent shall add such an  
11 amount to the apportionment for the school district. The  
12 superintendent must calculate and publish annually the estimated  
13 state and local levy revenues each school district would have  
14 received using the funding formulas in effect before school year  
15 2018-19 with annual inflationary increases as compared to the current  
16 state and local levy revenues.

17 **Sec. 306.** RCW 28A.510.250 and 2017 3rd sp.s. c 13 s 1004 are  
18 each amended to read as follows:

19 (1) On or before the last business day of September 1969 and each  
20 month thereafter, the superintendent of public instruction shall  
21 apportion from the state general fund to the several educational  
22 service districts of the state the proportional share of the total  
23 annual amount due and apportionable to such educational service  
24 districts for the school districts thereof as follows:

25	September .....	9%
26	October .....	8%
27	November .....	5%
28	December .....	9%
29	January .....	8.5%
30	February .....	9%
31	March .....	9%
32	April .....	9%
33	May .....	5%
34	June .....	6.0%
35	July .....	12.5%
36	August .....	10.0%

1       The annual amount due and apportionable shall be the amount  
2 apportionable for all apportionment credits estimated to accrue to  
3 the schools during the apportionment year beginning September 1st and  
4 continuing through August 31st. Appropriations made for school  
5 districts for each year of a biennium shall be apportioned according  
6 to the schedule set forth in this section for the fiscal year  
7 starting September 1st of the then calendar year and ending August  
8 31st of the next calendar year, except as provided in subsection (2)  
9 of this section. The apportionment from the state general fund for  
10 each month shall be an amount which will equal the amount due and  
11 apportionable to the several educational service districts during  
12 such month: PROVIDED, That any school district may petition the  
13 superintendent of public instruction for an emergency advance of  
14 funds which may become apportionable to it but not to exceed ten  
15 percent of the total amount to become due and apportionable during  
16 the school districts apportionment year. The superintendent of public  
17 instruction shall determine if the emergency warrants such advance  
18 and if the funds are available therefor. If the superintendent  
19 determines in the affirmative, he or she may approve such advance  
20 and, at the same time, add such an amount to the apportionment for  
21 the educational service district in which the school district is  
22 located: PROVIDED, That the emergency advance of funds and the  
23 interest earned by school districts on the investment of temporary  
24 cash surpluses resulting from obtaining such advance of state funds  
25 shall be deducted by the superintendent of public instruction from  
26 the remaining amount apportionable to said districts during that  
27 apportionment year in which the funds are advanced.

28       (2) In the 2010-11 school year, the June apportionment payment to  
29 school districts shall be reduced by one hundred twenty-eight million  
30 dollars, and an additional apportionment payment shall be made on  
31 July 1, 2011, in the amount of one hundred twenty-eight million  
32 dollars. This July 1st payment shall be in addition to the regularly  
33 calculated July apportionment payment.

34       (3) If the superintendent of public instruction determines that  
35 the school funding changes required in chapter 13, Laws of 2017 3rd  
36 sp. sess. have adversely impacted the net state and local levy  
37 revenues of a school district, the superintendent shall add such an  
38 amount to the apportionment for the school district. The  
39 superintendent must calculate and publish annually the estimated

1 state and local levy revenues each school district would have  
2 received using the funding formulas in effect before school year  
3 2018-19 with annual inflationary increases as compared to the current  
4 state and local levy revenues.

5 **Sec. 307.** RCW 28A.150.276 and 2017 3rd sp.s. c 13 s 501 are each  
6 amended to read as follows:

7 (1)(a) Beginning September 1, 2019, school districts may use  
8 local revenues only for documented and demonstrated enrichment of the  
9 state's statutory program of basic education as authorized in  
10 subsection (2) of this section.

11 (b) Nothing in this section revises the definition of the program  
12 of basic education under RCW 28A.150.220 and 28A.150.260.

13 (c) For purposes of this section, "local revenues" means  
14 enrichment levies collected under RCW 84.52.053, (~~transportation~~  
15 ~~vehicle enrichment levies,~~) local effort assistance funding received  
16 under chapter 28A.500 RCW, and other school district local revenues  
17 including, but not limited to, grants, donations, and state and  
18 federal payments in lieu of taxes, except that "local revenues" does  
19 not include other federal revenues, or local revenues that operate as  
20 an offset to the district's basic education allocation under RCW  
21 28A.150.250.

