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**SENATE BILL 5369**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Orwall, Hasegawa, Krishnadasan, Lias, Nobles, Valdez, and C. Wilson

Read first time 01/20/25. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to enhancing youth mental health and well-being  
2 through advanced training and expansion of the workforce in schools;  
3 amending RCW 28A.410.044, 28A.320.280, and 28A.310.235; reenacting  
4 and amending RCW 28A.150.260; adding a new section to chapter 28A.310  
5 RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that Washington  
8 youth require additional support in order to thrive. Washington has  
9 the ninth highest school refusal rate in the country, with 30 percent  
10 of K-12 students missing more than 10 percent of the school year. A  
11 significant number of Washington's youth experience high rates of  
12 emotional, developmental, or behavioral distress, or thoughts of  
13 suicide.

14 The legislature further finds that school social workers are  
15 uniquely positioned to contribute to K-12 student safety, address  
16 student behavioral health care needs, and support students with  
17 individualized education programs. School social workers collaborate  
18 with school personnel, families, and community organizations to  
19 reduce absenteeism, support student mental health, and create  
20 inclusive learning environments that prepare students for success in  
21 a diverse society.

1 The legislature further finds that the national association of  
2 school social workers recommends a ratio of one school social worker  
3 to every 250 students, but that Washington has only one school social  
4 worker for every 3,798 students. Washington would need to increase  
5 this ratio by 93 percent to meet the national standard.

6 It is therefore the intent of the legislature to increase student  
7 access to school social workers through workforce development,  
8 collaboration with community organizations, and increased funding.

9 **Sec. 2.** RCW 28A.410.044 and 2018 c 200 s 3 are each amended to  
10 read as follows:

11 (1) A school psychologist is a professional educator who holds a  
12 valid school psychologist certification as defined by the  
13 professional educator standards board. Pursuant to the national  
14 association of school psychologists' model for comprehensive and  
15 integrated school psychological services, school psychologists  
16 deliver services across ten domains of practice. Two domains permeate  
17 all areas of service delivery: Data-based decision making; and  
18 consultation and collaboration. Five domains encompass direct and  
19 indirect services to children and their families: Student-level  
20 services, interventions, and instructional supports to develop  
21 academic skills; student-level interventions and mental health  
22 services to develop social and life skills; systems-level school-wide  
23 practices to promote learning; systems-level preventive and  
24 responsive services; and systems-level family school collaboration  
25 services. The three foundational domains include: Knowledge and  
26 skills related to diversity in development and learning; research and  
27 program evaluation; and legal and ethical practice.

28 (2) (a) A school social worker is a professional in the fields of  
29 social work and education who holds a valid school social worker  
30 certification as defined by the professional educator standards  
31 board. The purpose and role of the school social worker is to  
32 ~~((provide))~~ serve as an integral link between school, home, and  
33 community ~~((in))~~, helping students achieve academic and social  
34 success. This is accomplished by removing barriers and providing  
35 services that may include: Mental health ~~((and academic counseling,~~  
36 ~~support for students and parents, crisis prevention and intervention,~~  
37 ~~professional case management, collaboration with other professionals,~~  
38 ~~organizations, and community agencies, and advocacy for students and~~  
39 ~~parents. School social workers work directly with school~~

1 administrators as well as students and families, at various levels  
2 and as part of an interdisciplinary team in the educational system,  
3 including at the building, district, and state level. School social  
4 workers provide leadership and professional expertise regarding the  
5 formation of school discipline policies and procedures, and through  
6 school-based mental health services, crisis management, the  
7 implementation of social-emotional learning, and other support  
8 services that impact student academic and social-emotional success.  
9 School social workers also facilitate community involvement in the  
10 schools while advocating for student success)) counseling; crisis  
11 intervention; behavioral consultation; trauma-informed care; support  
12 and advocacy for students and families; professional case management;  
13 and developing and implementing individualized education programs and  
14 plans developed under section 504 of the federal rehabilitation act  
15 of 1973.

16 (b) School social workers provide leadership and professional  
17 expertise in the development of school discipline policies and  
18 procedures, emphasizing best practices. School social workers also  
19 leverage data to track trends, monitor student progress, and assess  
20 the effectiveness of interventions. As trained mental health  
21 clinicians, school social workers support implementation of social-  
22 emotional learning and foster supportive school environments for all  
23 students.

