
HOUSE BILL 3161

State of Washington 58th Legislature 2004 Regular Session

By Representative Anderson

Read first time 01/30/2004. Referred to Committee on Appropriations.

1 AN ACT Relating to revising school funding by standardizing levy
2 formulas and salary schedules; amending RCW 28A.400.205, 28A.500.020,
3 28A.500.030, and 84.52.0531; adding a new section to chapter 84.52 RCW;
4 adding a new section to chapter 28A.500 RCW; providing an effective
5 date; providing an expiration date; and declaring an emergency.

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

7 **Sec. 1.** RCW 28A.400.205 and 2003 1st sp.s. c 20 s 1 are each
8 amended to read as follows:

9 (1) School district employees shall be provided an annual salary
10 cost-of-living increase in accordance with this section.

11 (a) The cost-of-living increase shall be calculated by applying the
12 rate of the yearly increase in the cost-of-living index to any state-
13 funded salary base used in state funding formulas for teachers and
14 other school district employees. Beginning with the 2001-02 school
15 year, and for each subsequent school year, except for the 2003-04 and
16 2004-05 school years, each school district shall be provided a cost-of-
17 living allocation sufficient to grant this cost-of-living increase,
18 except as provided in subsection (3) of this section.

1 (b) A school district shall distribute its cost-of-living
2 allocation for salaries and salary-related benefits in accordance with
3 the district's salary schedules, collective bargaining agreements, and
4 compensation policies. No later than the end of the school year, each
5 school district shall certify to the superintendent of public
6 instruction that it has spent funds provided for cost-of-living
7 increases on salaries and salary-related benefits.

8 (c) Any funded cost-of-living increase shall be included in the
9 salary base used to determine cost-of-living increases for school
10 employees in subsequent years, except as provided in subsection (3) of
11 this section. For teachers and other certificated instructional staff,
12 the rate of the annual cost-of-living increase funded for certificated
13 instructional staff shall be applied to the base salary used with the
14 statewide salary allocation schedule established under RCW 28A.150.410
15 and to any other salary models used to recognize school district
16 personnel costs.

17 (2) For the purposes of this section, "cost-of-living index" means,
18 for any school year, the previous calendar year's annual average
19 consumer price index, using the official current base, compiled by the
20 bureau of labor statistics, United States department of labor for the
21 state of Washington. If the bureau of labor statistics develops more
22 than one consumer price index for areas within the state, the index
23 covering the greatest number of people, covering areas exclusively
24 within the boundaries of the state, and including all items shall be
25 used for the cost-of-living index in this section.

26 (3) For districts that have historically received teacher salary
27 allocations in excess of the statewide salary schedule included in the
28 appropriations act pursuant to RCW 28A.150.410, the legislature shall
29 decline to provide a cost-of-living increase allocation, or shall
30 provide a cost-of-living increase allocation at a lower rate than
31 otherwise required by this section, in order to bring these districts'
32 general apportionment allocations down to or closer to the statewide
33 salary schedule.

34 **Sec. 2.** RCW 28A.500.020 and 1999 c 317 s 2 are each amended to
35 read as follows:

36 (1) Unless the context clearly requires otherwise, the definitions
37 in this section apply throughout this chapter.

1 (a) "Prior tax collection year" means the year immediately
2 preceding the year in which the local effort assistance shall be
3 allocated.

4 (b) "Statewide average (~~((twelve))~~) fifteen percent levy rate" means
5 (~~((twelve))~~) fifteen percent of the total levy bases as defined in RCW
6 84.52.0531(3) summed for all school districts, and divided by the total
7 assessed valuation for excess levy purposes in the prior tax collection
8 year for all districts as adjusted to one hundred percent by the county
9 indicated ratio established in RCW 84.48.075.

10 (c) The "district's (~~((twelve))~~) fifteen percent levy amount" means
11 the school district's maximum levy authority after transfers determined
12 under RCW 84.52.0531(2) (a) through (c) divided by (~~(the district's~~
13 ~~maximum levy percentage determined under RCW 84.52.0531(4))~~) thirty
14 percent, multiplied by (~~((twelve))~~) fifteen percent.

15 (d) The "district's (~~((twelve))~~) fifteen percent levy rate" means the
16 district's (~~((twelve))~~) fifteen percent levy amount divided by the
17 district's assessed valuation for excess levy purposes for the prior
18 tax collection year as adjusted to one hundred percent by the county
19 indicated ratio.

20 (e) "Districts eligible for local effort assistance" means those
21 districts with a (~~((twelve))~~) fifteen percent levy rate that exceeds the
22 statewide average (~~((twelve))~~) fifteen percent levy rate.

23 (2) Unless otherwise stated all rates, percents, and amounts are
24 for the calendar year for which local effort assistance is being
25 calculated under this chapter.

26 **Sec. 3.** RCW 28A.500.030 and 2003 1st sp.s. c 25 s 912 are each
27 amended to read as follows:

28 Allocation of state matching funds to eligible districts for local
29 effort assistance shall be determined as follows:

30 (1) Funds raised by the district through maintenance and operation
31 levies shall be matched with state funds using the following ratio of
32 state funds to levy funds:

33 (a) The difference between the district's (~~((twelve))~~) fifteen
34 percent levy rate and the statewide average (~~((twelve))~~) fifteen percent
35 levy rate; to

36 (b) The statewide average (~~((twelve))~~) fifteen percent levy rate.

