
HOUSE BILL 1265

State of Washington

66th Legislature

2019 Regular Session

By Representatives Ortiz-Self, Harris, Santos, Volz, Senn, Kilduff, Orwall, Riccelli, Frame, Dolan, Valdez, Steele, Lovick, Peterson, Reeves, Tarleton, Fitzgibbon, Walen, Sells, Doglio, Bergquist, Stanford, Appleton, Slatter, Thai, Wylie, Jenkins, Macri, Pollet, Goodman, and Leavitt

Read first time 01/17/19. Referred to Committee on Education.

1 AN ACT Relating to increasing student access to school
2 counselors; amending RCW 28A.150.260 and 28A.150.260; adding new
3 sections to chapter 28A.320 RCW; providing an effective date; and
4 providing expiration dates.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
7 RCW to read as follows:

8 (1)(a) Except as required under (b) of this subsection, school
9 counselors are encouraged to spend at least eighty percent of their
10 time providing direct services to students.

11 (b) School counselors supported by allocations provided under RCW
12 28A.150.260(5)(b) are required to spend at least eighty percent of
13 their time providing direct services to students.

14 (2) The office of the superintendent of public instruction must
15 adopt a rule that defines "direct services," in a manner that is
16 consistent with the American school counselor association's national
17 model. "Direct services" may not include the coordination of
18 standardized testing.

19 (3) This section expires August 31, 2022.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
2 RCW to read as follows:

3 (1) School counselors are required to spend at least eighty
4 percent of their time providing direct services to students.

5 (2) The office of the superintendent of public instruction must
6 adopt a rule that defines "direct services," in a manner that is
7 consistent with the American school counselor association's national
8 model. "Direct services" may not include the coordination of
9 standardized testing.

10 **Sec. 3.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended to
11 read as follows:

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

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

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

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

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

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

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

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

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

38 (iii) A prototypical elementary school has four hundred average
39 annual full-time equivalent students in grades kindergarten through
40 six.

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

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

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

	Laboratory science average class size
Grades 9-12.	19.98

(b) (i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

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

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

Career and technical
education average

1 Approved career and technical education offered at
 2 the middle school and high school level. 23.00
 3 Skill center programs meeting the standards established
 4 by the office of the superintendent of public
 5 instruction. 20.00

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

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

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

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

15 (5) (a) The minimum allocation for each level of prototypical
 16 school shall include allocations for the following types of staff in
 17 addition to classroom teachers, except as provided in (b) of this
 18 subsection:

	Elementary	Middle	High
	School	School	School
22 Principals, assistant principals, and other certificated building-level			
23 administrators.	1.253	1.353	1.880
24 Teacher-librarians, a function that includes information literacy, technology,			
25 and media to support school library media programs.	0.663	0.519	0.523
26 Health and social services:			
27 School nurses.	0.076	0.060	0.096
28 Social workers.	0.042	0.006	0.015
29 Psychologists.	0.017	0.002	0.007
30 Guidance counselors, a function that includes parent outreach and graduation			
31 advising.	0.493	1.216	2.539
32 Teaching assistance, including any aspect of educational instructional services			
33 provided by classified employees.	0.936	0.700	0.652
34 Office support and other noninstructional aides.	2.012	2.325	3.269
35 Custodians.	1.657	1.942	2.965
36 Classified staff providing student and staff safety.	0.079	0.092	0.141

1 Parent involvement coordinators..... 0.0825 0.00 0.00

2 (b)(i) In addition to funding allocated under (a) of this
3 subsection, for schools that qualify under (b)(ii) of this
4 subsection, the minimum allocation for each prototypical elementary
5 school shall include an additional allocation of 0.307 guidance
6 counselors and the minimum allocation for each prototypical middle
7 school shall include an additional allocation of 0.512 guidance
8 counselors.

9 (ii) Schools qualify for the allocations described under (b)(i)
10 of this subsection as follows:

11 (A) For the 2019-20 school year, the schools identified as most
12 in need of support using the accountability framework established in
13 RCW 28A.657.110; and

14 (B) For the 2020-21 and 2021-22 school years, schools eligible
15 under (b)(ii)(A) of this subsection and Title I schools not eligible
16 under (b)(ii)(A) of this subsection.