24 **Sec. 3.** RCW 28A.320.280 and 2018 c 200 s 2 are each amended to  
25 read as follows:

26 The school counselor works with developing and leading a  
27 comprehensive guidance and counseling program to focus on the  
28 academic, career, personal, and social needs of all students. School  
29 psychologists carry out special education evaluation duties, among  
30 other things. School social workers (~~promote and support students'~~  
31 ~~health, academic, and social success with counseling and support, and~~  
32 ~~by providing and coordinating specialized services and resources))  
33 have the role and scope explicated in RCW 28A.410.044(2). All of  
34 these professionals are also involved in multitiered systems of  
35 support for academic and behavioral skills. These professionals focus  
36 on student mental health, work with at-risk and marginalized  
37 students, perform risk assessments, and collaborate with mental  
38 health professionals to promote student achievement and create a safe  
39 learning environment. In order that school counselors, school social~~

1 workers, and school psychologists have the time available to  
2 prioritize these functions, in addition to other activities requiring  
3 direct student contact, responsibilities such as data input and data  
4 tracking should be handled by nonlicensed, noncertified staff, where  
5 possible.

6 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.310  
7 RCW to read as follows:

8 Subject to the availability of amounts appropriated for this  
9 specific purpose, each educational service district may coordinate  
10 with:

11 (1) Local mental health agencies and local school districts to  
12 arrange for in-school placements of social worker associates licensed  
13 under RCW 18.225.145 and to coordinate clinical supervision for  
14 approved supervisors that meet the requirements as defined in rule by  
15 the department of health to provide the necessary supervision to the  
16 social worker associates;

17 (2) Local school districts and accredited university programs to  
18 support masters of social work candidates in obtaining an in-school  
19 placement and a conditional educational staff associate certificate  
20 as provided by the professional educator standards board; and

21 (3) Local school districts, accredited university programs, and  
22 behavioral health agencies to support postmasters of social work  
23 professionals in obtaining an in-school placement. These positions  
24 must be coordinated between the educational service district and  
25 behavioral health agencies.

26 **Sec. 5.** RCW 28A.310.235 and 2019 c 295 s 102 are each amended to  
27 read as follows:

28 (1) For the purpose of this section, "educator" means a  
29 paraeducator, teacher, principal, administrator, superintendent,  
30 school counselor, school psychologist, school social worker, school  
31 nurse, school physical therapist, school occupational therapist, or  
32 school speech-language pathologist or audiologist.

33 (2) An educational service district may employ a person whose  
34 duties are to provide to local school districts the following  
35 services related to educator recruitment:

36 (a) Serve as a liaison between local school districts and  
37 educator preparation programs, between their region and other regions  
38 in the state, and between the local school districts and agencies

1 that may be helpful in educator recruitment efforts, including the  
2 office of the superintendent of public instruction, the Washington  
3 professional educator standards board, the paraeducator board, the  
4 student achievement council, the state board for community and  
5 technical colleges, the state department of veterans affairs, the  
6 state military department, and the workforce training and education  
7 coordinating board;

8 (b) Encourage and support local school districts to develop or  
9 expand a recruiting Washington teachers program under RCW  
10 28A.415.370, a career and technical education careers in education  
11 program, or an alternative route teacher certification program under  
12 chapter 28A.660 RCW;

13 (c) Provide outreach to community members who may be interested  
14 in becoming educators, including high school and college students,  
15 subject matter experts, and former military personnel and their  
16 spouses;

17 (d) Support persons interested in becoming educators by providing  
18 resources and assistance with navigating transition points on the  
19 path to a career in education; (~~and~~)

20 (e) Provide resources and technical assistance to local school  
21 districts on best hiring processes and practices; and

22 (f) Support the coordination efforts prescribed under section 4  
23 of this act.

24 (3) A person employed to provide the services described in  
25 subsection (2) of this section must be reflective of, and have an  
26 understanding of, the local community.

27 **Sec. 6.** RCW 28A.150.260 and 2024 c 262 s 2 and 2024 c 191 s 2  
28 are each reenacted and amended to read as follows:

29 The purpose of this section is to provide for the allocation of  
30 state funding that the legislature deems necessary to support school  
31 districts in offering the minimum instructional program of basic  
32 education under RCW 28A.150.220. The allocation shall be determined  
33 as follows:

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

38 (2)(a) The distribution formula under this section shall be for  
39 allocation purposes only. Except as may be required under subsections

1 (4) (b) and (c), (5) (~~(b) and~~) (c) and (d), (8), and (9) of this  
2 section, chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or  
3 federal laws and regulations, nothing in this section requires school  
4 districts to use basic education instructional funds to implement a  
5 particular instructional approach or service. Nothing in this section  
6 requires school districts to maintain a particular classroom teacher-  
7 to-student ratio or other staff-to-student ratio or to use allocated  
8 funds to pay for particular types or classifications of staff.  
9 Nothing in this section entitles an individual teacher to a  
10 particular teacher planning period.

