
SENATE BILL 5774

State of Washington

61st Legislature

2009 Regular Session

By Senators Schoesler, Honeyford, and Morton

Read first time 02/02/09. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to school levy equalization; amending RCW
2 28A.500.010, 28A.505.210, and 28A.505.220; creating a new section;
3 repealing RCW 84.52.068; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that the
6 governor's proposed 2009-2011 operating budget would reduce school
7 district local effort assistance by one-third from current funding
8 levels and that such a proposal would disproportionately affect the
9 least affluent school districts in the state.

10 The legislature is further cognizant that, while commonly referred
11 to as the "lower class size" initiative, less than sixty percent of
12 "Initiative 728 funds" in the most recent school year were expended on
13 class size reduction efforts.

14 The legislature recognizes the sizable budget deficit in the
15 upcoming biennium, and it believes that a better educational policy is
16 to maintain local effort assistance funding, recognize the program as
17 currently set forth in statute as a part of basic education, and
18 instead eliminate the expenditure categories established by Initiative

1 No. 728, chapter 3, Laws of 2001, that are not related to reducing
2 class size.

3 In so doing, the legislature believes it is possible to maintain
4 existing school district statewide expenditure levels on class size
5 reduction efforts while preserving vital local effort assistance
6 funding for the least affluent districts in the state.

7 **Sec. 2.** RCW 28A.500.010 and 1999 c 317 s 1 are each amended to
8 read as follows:

9 ~~((Commencing with calendar year 2000,))~~ In addition to a school
10 district's other general fund allocations, each eligible district shall
11 be provided local effort assistance funds. The purpose of these funds
12 is to mitigate the effect that above average property tax rates might
13 have on the ability of a school district to raise local revenues to
14 supplement the state's basic program of education. These funds serve
15 to equalize the property tax rates that individual taxpayers would pay
16 for such levies and to provide tax relief to taxpayers in high tax rate
17 school districts. Such funds are ~~((not))~~ part of the district's basic
18 education allocation.

19 **Sec. 3.** RCW 28A.505.210 and 2005 c 497 s 105 are each amended to
20 read as follows:

21 School districts shall have the authority to decide the best use of
22 student achievement funds to assist students in meeting and exceeding
23 the new, higher academic standards in each district consistent with the
24 provisions of chapter 3, Laws of 2001.

25 ~~((1))~~ Student achievement funds shall be allocated for the
26 following uses:

27 ~~((a))~~ (1) To reduce class size by hiring certificated elementary
28 classroom teachers in grades K-4 and paying nonemployee-related costs
29 associated with those new teachers;

30 ~~((b))~~ (2) To make selected reductions in class size in grades 5-
31 12, such as small high school writing classes;

32 ~~((c) To provide extended learning opportunities to improve student
33 academic achievement in grades K-12, including, but not limited to,
34 extended school year, extended school day, before and after school
35 programs, special tutoring programs, weekend school programs, summer
36 school, and all-day kindergarten;~~

1 ~~(d) To provide additional professional development for educators,~~
2 ~~including additional paid time for curriculum and lesson redesign and~~
3 ~~alignment, training to ensure that instruction is aligned with state~~
4 ~~standards and student needs, reimbursement for higher education costs~~
5 ~~related to enhancing teaching skills and knowledge, and mentoring~~
6 ~~programs to match teachers with skilled, master teachers. The funding~~
7 ~~shall not be used for salary increases or additional compensation for~~
8 ~~existing teaching duties, but may be used for extended year and~~
9 ~~extended day teaching contracts;~~

10 ~~(e) To provide early assistance for children who need~~
11 ~~prekindergarten support in order to be successful in school;~~

12 ~~(f)) (3) To provide improvements or additions to school building~~
13 ~~facilities which are directly related to the class size reductions~~
14 ~~((and extended learning opportunities)) under ((a) through (c) of~~
15 ~~this)) subsections (1) and (2) of this section.~~

16 ~~((2) Annually on or before May 1st, the school district board of~~
17 ~~directors shall meet at the time and place designated for the purpose~~
18 ~~of a public hearing on the proposed use of these funds to improve~~
19 ~~student achievement for the coming year. Any person may appear or by~~
20 ~~written submission have the opportunity to comment on the proposed plan~~
21 ~~for the use of these funds. No later than August 31st, as a part of~~
22 ~~the process under RCW 28A.505.060, each school district shall adopt a~~
23 ~~plan for the use of these funds for the upcoming school year.~~
24 ~~Annually, each school district shall provide to the citizens of their~~
25 ~~district a public accounting of the funds made available to the~~
26 ~~district during the previous school year under chapter 3, Laws of 2001,~~
27 ~~how the funds were used, and the progress the district has made in~~
28 ~~increasing student achievement, as measured by required state~~
29 ~~assessments and other assessments deemed appropriate by the district.~~
30 ~~Copies of this report shall be provided to the superintendent of public~~
31 ~~instruction.))~~

32 **Sec. 4.** RCW 28A.505.220 and 2008 c 170 s 401 are each amended to
33 read as follows:

34 (1) Total distributions from the student achievement fund to each
35 school district shall be based upon the average number of full-time
36 equivalent students in the school district during the previous school
37 year as reported to the office of the superintendent of public

1 instruction by August 31st of the previous school year. The
2 superintendent of public instruction shall ensure that moneys generated
3 by skill center students are returned to skill centers.

4 (2) The allocation rate per full-time equivalent student shall be
5 (~~three hundred dollars in the 2005-06 school year, three hundred~~
6 ~~seventy five dollars in the 2006-07 school year, and four hundred fifty~~
7 ~~dollars in the 2007-08~~) two hundred seventy-five dollars in the 2009-
8 10 school year. For each subsequent school year, the amount allocated
9 per full-time equivalent student shall be adjusted for inflation as
10 (~~defined in RCW 43.135.025(8)~~) measured by the implicit price
11 deflator for the United States for each fiscal year as published by the
12 federal bureau of labor statistics. These allocations per full-time
13 equivalent student from the student achievement fund shall be supported
14 from (~~the following sources:~~

15 ~~(a))~~ distributions from state property tax proceeds deposited into
16 the student achievement fund (~~under RCW 84.52.068; and~~

17 ~~(b) Distributions from the education legacy trust account created~~
18 ~~in RCW 83.100.230~~)).

19 (3) Any funds deposited in the student achievement fund under RCW
20 43.135.045 shall be allocated to school districts on a one-time basis
21 using a rate per full-time equivalent student. These funds are
22 provided in addition to any amounts allocated in subsection (2) of this
23 section.

24 (4) The school district annual amounts as defined in subsection (2)
25 of this section shall be distributed on the monthly apportionment
26 schedule as defined in RCW 28A.510.250.

27 NEW SECTION. Sec. 5. RCW 84.52.068 (State levy--Distribution to
28 school districts) and 2005 c 514 s 1104, 2003 1st sp.s. c 19 s 1, &
29 2001 c 3 s 5 are each repealed.

30 NEW SECTION. Sec. 6. This act takes effect September 1, 2009.

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