17 (iii) School districts must distribute the additional guidance
18 counselor allocation described in this subsection (5)(b) to the
19 schools that generated the allocation under (b)(ii) of this
20 subsection.

21 (iv) Once a school receives the allocation described in this
22 subsection (5)(b), its school counselors must provide direct services
23 to students as required by section 1(1)(b) of this act.

24 (v) The office of the superintendent of public instruction shall
25 develop rules to implement this subsection (5)(b).

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

	Staff per 1,000	
	K-12 students	
32 Technology.	0.628	
33 Facilities, maintenance, and grounds.	1.813	
34 Warehouse, laborers, and mechanics.	0.332	

35 (b) The minimum allocation of staff units for each school
36 district to support certificated and classified staffing of central
37 administration shall be 5.30 percent of the staff units generated

1 under subsections (4)(a) and (5) of this section and (a) of this
2 subsection.

3 (7) The distribution formula shall include staffing allocations
4 to school districts for career and technical education and skill
5 center administrative and other school-level certificated staff, as
6 specified in the omnibus appropriations act.

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

	Per annual average full-time equivalent student in grades K-12
16 Technology.	\$130.76
17 Utilities and insurance.	\$355.30
18 Curriculum and textbooks.	\$140.39
19 Other supplies	\$278.05
20 Library materials.	\$20.00
21 Instructional professional development for certificated and 22 classified staff.	\$21.71
23 Facilities maintenance.	\$176.01
24 Security and central office administration.	\$121.94

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

	Per annual average full-time equivalent student in grades 9-12
34 Technology.	\$36.35
35 Curriculum and textbooks.	\$39.02
36 Other supplies	\$77.28
37 Library materials.	\$5.56
38 Instructional professional development for certificated and 39 classified staff.	\$6.04

1 (9) In addition to the amounts provided in subsection (8) of this
2 section and subject to RCW 28A.150.265, the omnibus appropriations
3 act shall provide an amount based on full-time equivalent student
4 enrollment in each of the following:

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

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

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

11 (10) In addition to the allocations otherwise provided under this
12 section, amounts shall be provided to support the following programs
13 and services:

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

24 (ii) In addition to funding allocated under (a)(i) of this
25 subsection, to provide supplemental instruction and services for
26 students who are not meeting academic standards in qualifying
27 schools. A qualifying school means a school in which the three-year
28 rolling average of the prior year total annual average enrollment
29 that qualifies for free or reduced-price meals equals or exceeds
30 fifty percent or more of its total annual average enrollment. The
31 minimum allocation for this additional high poverty-based allocation
32 must provide for each level of prototypical school resources to
33 provide, on a statewide average, 1.1 hours per week in extra
34 instruction with a class size of fifteen learning assistance program
35 students per teacher, under RCW 28A.165.055, school districts must
36 distribute the high poverty-based allocation to the schools that
37 generated the funding allocation.

38 (b)(i) To provide supplemental instruction and services for
39 students whose primary language is other than English, allocations

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

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

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

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

37 (12)(a) For the purposes of allocations for prototypical high
38 schools and middle schools under subsections (4) and (10) of this
39 section that are based on the percent of students in the school who
40 are eligible for free and reduced-price meals, the actual percent of

1 such students in a school shall be adjusted by a factor identified in
2 the omnibus appropriations act to reflect underreporting of free and
3 reduced-price meal eligibility among middle and high school students.

