2SHB 1664 - S AMD **1461**
    By Senator Braun

NOT ADOPTED 03/03/2022

1   On page 24, after line 21, insert the following:

2   **"Sec. 7.** RCW 28A.150.390 and 2020 c 90 s 3 are each amended to
3   read as follows:
4   (1) The superintendent of public instruction shall submit to each
5   regular session of the legislature during an odd-numbered year a
6   programmed budget request for special education programs for students
7   with disabilities. Funding for programs operated by local school
8   districts shall be on an excess cost basis from appropriations
9   provided by the legislature for special education programs for
10 students with disabilities and shall take account of state funds
11 accruing through RCW 28A.150.260 (4)(a), (5), (6), and (8) and
12 28A.150.415.
13   (2) The excess cost allocation to school districts shall be based
14 on the following:
15   (a) A _school_ district's annual average headcount enrollment of
16 students ages three and four and those five year olds not yet
17 enrolled in kindergarten who are eligible for and receiving special
18 education, multiplied by the _school_ district's base allocation per
19 full-time equivalent student, multiplied by 1.15;
20   (b)(i) Subject to the limitation in (b)(ii) of this subsection
21 (2), a _school_ district's annual average enrollment of resident
22 students who are eligible for and receiving special education,
23 excluding students ages three and four and those five year olds not
24 yet enrolled in kindergarten, multiplied by the _school_ district's
25 base allocation per full-time equivalent student, multiplied by the
26 special education cost multiplier rate of:
27   (A) In the 2019-20 school year, 0.995 for students eligible for
28 and receiving special education.
29   (B) Beginning in the 2020-21 school year, either:
30   (I) 1.0075 for students eligible for and receiving special
31 education and reported to be in the general education setting for
32 ((eighty)) 80 percent or more of the school day; or

(II) 0.995 for students eligible for and receiving special
education and reported to be in the general education setting for
less than ((eighty)) 80 percent of the school day.

(ii) If ((the)) a school district has an average annual full-time
equivalent basic education enrollment of 500 or more students and its
enrollment percent exceeds ((thirteen and five-tenths)) 15 percent,
the excess cost allocation calculated under (b)(i) of this subsection
must be adjusted by multiplying the allocation by ((thirteen and
five-tenths)) 15 percent divided by the enrollment percent.

(3) As used in this section:

(a) "Base allocation" means the total state allocation to all
schools in the school district generated by the distribution formula
under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation
under RCW 28A.150.415, to be divided by the school district's full-
time equivalent enrollment.

(b) "Basic education enrollment" means enrollment of resident
students including nonresident students enrolled under RCW
28A.225.225 and students from nonhigh school districts enrolled under
RCW 28A.225.210 and excluding students residing in another school
district enrolled as part of an interdistrict cooperative program
under RCW 28A.225.250.

(c) "Enrollment percent" means the school district's resident
annual average enrollment of students who are eligible for and
receiving special education, excluding students ages three and four
and those five year olds not yet enrolled in kindergarten and
students enrolled in institutional education programs, as a percent
of the school district's annual average full-time equivalent basic
education enrollment."

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

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On page 1, line 3 of the title, after "28A.150.100," strike "and
28A.150.410" and insert "28A.150.410, and 28A.150.390"

EFFECT: (1) Removes the 13.5 percent enrollment cap on special education excess cost allocations for school districts with fewer than 500 students.
     (2) Increases the 13.5 percent enrollment cap to 15 percent for all other school districts.

--- **END** ---