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

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

1 level at each school in the district and not based on the grade-level  
2 configuration of the school to the extent that data is available. The  
3 allocations shall be further adjusted from the school prototypes with  
4 minimum allocations for small schools and to reflect other factors  
5 identified in the omnibus appropriations act.

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

8 (i) A prototypical high school has 600 average annual full-time  
9 equivalent students in grades nine through 12;

10 (ii) A prototypical middle school has 432 average annual full-  
11 time equivalent students in grades seven and eight; and

12 (iii) A prototypical elementary school has 400 average annual  
13 full-time equivalent students in grades kindergarten through six.

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

|                         | General education<br>average class size |
|-------------------------|---|
| 21 Grades K-3. . . . .  | 17.00                                   |
| 22 Grade 4. . . . .     | 27.00                                   |
| 23 Grades 5-6. . . . .  | 27.00                                   |
| 24 Grades 7-8. . . . .  | 28.53                                   |
| 25 Grades 9-12. . . . . | 28.74                                   |

26 (ii) The minimum class size allocation for each prototypical high  
27 school shall also provide for enhanced funding for class size  
28 reduction for two laboratory science classes within grades nine  
29 through 12 per full-time equivalent high school student multiplied by  
30 a laboratory science course factor of 0.0833, based on the number of  
31 full-time equivalent classroom teachers needed to provide instruction  
32 over the minimum required annual instructional hours in RCW  
33 28A.150.220, and providing at least one teacher planning period per  
34 school day:

|                         | Laboratory science<br>average class size |
|-------------------------|--|
| 35 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<br>education average<br>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. . . . . | 19.00   |

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

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

(i) A high-poverty average class size in schools where more than 50 percent of the students are eligible for free and reduced-price meals; and

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

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

|  | Elementary<br>School | Middle<br>School | High<br>School |
|--|----------------------|------------------|----------------|
| Principals, assistant principals, and other certificated building-level administrators. . . . .  | 1.253                | 1.353            | 1.880          |
| Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. . . . . | 0.663                | 0.519            | 0.523          |

|    |   |        |       |       |
|----|---|--------|-------|-------|
| 1  | Paraeducators, including any aspect of educational instructional services |        |       |       |
| 2  | provided by classified employees. ....                                    | 1.012  | 0.776 | 0.728 |
| 3  | Office support and other noninstructional aides. ....                     | 2.088  | 2.401 | 3.345 |
| 4  | Custodians. ....  | 1.657  | 1.942 | 2.965 |
| 5  | Nurses. ....  | 0.585  | 0.888 | 0.824 |
| 6  | Social workers. ....  | 0.311  | 0.088 | 0.127 |
| 7  | Psychologists. ....   | 0.104  | 0.024 | 0.049 |
| 8  | Counselors. ....  | 0.993  | 1.716 | 3.039 |
| 9  | Classified staff providing student and staff safety. ....                 | 0.079  | 0.092 | 0.141 |
| 10 | Parent involvement coordinators. ....                                     | 0.0825 | 0.00  | 0.00  |

11       (b) In addition to the allocations provided under (a) of this  
12 subsection, the following staffing units must be provided to  
13 qualifying schools, as defined under subsection (10)(a)(ii) of this  
14 section:

|    |                             |                   |               |               |
|----|-----------------------------|-------------------|---------------|---------------|
| 15 |                             | <u>Elementary</u> | <u>Middle</u> | <u>High</u>   |
| 16 |                             | <u>School</u>     | <u>School</u> | <u>School</u> |
| 17 | <u>Social workers. ....</u> | <u>0.060</u>      | <u>0.060</u>  | <u>0.060</u>  |

18       (c)(i) The superintendent may only allocate funding, up to the  
19 combined minimum allocations, for nurses, social workers,  
20 psychologists, counselors, classified staff providing student and  
21 staff safety, and parent involvement coordinators under (a) and (b)  
22 of this subsection to the extent of and proportionate to a school  
23 district's demonstrated actual ratios of: Full-time equivalent  
24 physical, social, and emotional support staff to full-time equivalent  
25 students.

26       (ii) The superintendent must adopt rules to implement this  
27 subsection (5) (~~(b)~~) (c) and the rules must require school districts  
28 to prioritize funding allocated as required by (~~(b)~~) (c)(i) of this  
29 subsection for physical, social, and emotional support staff who hold  
30 a valid educational staff associate certificate appropriate for the  
31 staff's role.

