
SENATE BILL 5851

State of Washington

56th Legislature

1999 Regular Session

By Senators Horn, Hochstatter, Benton, McDonald, Stevens, Johnson, Honeyford, Winsley, Hale, Oke, Sellar, Sheahan, Rossi, McCaslin and West

Read first time 02/12/1999. Referred to Committee on Education.

1 AN ACT Relating to class size reduction; amending RCW 28A.150.260
2 and 28A.150.260; making an appropriation; providing an effective date;
3 and providing a contingent effective date.

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

5 **Sec. 1.** RCW 28A.150.260 and 1997 c 13 s 1 are each amended to read
6 as follows:

7 The basic education allocation for each annual average full-time
8 equivalent student shall be determined in accordance with the following
9 procedures:

10 (1) The governor shall and the superintendent of public instruction
11 may recommend to the legislature a formula based on a ratio of students
12 to staff for the distribution of a basic education allocation for each
13 annual average full-time equivalent student enrolled in a common
14 school. The distribution formula shall have the primary objective of
15 equalizing educational opportunities and shall provide appropriate
16 recognition of the following costs among the various districts within
17 the state:

18 (a) Certificated instructional staff and their related costs;

19 (b) Certificated administrative staff and their related costs;

1 (c) Classified staff and their related costs;

2 (d) Nonsalary costs;

3 (e) Extraordinary costs of remote and necessary schools and small
4 high schools, including costs of additional certificated and classified
5 staff; and

6 (f) The attendance of students pursuant to RCW 28A.335.160 and
7 28A.225.250 who do not reside within the servicing school district.

8 (2)(a) This formula for distribution of basic education funds shall
9 be reviewed biennially by the superintendent and governor. The
10 recommended formula shall be subject to approval, amendment or
11 rejection by the legislature. The formula shall be for allocation
12 purposes only. While the legislature intends that the allocations for
13 additional instructional staff be used to increase the ratio of such
14 staff to students, nothing in this section shall require districts to
15 reduce the number of administrative staff below existing levels.

16 (b) The formula adopted by the legislature shall reflect the
17 following ratios at a minimum:

18 (i) Forty-nine certificated instructional staff to one thousand
19 annual average full-time equivalent students enrolled in grades
20 kindergarten through three;

21 (ii) Forty-six certificated instructional staff to one thousand
22 annual average full-time equivalent students in grades four through
23 ((twelve)) six. An additional maximum of four certificated
24 instructional staff per one thousand full-time equivalent students in
25 grades four through six for the addition of teachers solely to reduce
26 class size. Any funds provided for these additional four certificated
27 instructional staff units shall not be considered basic education
28 funding and shall be allocated only if the district documents an actual
29 ratio equal to or greater than fifty certificated instructional staff
30 per thousand full-time equivalent students in grades four through six.
31 For any school district documenting a lower certificated staff ratio,
32 the allocation shall be based on the higher of the district's actual
33 fourth through sixth grade ratio or forty-six certificated
34 instructional staff per thousand;

35 (iii) Forty-six certificated instructional staff to one thousand
36 annual average full-time equivalent students in grades seven through
37 twelve;

1 (iv) Four certificated administrative staff to one thousand annual
2 average full-time equivalent students in grades kindergarten through
3 twelve; and

4 (~~(iv)~~) (v) Sixteen and sixty-seven one-hundredths classified
5 personnel to one thousand annual average full-time equivalent students
6 enrolled in grades kindergarten through twelve.

7 (c) In the event the legislature rejects the distribution formula
8 recommended by the governor, without adopting a new distribution
9 formula, the distribution formula for the previous school year shall
10 remain in effect: PROVIDED, That the distribution formula developed
11 pursuant to this section shall be for state apportionment and
12 equalization purposes only and shall not be construed as mandating
13 specific operational functions of local school districts other than
14 those program requirements identified in RCW 28A.150.220 and
15 28A.150.100. The enrollment of any district shall be the annual
16 average number of full-time equivalent students and part-time students
17 as provided in RCW 28A.150.350, enrolled on the first school day of
18 each month and shall exclude full-time equivalent students with
19 disabilities recognized for the purposes of allocation of state funds
20 for programs under RCW 28A.155.010 through 28A.155.100. The definition
21 of full-time equivalent student shall be determined by rules of the
22 superintendent of public instruction: PROVIDED, That the definition
23 shall be included as part of the superintendent's biennial budget
24 request: PROVIDED, FURTHER, That any revision of the present
25 definition shall not take effect until approved by the house
26 appropriations committee and the senate ways and means committee:
27 PROVIDED, FURTHER, That the office of financial management shall make
28 a monthly review of the superintendent's reported full-time equivalent
29 students in the common schools in conjunction with RCW 43.62.050.

30 (3)(a) Certificated instructional staff shall include those persons
31 employed by a school district who are nonsupervisory employees within
32 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,
33 people of unusual competence but without certification may teach
34 students so long as a certificated person exercises general
35 supervision: PROVIDED, FURTHER, That the hiring of such classified
36 people shall not occur during a labor dispute and such classified
37 people shall not be hired to replace certificated employees during a
38 labor dispute.

1 (b) Certificated administrative staff shall include all those
2 persons who are chief executive officers, chief administrative
3 officers, confidential employees, supervisors, principals, or assistant
4 principals within the meaning of RCW 41.59.020(4).

