

SHB 2140 - H AMD TO H AMD (H3105.1) **842**

By Representative Caldier

WITHDRAWN 04/26/2019

1 On page 8, after line 33 of the striking amendment, insert the
2 following:

3

4 **"Sec. 5.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended
5 to read as follows:

6 The purpose of this section is to provide for the allocation of
7 state funding that the legislature deems necessary to support school
8 districts in offering the minimum instructional program of basic
9 education under RCW 28A.150.220. The allocation shall be determined
10 as follows:

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

15 (2)(a) The distribution formula under this section shall be for
16 allocation purposes only. Except as may be required under
17 subsections (4)(b) and (c) and (9) of this section, chapter 28A.155,
18 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
19 nothing in this section requires school districts to use basic
20 education instructional funds to implement a particular
21 instructional approach or service. Nothing in this section requires
22 school districts to maintain a particular classroom
23 teacher-to-student ratio or other staff-to-student ratio or to use
24 allocated funds to pay for particular types or classifications of
25 staff. Nothing in this section entitles an individual teacher to a
26 particular teacher planning period.

27

1 (b) To promote transparency in state funding allocations, the
2 superintendent of public instruction must report state per-pupil
3 allocations for each school district for the general apportionment,
4 special education, learning assistance, transitional bilingual,
5 highly capable, and career and technical education programs. The
6 superintendent must also report state general apportionment
7 per-pupil allocations by grade for each school district. The
8 superintendent must report this information in a user-friendly
9 format on the main page of the office's web site and on school
10 district apportionment reports. School districts must include a link
11 to the superintendent's per-pupil allocations report on the main
12 page of the school district's web site. In addition, the budget
13 documents published by the legislature for the enacted omnibus
14 operating appropriations act must report statewide average per-pupil
15 allocations for general apportionment and the categorical programs
16 listed in this subsection.

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

1 grade-level configuration of the school to the extent that data is
2 available. The allocations shall be further adjusted from the school
3 prototypes with minimum allocations for small schools and to reflect
4 other factors identified in the omnibus appropriations act.

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

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

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

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

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

	General education average class size
22	
23	
24 Grades K-3.....	17.00
25 Grade 4.....	27.00
26 Grades 5-6.....	27.00
27 Grades 7-8.....	28.53
28 Grades 9-12.....	28.74
29	

30 (ii) The minimum class size allocation for each prototypical
31 high school shall also provide for enhanced funding for class size
32 reduction for two laboratory science classes within grades nine
33 through twelve per full-time equivalent high school student
34 multiplied by a laboratory science course factor of 0.0833, based on

1 the number of full-time equivalent classroom teachers needed to
2 provide instruction over the minimum required annual instructional
3 hours in RCW 28A.150.220, and providing at least one teacher
4 planning period per school day:

5		Laboratory science	
6		average class size	
7	Grades 9-12.....		19.98

8
9 (b)(i) Beginning September 1, 2019, funding for average K-3
10 class sizes in this subsection (4) may be provided only to the
11 extent of, and proportionate to, the school district's demonstrated
12 actual class size in grades K-3, up to the funded class sizes.

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

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

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

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

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

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

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

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

	Elementary School	Middle School	High School
8 Principals, assistant principals, and other certificated buildinglevel 9 administrators.....	1.253	1.353	1.880
10 Teacher-librarians, a function that includes information literacy, 11 technology, and media to support school library media programs	((0.663)) <u>1.00</u>	((0.519)) <u>1.00</u>	((0.523)) <u>1.00</u>
12 Health and social services:			
13 School nurses.....	((0.076)) <u>0.585</u>	((0.060)) <u>0.888</u>	0.096
14 Social workers.....	0.042	0.006	0.015
15 Psychologists.....	0.017	0.002	0.007
16 Guidance counselors, a function that includes parent outreach and 17 graduation advising.....	((0.493)) <u>0.500</u>	((1.216)) <u>2.00</u>	2.539
18 Teaching assistance, including any aspect of educational instructional 19 services provided by classified employees.....	0.936	0.700	0.652
20 Office support and other noninstructional aides.....	2.012	2.325	3.269
21 Custodians.....	1.657	1.942	2.965
22 Classified staff providing student and staff safety	0.079	0.092	0.141
23 Parent involvement coordinators.....	0.0825	0.00	0.00