22 (2)(~~(a) Enrichment activities are permitted under this section~~  
23 ~~if they provide supplementation beyond the state:~~

24 ~~(i) Minimum instructional offerings of RCW 28A.150.220 or~~  
25 ~~28A.150.260;~~

26 ~~(ii) Staffing ratios or program components of RCW 28A.150.260,~~  
27 ~~including providing additional staff for class size reduction beyond~~  
28 ~~class sizes allocated in the prototypical school model and additional~~  
29 ~~staff beyond the staffing ratios allocated in the prototypical school~~  
30 ~~formula;~~

31 ~~(iii) Program components of RCW 28A.150.200, 28A.150.220, or~~  
32 ~~28A.150.260; or~~

33 ~~(iv) Program of professional learning as defined by RCW~~  
34 ~~28A.415.430 beyond that allocated pursuant to RCW 28A.150.415.~~

35 ~~(b) Permitted enrichment activities consist of:~~

36 ~~(i) Extracurricular activities, extended school days, or an~~  
37 ~~extended school year;~~

1 ~~(ii) Additional course offerings beyond the minimum instructional~~  
2 ~~program established in the state's statutory program of basic~~  
3 ~~education;~~

4 ~~(iii) Activities associated with early learning programs;~~

5 ~~(iv) Any additional salary costs attributable to the provision or~~  
6 ~~administration of the enrichment activities allowed under this~~  
7 ~~subsection; and~~

8 ~~(v) Additional activities or enhancements that the office of the~~  
9 ~~superintendent of public instruction determines to be a documented~~  
10 ~~and demonstrated enrichment of the state's statutory program of basic~~  
11 ~~education under (a) of this subsection and for which the~~  
12 ~~superintendent approves proposed expenditures during the preballot~~  
13 ~~approval process required by RCW 84.52.053 and 28A.505.240))~~

14 Enrichment beyond the state-provided funding in the omnibus  
15 appropriations act for the basic education program components under  
16 RCW 28A.150.200, 28A.150.220, 28A.150.260, 28A.150.390, or  
17 28A.160.180 is a permitted use of local revenues.

18 ~~(3) ((In addition to the limitations of subsections (1) and (2)~~  
19 ~~of this section and of RCW 28A.400.200, permitted enrichment~~  
20 ~~activities are subject to the following conditions and limitations:~~

21 ~~(a) If a school district spends local revenues for salary costs~~  
22 ~~attributable to the administration of enrichment programs, the~~  
23 ~~portion of administrator salaries attributable to that purpose may~~  
24 ~~not exceed the proportion of the district's local revenues to its~~  
25 ~~other revenues; and~~

26 ~~(b) Supplemental contracts under RCW 28A.400.200 are subject to~~  
27 ~~the limitations of this section.~~

28 ~~(4))~~ The superintendent of public instruction must adopt rules  
29 to implement this section.

#### 30 PART IV

#### 31 COLLECTIVE BARGAINING

32 **Sec. 401.** RCW 41.56.800 and 2017 3rd sp.s. c 13 s 701 are each  
33 amended to read as follows:

34 (1) A school district collective bargaining agreement for  
35 classified staff that is executed or modified after July 6, 2017, and  
36 that is in effect for the 2018-19 school year, except as provided in  
37 subsection (3) of this section, may not ~~((provide school district~~  
38 ~~classified staff with a percentage))~~ increase ~~((to))~~ total salary for

1 the 2018-19 school year, including supplemental contracts, (~~that~~  
2 ~~exceeds the previous calendar year's annual average consumer price~~  
3 ~~index, using the official current base compiled by the bureau of~~  
4 ~~labor statistics, United States department of labor, for the city of~~  
5 ~~Seattle. However, if a district's average classified staff salary is~~  
6 ~~less than the average classified salary allocated by the state for~~  
7 ~~that year, the district may increase salaries not to exceed the point~~  
8 ~~where the district's average classified staff salary equals the~~  
9 ~~average classified staff salary allocated by the state.~~

10 ~~(2))~~ in excess of the following:

11 (a) Annual salary inflationary adjustments based on the rate of  
12 the yearly increase of the previous calendar year's annual average  
13 consumer price index, using the official current base, compiled by  
14 the bureau of labor statistics, United States department of labor,  
15 and that includes all items, covers the greatest number of people in  
16 Washington, and covers areas exclusively within the boundaries of the  
17 state, and annual experience and education salary step increases as  
18 according to the salary schedule specified in the agreement; or

19 (b) School districts with an average total classified staff  
20 salary less than the statewide average classified salary allocation  
21 used to distribute funds for basic education as estimated by the  
22 office of the superintendent of public instruction for the 2018-19  
23 school year may provide salary increases up to the statewide average  
24 allocation.

25 (2) The following salary changes are excluded from the  
26 limitations in subsection (1) of this section: Extended learning  
27 opportunities for students; costs related to new curriculum  
28 implementation; new employee responsibilities mandated by state or  
29 federal law; overtime payments; leave buyouts and buybacks; stipends  
30 or compensation paid to long-term substitutes; additional  
31 responsibility; additional incentive for additional course loads or  
32 class size overload; or any additional costs for unforeseen school  
33 emergencies.