32       (iii) For the purposes of this subsection (5) (~~(b)~~) (c),  
33 "physical, social, and emotional support staff" include nurses,  
34 social workers, psychologists, counselors, classified staff providing  
35 student and staff safety, parent involvement coordinators, and other  
36 school district employees and contractors who provide physical,

1 social, and emotional support to students as defined by the  
2 superintendent.

3 ~~((e))~~ (d) The superintendent shall develop rules that require  
4 school districts to use the additional funding provided under (a) of  
5 this subsection to support increased staffing, prevent layoffs, or  
6 increase salaries for the following staff types in the 2024-25 school  
7 year: Paraeducators, office support, and noninstructional aides. The  
8 superintendent shall collect data from school districts on how the  
9 increased allocations are used.

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

|  | Staff per 1,000<br>K-12 students |
|--|----------------------------------|
| 14 Technology. . . . .                           | 0.628                            |
| 15 Facilities, maintenance, and grounds. . . . . | 1.813                            |
| 16 Warehouse, laborers, and mechanics. . . . .   | 0.332                            |

17  
18  
19 (b) The minimum allocation of staff units for each school  
20 district to support certificated and classified staffing of central  
21 administration shall be 5.30 percent of the staff units generated  
22 under subsections (4) (a) and (5) of this section and (a) of this  
23 subsection.

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

28 (8) (a) Except as provided in (b) of this subsection, the minimum  
29 allocation for each school district shall include allocations per  
30 annual average full-time equivalent student for the following  
31 materials, supplies, and operating costs as provided in the 2023-24  
32 school year, after which the allocations shall be adjusted annually  
33 for inflation as specified in the omnibus appropriations act:

|                                      | Per annual average<br>full-time equivalent student<br>in grades K-12 |
|--------------------------------------|--|
| 34 Technology. . . . .               | \$178.98   |
| 35 Utilities and insurance. . . . .  | \$430.26   |
| 36 Curriculum and textbooks. . . . . | \$164.48   |

|   |   |          |
|---|---|----------|
| 1 | Other supplies . . . . .                                    | \$326.54 |
| 2 | Library materials. . . . .                                  | \$22.65  |
| 3 | Instructional professional development for certificated and |          |
| 4 | classified staff. . . . .                                   | \$28.94  |
| 5 | Facilities maintenance. . . . .                             | \$206.22 |
| 6 | Security and central office administration. . . . .         | \$146.37 |

7 (b) In addition to the amounts provided in (a) of this  
8 subsection, beginning in the 2023-24 school year, the omnibus  
9 appropriations act shall provide the following minimum allocation for  
10 each annual average full-time equivalent student in grades nine  
11 through 12 for the following materials, supplies, and operating  
12 costs, to be adjusted annually for inflation:

|    |   |                              |
|----|---|------------------------------|
| 13 |   | Per annual average           |
| 14 |   | full-time equivalent student |
| 15 |   | in grades 9-12               |
| 16 | Technology. . . . .   | \$44.05                      |
| 17 | Curriculum and textbooks. . . . .                           | \$48.06                      |
| 18 | Other supplies . . . . .                                    | \$94.07                      |
| 19 | Library materials. . . . .                                  | \$6.05                       |
| 20 | Instructional professional development for certificated and |                              |
| 21 | classified staff. . . . .                                   | \$8.01                       |

22 (c) The increased allocation amount of \$21 per annual average  
23 full-time equivalent student for materials, supplies, and operating  
24 costs provided under (a) of this subsection is intended to address  
25 growing costs in the enumerated categories and may not be expended  
26 for any other purpose.

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

- 31 (a) Exploratory career and technical education courses for
- 32 students in grades seven through 12;
- 33 (b) Preparatory career and technical education courses for
- 34 students in grades nine through 12 offered in a high school; and
- 35 (c) Preparatory career and technical education courses for
- 36 students in grades 11 and 12 offered through a skill center.

37 (10) In addition to the allocations otherwise provided under this  
38 section, amounts shall be provided to support the following programs  
39 and services:

1 (a)(i) To provide supplemental instruction and services for  
2 students who are not meeting academic standards through the learning  
3 assistance program under RCW 28A.165.005 through 28A.165.065,  
4 allocations shall be based on the greater of either: The district  
5 percentage of students in kindergarten through grade 12 who were  
6 eligible for free or reduced-price meals for the school year  
7 immediately preceding the district's participation, in whole or part,  
8 in the United States department of agriculture's community  
9 eligibility provision, or the district percentage of students in  
10 grades K-12 who were eligible for free or reduced-price meals in the  
11 prior school year. The minimum allocation for the program shall,  
12 except as provided in (a)(iii) of this subsection, provide for each  
13 level of prototypical school resources to provide, on a statewide  
14 average, 2.3975 hours per week in extra instruction with a class size  
15 of 15 learning assistance program students per teacher.