24 (6)(a) The minimum staffing allocation for each school district
 25 to provide districtwide support services shall be allocated per one
 26 thousand annual average fulltime equivalent students in grades K12
 27 as follows:

	Staff per 1,000 K-12 students
28 Technology.....	0.628
29 Facilities, maintenance, and grounds.....	1.813

1 Warehouse, laborers, and mechanics.....0.332

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

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

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

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

30 (b) In addition to the amounts provided in (a) of this
31 subsection, beginning in the 2014-15 school year, the omnibus
32 appropriations act shall provide the following minimum allocation
33 for each annual average full-time equivalent student in grades nine
34

1 through twelve for the following materials, supplies, and operating
2 costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
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(9) In addition to the amounts provided in subsection (8) of
this section and subject to RCW 28A.150.265, the omnibus
appropriations act shall provide an amount based on full-time
equivalent student enrollment in each of the following:

- (a) Exploratory career and technical education courses for
students in grades seven through twelve;
- (b) Preparatory career and technical education courses for
students in grades nine through twelve offered in a high school; and
- (c) Preparatory career and technical education courses for
students in grades eleven and twelve offered through a skill center.

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

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

1 with a class size of fifteen learning assistance program students
2 per teacher.

3 (ii) In addition to funding allocated under (a)(i) of this
4 subsection, to provide supplemental instruction and services for
5 students who are not meeting academic standards in qualifying
6 schools. A qualifying school means a school in which the three-year
7 rolling average of the prior year total annual average enrollment
8 that qualifies for free or reduced-price meals equals or exceeds
9 fifty percent or more of its total annual average enrollment. The
10 minimum allocation for this additional high poverty-based allocation
11 must provide for each level of prototypical school resources to
12 provide, on a statewide average, 1.1 hours per week in extra
13 instruction with a class size of fifteen learning assistance program
14 students per teacher, under RCW 28A.165.055, school districts must
15 distribute the high poverty-based allocation to the schools that
16 generated the funding allocation.

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

33 (ii) To provide supplemental instruction and services for
34 students who have exited the transitional bilingual program,

1 allocations shall be based on the head count number of students in
2 each school who have exited the transitional bilingual program
3 within the previous two years based on their performance on the
4 English proficiency assessment and are eligible for and enrolled in
5 the transitional bilingual instruction program under RCW 28A.
6 180.040(1)(g). The minimum allocation for each prototypical school
7 shall provide resources to provide, on a statewide average, 3.0
8 hours per week in extra instruction with fifteen exited students per
9 teacher.

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

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

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

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

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

5 (b) In the event the legislature rejects the distribution
6 formula recommended by the governor, without adopting a new
7 distribution formula, the distribution formula for the previous
8 school year shall remain in effect.

9 (c) The enrollment of any district shall be the annual average
10 number of full-time equivalent students and part-time students as
11 provided in RCW 28A.150.350, enrolled on the first school day of
12 each month, including students who are in attendance pursuant to RCW
13 28A.335.160 and 28A.225.250 who do not reside within the servicing
14 school district. The definition of full-time equivalent student
15 shall be determined by rules of the superintendent of public
16 instruction and shall be included as part of the superintendent's
17 biennial budget request. The definition shall be based on the
18 minimum instructional hour offerings required under RCW 28A.150.220.
19 Any revision of the present definition shall not take effect until
20 approved by the house ways and means committee and the senate ways
21 and means committee.

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

25

26 Renumber the remaining sections consecutively and correct any
27 internal references accordingly.

28

29 Correct the title.

30

EFFECT:

Increases the prototypical school allocation for guidance
counselors to 0.5 per elementary school and 2 per middle school.

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Increases prototypical school allocations for librarians to one per elementary, middle, and high schools.

Increases the prototypical school allocations for nurses to 0.585 for elementary schools and 0.888 for middle schools.

--- END ---