34 (3) For the purposes of this section, any collective bargaining  
35 agreement modified after July 6, 2017, is not subject to the  
36 compensation limitations of this section if the modifications are  
37 made solely for the purposes of assuring that the original intent of  
38 the collective bargaining agreement is not impaired or altered as a  
39 result of the provisions of chapter 13, Laws of 2017 3rd sp. sess.,

1 the omnibus appropriations act, or chapter . . . , Laws of 2018 (this  
2 act).

3 (4) This section expires August 31, 2019.

4 **Sec. 402.** RCW 41.59.800 and 2017 3rd sp.s. c 13 s 702 are each  
5 amended to read as follows:

6 (1) A school district collective bargaining agreement for  
7 certificated instructional staff that is executed or modified after  
8 July 6, 2017, and that is in effect for the 2018-19 school year,  
9 except as provided in subsection (3) of this section, may not  
10 ~~((provide school district certificated instructional staff with a~~  
11 ~~percentage)) increase ~~((to))~~ total salary for the 2018-19 school~~  
12 ~~year, including supplemental contracts~~((, that exceeds the previous~~~~  
13 ~~calendar year's annual average consumer price index, using the~~  
14 ~~official current base compiled by the bureau of labor statistics,~~  
15 ~~United States department of labor, for the city of Seattle. However,~~  
16 ~~if a district's average certificated instructional staff salary is~~  
17 ~~less than the average certificated instructional staff salary~~  
18 ~~allocated by the state for that year, the district may increase~~  
19 ~~salaries not to exceed the point where the district's average~~  
20 ~~certificated instructional staff salary equals the average~~  
21 ~~certificated instructional staff salary allocated by the state.~~

22 ~~(2))~~ in excess of the following:

23 (a) Annual salary inflationary adjustments based on the rate of  
24 the yearly increase of the previous calendar year's annual average  
25 consumer price index, using the official current base, compiled by  
26 the bureau of labor statistics, United States department of labor,  
27 and that includes all items, covers the greatest number of people in  
28 Washington, and covers areas exclusively within the boundaries of the  
29 state, and annual experience and education salary step increases as  
30 according to the salary schedule specified in the agreement; or

31 (b) School districts with an average total certificated  
32 instructional staff salary less than the statewide average  
33 certificated instructional staff salary allocation used to distribute  
34 funds for basic education as estimated by the office of the  
35 superintendent of public instruction for the 2018-19 school year may  
36 provide salary increases up to the statewide average allocation.

37 (2) The following salary changes are excluded from the  
38 limitations in subsection (1) of this section: New national board  
39 certified teacher bonuses; extended learning opportunities for

1 students; costs related to new curriculum implementation; new  
2 employee responsibilities mandated by state or federal law; overtime  
3 payments; leave buyouts and buybacks; stipends or compensation paid  
4 to long-term substitutes; additional responsibility; additional  
5 incentive for additional course loads or class size overload; or any  
6 additional costs for unforeseen school emergencies.

7 (3) For the purposes of this section, any collective bargaining  
8 agreement modified after July 6, 2017, is not subject to the  
9 compensation limitations of this section if the modifications are  
10 made solely for the purposes of assuring that the original intent of  
11 the collective bargaining agreement is not impaired or altered as a  
12 result of the provisions of chapter 13, Laws of 2017 3rd sp. sess.,  
13 the omnibus appropriations act, or chapter . . ., Laws of 2018 (this  
14 act).

15 (4) This section expires August 31, 2019.

16 **Sec. 403.** RCW 28A.400.006 and 2017 3rd sp.s. c 13 s 703 are each  
17 amended to read as follows:

18 (1) A school district may not provide any school district  
19 certificated administrative staff with a percentage increase to total  
20 salary for the 2018-19 school year, including supplemental  
21 contracts (~~(, that exceeds the previous calendar year's annual average~~  
22 ~~consumer price index, using the official current base compiled by the~~  
23 ~~bureau of labor statistics, United States department of labor, for~~  
24 ~~the city of Seattle. However, if a district's average certificated~~  
25 ~~administrative staff salary is less than the average certificated~~  
26 ~~administrative salary allocated by the state for that year, the~~  
27 ~~district may increase salaries not to exceed the point where the~~  
28 ~~district's average certificated administrative staff salary equals~~  
29 ~~the average certificated administrative staff salary allocated by the~~  
30 ~~state.~~

31 ~~(2))~~ in excess of the following:

32 (a) Annual salary inflationary adjustments based on the rate of  
33 the yearly increase of the previous calendar year's annual average  
34 consumer price index, using the official current base, compiled by  
35 the bureau of labor statistics, United States department of labor,  
36 and that includes all items, covers the greatest number of people in  
37 Washington, and covers areas exclusively within the boundaries of the  
38 state, and annual experience and education salary step increases as  
39 according to the salary schedule specified by the school district; or



1 (b) School districts with an average total certificated  
2 administrative staff salary less than the statewide average  
3 certificated administrative staff salary allocation used to  
4 distribute funds for basic education as estimated by the office of  
5 the superintendent of public instruction for the 2018-19 school year  
6 may provide salary increases up to the statewide average allocation.