16 (ii) In addition to funding allocated under (a)(i) of this  
17 subsection, to provide supplemental instruction and services for  
18 students who are not meeting academic standards in qualifying  
19 schools. A qualifying school, except as provided in (a)(iv) of this  
20 subsection, means a school in which the three-year rolling average of  
21 the prior year total annual average enrollment that qualifies for  
22 free or reduced-price meals equals or exceeds 50 percent or more of  
23 its total annual average enrollment. A school continues to meet the  
24 definition of a qualifying school if the school: Participates in the  
25 United States department of agriculture's community eligibility  
26 provision; and met the definition of a qualifying school in the year  
27 immediately preceding their participation. The minimum allocation for  
28 this additional high poverty-based allocation must provide for each  
29 level of prototypical school resources to provide, on a statewide  
30 average, 1.1 hours per week in extra instruction with a class size of  
31 15 learning assistance program students per teacher, under RCW  
32 28A.165.055, school districts must distribute the high poverty-based  
33 allocation to the schools that generated the funding allocation.

34 (iii) For the 2024-25 and 2025-26 school years, allocations under  
35 (a)(i) of this subsection for school districts providing meals at no  
36 charge to students under RCW 28A.235.135 that are not participating,  
37 in whole or in part, in the United States department of agriculture's  
38 community eligibility provision shall be based on the school district  
39 percentage of students in grades K-12 who were eligible for free or

1 reduced-price meals in school years 2019-20 through 2022-23 or the  
2 prior school year, whichever is greatest.

3 (iv) For the 2024-25 and 2025-26 school years, a school providing  
4 meals at no charge to students under RCW 28A.235.135 that is not  
5 participating in the department of agriculture's community  
6 eligibility provision continues to meet the definition of a  
7 qualifying school under (a)(ii) of this subsection if the school met  
8 the definition during one year of the 2019-20 through 2022-23 school  
9 years, or in the prior school year.

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

26 (ii) To provide supplemental instruction and services for  
27 students who have exited the transitional bilingual program,  
28 allocations shall be based on the head count number of students in  
29 each school who have exited the transitional bilingual program within  
30 the previous two years based on their performance on the English  
31 proficiency assessment and are eligible for and enrolled in the  
32 transitional bilingual instruction program under RCW  
33 28A.180.040(1)(g). The minimum allocation for each prototypical  
34 school shall provide resources to provide, on a statewide average,  
35 3.0 hours per week in extra instruction with 15 exited students per  
36 teacher.

37 (c) To provide additional allocations to support programs for  
38 highly capable students under RCW 28A.185.010 through 28A.185.030,  
39 allocations shall be based on 5.0 percent of each school district's  
40 full-time equivalent basic education enrollment. The minimum

1 allocation for the programs shall provide resources to provide, on a  
2 statewide average, 2.1590 hours per week in extra instruction with  
3 fifteen highly capable program students per teacher.

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

8 (12)(a) For the purposes of allocations for prototypical high  
9 schools and middle schools under subsections (4) and (10) of this  
10 section that are based on the percent of students in the school who  
11 are eligible for free and reduced-price meals, the actual percent of  
12 such students in a school shall be adjusted by a factor identified in  
13 the omnibus appropriations act to reflect underreporting of free and  
14 reduced-price meal eligibility among middle and high school students.

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

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

24 (b) In the event the legislature rejects the distribution formula  
25 recommended by the governor, without adopting a new distribution  
26 formula, the distribution formula for the previous school year shall  
27 remain in effect.

28 (c) The enrollment of any district shall be the annual average  
29 number of full-time equivalent students and part-time students as  
30 provided in RCW 28A.150.350, enrolled on the first school day of each  
31 month, including students who are in attendance pursuant to RCW  
32 28A.335.160 and 28A.225.250 who do not reside within the servicing  
33 school district. The definition of full-time equivalent student shall  
34 be determined by rules of the superintendent of public instruction  
35 and shall be included as part of the superintendent's biennial budget  
36 request. The definition shall be based on the minimum instructional  
37 hour offerings required under RCW 28A.150.220. Any revision of the  
38 present definition shall not take effect until approved by the house  
39 ways and means committee and the senate ways and means committee.

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

--- **END** ---