5 (4) Each annual average full-time equivalent certificated classroom
6 teacher's direct classroom contact hours shall average at least twenty-
7 five hours per week. Direct classroom contact hours shall be exclusive
8 of time required to be spent for preparation, conferences, or any other
9 nonclassroom instruction duties. Up to two hundred minutes per week
10 may be deducted from the twenty-five contact hour requirement, at the
11 discretion of the school district board of directors, to accommodate
12 authorized teacher/parent-guardian conferences, recess, passing time
13 between classes, and informal instructional activity. Implementing
14 rules to be adopted by the state board of education pursuant to RCW
15 28A.150.220(4) shall provide that compliance with the direct contact
16 hour requirement shall be based upon teachers' normally assigned weekly
17 instructional schedules, as assigned by the district administration.
18 Additional record-keeping by classroom teachers as a means of
19 accounting for contact hours shall not be required. Waivers from
20 contact hours may be requested under RCW 28A.305.140.

21 **Sec. 2.** RCW 28A.150.260 and 1997 c 13 s 2 are each amended to read
22 as follows:

23 The basic education allocation for each annual average full-time
24 equivalent student shall be determined in accordance with the following
25 procedures:

26 (1) The governor shall and the superintendent of public instruction
27 may recommend to the legislature a formula based on a ratio of students
28 to staff for the distribution of a basic education allocation for each
29 annual average full-time equivalent student enrolled in a common
30 school. The distribution formula shall have the primary objective of
31 equalizing educational opportunities and shall provide appropriate
32 recognition of the following costs among the various districts within
33 the state:

- 34 (a) Certificated instructional staff and their related costs;
- 35 (b) Certificated administrative staff and their related costs;
- 36 (c) Classified staff and their related costs;
- 37 (d) Nonsalary costs;

1 (e) Extraordinary costs of remote and necessary schools and small
2 high schools, including costs of additional certificated and classified
3 staff; and

4 (f) The attendance of students pursuant to RCW 28A.335.160 and
5 28A.225.250 who do not reside within the servicing school district.

6 (2)(a) This formula for distribution of basic education funds shall
7 be reviewed biennially by the superintendent and governor. The
8 recommended formula shall be subject to approval, amendment or
9 rejection by the legislature. The formula shall be for allocation
10 purposes only. While the legislature intends that the allocations for
11 additional instructional staff be used to increase the ratio of such
12 staff to students, nothing in this section shall require districts to
13 reduce the number of administrative staff below existing levels.

14 (b) The formula adopted by the legislature shall reflect the
15 following ratios at a minimum:

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22 instructional staff per one thousand full-time equivalent students in
23 grades four through six for the addition of teachers solely to reduce
24 class size. Any funds provided for these additional four certificated
25 instructional staff units shall not be considered basic education
26 funding and shall be allocated only if the district documents an actual
27 ratio equal to or greater than fifty certificated instructional staff
28 per thousand full-time equivalent students in grades four through six.
29 For any school district documenting a lower certificated staff ratio,
30 the allocation shall be based on the higher of the district's actual
31 fourth through sixth grade ratio or forty-six certificated
32 instructional staff per thousand;

33 (iii) Forty-six certificated instructional staff to one thousand
34 annual average full-time equivalent students in grades seven through
35 twelve;

36 (iv) Four certificated administrative staff to one thousand annual
37 average full-time equivalent students in grades kindergarten through
38 twelve; and

1 (~~(iv)~~) (v) Sixteen and sixty-seven one-hundredths classified
2 personnel to one thousand annual average full-time equivalent students
3 enrolled in grades kindergarten through twelve.

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5 recommended by the governor, without adopting a new distribution
6 formula, the distribution formula for the previous school year shall
7 remain in effect: PROVIDED, That the distribution formula developed
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9 equalization purposes only and shall not be construed as mandating
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11 those program requirements identified in RCW 28A.150.220 and
12 28A.150.100. The enrollment of any district shall be the annual
13 average number of full-time equivalent students and part-time students
14 as provided in RCW 28A.150.350, enrolled on the first school day of
15 each month and shall exclude full-time equivalent students with
16 disabilities recognized for the purposes of allocation of state funds
17 for programs under RCW 28A.155.010 through 28A.155.100. The definition
18 of full-time equivalent student shall be determined by rules of the
19 superintendent of public instruction: PROVIDED, That the definition
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23 appropriations committee and the senate ways and means committee:
24 PROVIDED, FURTHER, That the office of financial management shall make
25 a monthly review of the superintendent's reported full-time equivalent
26 students in the common schools in conjunction with RCW 43.62.050.

27 (3)(a) Certificated instructional staff shall include those persons
28 employed by a school district who are nonsupervisory employees within
29 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,
30 people of unusual competence but without certification may teach
31 students so long as a certificated person exercises general
32 supervision: PROVIDED, FURTHER, That the hiring of such classified
33 people shall not occur during a labor dispute and such classified
34 people shall not be hired to replace certificated employees during a
35 labor dispute.

36 (b) Certificated administrative staff shall include all those
37 persons who are chief executive officers, chief administrative
38 officers, confidential employees, supervisors, principals, or assistant
39 principals within the meaning of RCW 41.59.020(4).

1 NEW SECTION. **Sec. 3.** The sum of ninety-two million dollars, or as
2 much thereof as may be necessary, is appropriated for the biennium
3 ending June 30, 2001, from the general fund to the office of the
4 superintendent of public instruction for the purposes of this act.

5 NEW SECTION. **Sec. 4.** Section 1 of this act takes effect September
6 1, 1999.

7 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect September
8 1, 2000. However, section 2 of this act shall not take effect if, by
9 September 1, 2000, a law is enacted stating that a school
10 accountability and academic assessment system is not in place.

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