7 (2) The following salary changes are excluded from the  
8 limitations in subsection (1) of this section: Extended learning  
9 opportunities for students; costs related to new curriculum  
10 implementation; new employee responsibilities mandated by state or  
11 federal law; overtime payments; leave buyouts and buybacks; stipends  
12 or compensation paid to long-term substitutes; additional  
13 responsibility; or any additional costs for unforeseen school  
14 emergencies.

15 (3) This section expires August 31, 2019.

16 **Sec. 404.** RCW 41.56.907 and 2017 3rd sp.s. c 13 s 704 are each  
17 amended to read as follows:

18 Nothing in chapter 13, Laws of 2017 3rd sp. sess. or  
19 chapter . . . , Laws of 2018 (this act) is intended to alter or impair  
20 school district collective bargaining agreements for certificated  
21 instructional and certificated administrative staff that are in  
22 effect on ((October 19, 2017)) the effective date of this section.  
23 Any school district collective bargaining agreement executed or  
24 modified after ((October 19, 2017,)) the effective date of this  
25 section must comply with chapter ((13, Laws of 2017 3rd sp.  
26 sess)) . . . , Laws of 2018 (this act).

27 **Sec. 405.** RCW 41.59.937 and 2017 3rd sp.s. c 13 s 705 are each  
28 amended to read as follows:

29 Nothing in chapter 13, Laws of 2017 3rd sp. sess. or  
30 chapter . . . , Laws of 2018 (this act) is intended to alter or impair  
31 school district collective bargaining agreements for classified staff  
32 that are in effect on ((October 19, 2017)) the effective date of this  
33 section. Any school district collective bargaining agreement executed  
34 or modified after ((October 19, 2017,)) the effective date of this  
35 section must comply with chapter ((13, Laws of 2017 3rd sp.  
36 sess)) . . . , Laws of 2018 (this act).

MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 501.** The following acts or parts of acts are each repealed:

(1) RCW 28A.415.020 (Credit on salary schedule for approved in-service training, continuing education, and internship) and 2011 1st sp.s. c 18 s 5, 2007 c 319 s 3, 2006 c 263 s 808, 1995 c 284 s 2, 1990 c 33 s 415, & 1987 c 519 s 1;

(2) RCW 28A.415.023 (Credit on salary schedule for approved in-service training, continuing education, or internship—Course content—Rules) and 2012 c 35 s 6 & 2011 1st sp.s. c 18 s 6; and

(3) RCW 28A.415.024 (Credit on salary schedule—Accredited institutions—Verification—Penalty for submitting credits from unaccredited institutions) and 2006 c 263 s 809 & 2005 c 461 s 1.

NEW SECTION. **Sec. 502.** The following acts or parts of acts are each repealed:

(1) RCW 41.56.800 (School district collective bargaining agreements—Classified staff—Restrictions during the 2018-19 school year) and 2017 3rd sp.s. c 13 s 701;

(2) RCW 41.59.800 (School district collective bargaining agreements—Certificated instructional staff—Restrictions during the 2018-19 school year) and 2017 3rd sp.s. c 13 s 702; and

(3) RCW 28A.400.006 (Salary restrictions during the 2018-19 school year—Certificated administrative staff) and 2017 3rd sp.s. c 13 s 703.

NEW SECTION. **Sec. 503.** Sections 201 through 203 of this act take effect January 1, 2019.

NEW SECTION. **Sec. 504.** Sections 302 through 305 and 501 of this act take effect September 1, 2018.

NEW SECTION. **Sec. 505.** Section 305 of this act expires September 1, 2019.

NEW SECTION. **Sec. 506.** Section 306 of this act takes effect September 1, 2019.

1        NEW SECTION.    **Sec. 507.**    Sections 401 through 403 and 502 of this  
2 act take effect July 1, 2018.

3        NEW SECTION.    **Sec. 508.**    If specific funding for increased salary  
4 allocations above those funded in the biennial 2017-2019 omnibus  
5 appropriations act to provide expedited implementation of salary  
6 allocations by school year 2018-19, is provided by June 30, 2018, in  
7 the omnibus appropriations act, sections 401 through 403 of this act  
8 are null and void.

9        NEW SECTION.    **Sec. 509.**    If specific funding for increased salary  
10 allocations above those funded in the biennial 2017-2019 omnibus  
11 appropriations act to provide expedited implementation of salary  
12 allocations by school year 2018-19 is not provided by June 30, 2018,  
13 in the omnibus appropriations act, section 502 of this act is null  
14 and void.

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