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

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

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

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

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

32 **Sec. 4.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended to
33 read as follows:

34 The purpose of this section is to provide for the allocation of
35 state funding that the legislature deems necessary to support school
36 districts in offering the minimum instructional program of basic
37 education under RCW 28A.150.220. The allocation shall be determined
38 as follows:

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

5 (2)(a) The distribution formula under this section shall be for
6 allocation purposes only. Except as may be required under subsections
7 (4)(b) and (c) and (9) of this section, chapter 28A.155, 28A.165,
8 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in
9 this section requires school districts to use basic education
10 instructional funds to implement a particular instructional approach
11 or service. Nothing in this section requires school districts to
12 maintain a particular classroom teacher-to-student ratio or other
13 staff-to-student ratio or to use allocated funds to pay for
14 particular types or classifications of staff. Nothing in this section
15 entitles an individual teacher to a particular teacher planning
16 period.

17 (b) To promote transparency in state funding allocations, the
18 superintendent of public instruction must report state per-pupil
19 allocations for each school district for the general apportionment,
20 special education, learning assistance, transitional bilingual,
21 highly capable, and career and technical education programs. The
22 superintendent must also report state general apportionment per-pupil
23 allocations by grade for each school district. The superintendent
24 must report this information in a user-friendly format on the main
25 page of the office's web site and on school district apportionment
26 reports. School districts must include a link to the superintendent's
27 per-pupil allocations report on the main page of the school
28 district's web site. In addition, the budget documents published by
29 the legislature for the enacted omnibus operating appropriations act
30 must report statewide average per-pupil allocations for general
31 apportionment and the categorical programs listed in this subsection.

32 (3)(a) To the extent the technical details of the formula have
33 been adopted by the legislature and except when specifically provided
34 as a school district allocation, the distribution formula for the
35 basic education instructional allocation shall be based on minimum
36 staffing and nonstaff costs the legislature deems necessary to
37 support instruction and operations in prototypical schools serving
38 high, middle, and elementary school students as provided in this
39 section. The use of prototypical schools for the distribution formula
40 does not constitute legislative intent that schools should be

1 operated or structured in a similar fashion as the prototypes.
2 Prototypical schools illustrate the level of resources needed to
3 operate a school of a particular size with particular types and grade
4 levels of students using commonly understood terms and inputs, such
5 as class size, hours of instruction, and various categories of school
6 staff. It is the intent that the funding allocations to school
7 districts be adjusted from the school prototypes based on the actual
8 number of annual average full-time equivalent students in each grade
9 level at each school in the district and not based on the grade-level
10 configuration of the school to the extent that data is available. The
11 allocations shall be further adjusted from the school prototypes with
12 minimum allocations for small schools and to reflect other factors
13 identified in the omnibus appropriations act.

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

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

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

21 (iii) A prototypical elementary school has four hundred average
22 annual full-time equivalent students in grades kindergarten through
23 six.

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

	General education average class size
31 Grades K-3.	17.00
32 Grade 4.	27.00
33 Grades 5-6.	27.00
34 Grades 7-8.	28.53
35 Grades 9-12.	28.74

36 (ii) The minimum class size allocation for each prototypical high
37 school shall also provide for enhanced funding for class size
38
39

1 reduction for two laboratory science classes within grades nine
2 through twelve per full-time equivalent high school student
3 multiplied by a laboratory science course factor of 0.0833, based on
4 the number of full-time equivalent classroom teachers needed to
5 provide instruction over the minimum required annual instructional
6 hours in RCW 28A.150.220, and providing at least one teacher planning
7 period per school day:

8		Laboratory science	
9		average class size	
10	Grades 9-12.		19.98

11 (b) (i) Beginning September 1, 2019, funding for average K-3 class
12 sizes in this subsection (4) may be provided only to the extent of,
13 and proportionate to, the school district's demonstrated actual class
14 size in grades K-3, up to the funded class sizes.

15 (ii) The office of the superintendent of public instruction shall
16 develop rules to implement this subsection (4) (b).

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

21		Career and technical	
22		education average	
23		class size	
24	Approved career and technical education offered at		
25	the middle school and high school level.		23.00
26	Skill center programs meeting the standards established		
27	by the office of the superintendent of public		
28	instruction.		20.00

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

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

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

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

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

	Elementary	Middle	High
	School	School	School
6 Principals, assistant principals, and other certificated building-level			
7 administrators.	1.253	1.353	1.880
8 Teacher-librarians, a function that includes information literacy, technology,			
9 and media to support school library media programs.	0.663	0.519	0.523
10 Health and social services:			
11 School nurses.	0.076	0.060	0.096
12 Social workers.	0.042	0.006	0.015
13 Psychologists.	0.017	0.002	0.007
14 Guidance counselors, a function that includes parent outreach and graduation			
15 advising.	((0.493))	((1.216))	2.539
16	<u>0.800</u>	<u>1.728</u>	
17 Teaching assistance, including any aspect of educational instructional services			
18 provided by classified employees.	0.936	0.700	0.652
19 Office support and other noninstructional aides.	2.012	2.325	3.269
20 Custodians.	1.657	1.942	2.965
21 Classified staff providing student and staff safety.	0.079	0.092	0.141
22 Parent involvement coordinators.	0.0825	0.00	0.00

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

	Staff per 1,000
	K-12 students
29 Technology.	0.628
30 Facilities, maintenance, and grounds.	1.813
31 Warehouse, laborers, and mechanics.	0.332

32 (b) The minimum allocation of staff units for each school
 33 district to support certificated and classified staffing of central
 34 administration shall be 5.30 percent of the staff units generated

1 under subsections (4)(a) and (5) of this section and (a) of this
2 subsection.

3 (7) The distribution formula shall include staffing allocations
4 to school districts for career and technical education and skill
5 center administrative and other school-level certificated staff, as
6 specified in the omnibus appropriations act.

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

	Per annual average full-time equivalent student in grades K-12
16 Technology.	\$130.76
17 Utilities and insurance.	\$355.30
18 Curriculum and textbooks.	\$140.39
19 Other supplies	\$278.05
20 Library materials.	\$20.00
21 Instructional professional development for certificated and 22 classified staff.	\$21.71
23 Facilities maintenance.	\$176.01
24 Security and central office administration.	\$121.94

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

	Per annual average full-time equivalent student in grades 9-12
34 Technology.	\$36.35
35 Curriculum and textbooks.	\$39.02
36 Other supplies	\$77.28
37 Library materials.	\$5.56
38 Instructional professional development for certificated and 39 classified staff.	\$6.04

1 (9) In addition to the amounts provided in subsection (8) of this
2 section and subject to RCW 28A.150.265, the omnibus appropriations
3 act shall provide an amount based on full-time equivalent student
4 enrollment in each of the following:

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

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

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

11 (10) In addition to the allocations otherwise provided under this
12 section, amounts shall be provided to support the following programs
13 and services:

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

24 (ii) In addition to funding allocated under (a)(i) of this
25 subsection, to provide supplemental instruction and services for
26 students who are not meeting academic standards in qualifying
27 schools. A qualifying school means a school in which the three-year
28 rolling average of the prior year total annual average enrollment
29 that qualifies for free or reduced-price meals equals or exceeds
30 fifty percent or more of its total annual average enrollment. The
31 minimum allocation for this additional high poverty-based allocation
32 must provide for each level of prototypical school resources to
33 provide, on a statewide average, 1.1 hours per week in extra
34 instruction with a class size of fifteen learning assistance program
35 students per teacher, under RCW 28A.165.055, school districts must
36 distribute the high poverty-based allocation to the schools that
37 generated the funding allocation.

38 (b)(i) To provide supplemental instruction and services for
39 students whose primary language is other than English, allocations

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

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

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

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

37 (12)(a) For the purposes of allocations for prototypical high
38 schools and middle schools under subsections (4) and (10) of this
39 section that are based on the percent of students in the school who
40 are eligible for free and reduced-price meals, the actual percent of

1 such students in a school shall be adjusted by a factor identified in
2 the omnibus appropriations act to reflect underreporting of free and
3 reduced-price meal eligibility among middle and high school students.

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

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

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

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

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

32 NEW SECTION. **Sec. 5.** Section 3 of this act expires September 1,
33 2022.

34 NEW SECTION. **Sec. 6.** Sections 2 and 4 of this act take effect
35 September 1, 2022.

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