1 (2) The maximum amount of state matching funds for districts
2 eligible for local effort assistance shall be the district's (~~twelve~~)
3 fifteen percent levy amount, multiplied by the following percentage:

4 (a) The difference between the district's (~~twelve~~) fifteen
5 percent levy rate and the statewide average (~~twelve~~) fifteen percent
6 levy rate; divided by

7 (b) The district's (~~twelve~~) fifteen percent levy rate.

8 (3) Calendar year 2003 allocations and maximum eligibility under
9 this chapter shall be multiplied by 0.99.

10 (4) From January 1, 2004, to June 30, 2005, allocations and maximum
11 eligibility under this chapter shall be multiplied by 0.937.

12 **Sec. 4.** RCW 84.52.0531 and 1997 c 259 s 2 are each amended to read
13 as follows:

14 The maximum dollar amount which may be levied by or for any school
15 district for maintenance and operation support under the provisions of
16 RCW 84.52.053 shall be determined as follows:

17 (1) For excess levies for collection in calendar year 1997, the
18 maximum dollar amount shall be calculated pursuant to the laws and
19 rules in effect in November 1996.

20 (2) For excess levies for collection in calendar year (~~1998~~) 2005
21 and thereafter, the maximum dollar amount shall be the sum of (a) plus
22 or minus (b) and (c) of this subsection minus (d) of this subsection:

23 (a) The district's levy base as defined in subsection (3) of this
24 section multiplied by the district's maximum levy percentage as defined
25 in subsection (4) of this section;

26 (b) For districts in a high/nonhigh relationship, the high school
27 district's maximum levy amount shall be reduced and the nonhigh school
28 district's maximum levy amount shall be increased by an amount equal to
29 the estimated amount of the nonhigh payment due to the high school
30 district under RCW 28A.545.030(3) and 28A.545.050 for the school year
31 commencing the year of the levy;

32 (c) For districts in an interdistrict cooperative agreement, the
33 nonresident school district's maximum levy amount shall be reduced and
34 the resident school district's maximum levy amount shall be increased
35 by an amount equal to the per pupil basic education allocation included
36 in the nonresident district's levy base under subsection (3) of this
37 section multiplied by:

1 (i) The number of full-time equivalent students served from the
2 resident district in the prior school year; multiplied by:

3 (ii) The serving district's maximum levy percentage determined
4 under subsection (4) of this section; increased by:

5 (iii) The percent increase per full-time equivalent student as
6 stated in the state basic education appropriation section of the
7 biennial budget between the prior school year and the current school
8 year divided by fifty-five percent;

9 (d) The district's maximum levy amount shall be reduced by the
10 maximum amount of state matching funds for which the district is
11 eligible under RCW 28A.500.010.

12 (3) For excess levies for collection in calendar year (~~(1998)~~) 2005
13 and thereafter, a district's levy base shall be the sum of allocations
14 in (a) through (c) of this subsection received by the district for the
15 prior school year, including allocations for compensation increases,
16 plus the sum of such allocations multiplied by the percent increase per
17 full time equivalent student as stated in the state basic education
18 appropriation section of the biennial budget between the prior school
19 year and the current school year and divided by fifty-five percent. A
20 district's levy base shall not include local school district property
21 tax levies or other local revenues, or state and federal allocations
22 not identified in (a) through (c) of this subsection.

23 (a) The district's basic education allocation as determined
24 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

25 (b) State and federal categorical allocations for the following
26 programs:

27 (i) Pupil transportation;

28 (ii) Special education;

29 (iii) Education of highly capable students;

30 (iv) Compensatory education, including but not limited to learning
31 assistance, migrant education, Indian education, refugee programs, and
32 bilingual education;

33 (v) Food services; and

34 (vi) Statewide block grant programs; and

35 (c) Any other federal allocations for elementary and secondary
36 school programs, including direct grants, other than federal impact aid
37 funds and allocations in lieu of taxes.

1 (4) A district's maximum levy percentage shall be ~~((twenty-two))~~
2 thirty percent ~~((in 1998 and twenty-four percent in 1999 and every year~~
3 ~~thereafter; plus, for qualifying districts, the grandfathered~~
4 ~~percentage determined as follows:~~

5 ~~(a) For 1997, the difference between the district's 1993 maximum~~
6 ~~levy percentage and twenty percent; and~~

7 ~~(b) For 1998 and thereafter, the percentage calculated as follows:~~

8 ~~(i) Multiply the grandfathered percentage for the prior year times~~
9 ~~the district's levy base determined under subsection (3) of this~~
10 ~~section;~~

11 ~~(ii) Reduce the result of (b)(i) of this subsection by any levy~~
12 ~~reduction funds as defined in subsection (5) of this section that are~~
13 ~~to be allocated to the district for the current school year;~~

14 ~~(iii) Divide the result of (b)(ii) of this subsection by the~~
15 ~~district's levy base; and~~

16 ~~(iv) Take the greater of zero or the percentage calculated in~~
17 ~~(b)(iii) of this subsection.~~

18 ~~(5) "Levy reduction funds" shall mean increases in state funds from~~
19 ~~the prior school year for programs included under subsection (3) of~~
20 ~~this section: (a) That are not attributable to enrollment changes,~~
21 ~~compensation increases, or inflationary adjustments; and (b) that are~~
22 ~~or were specifically identified as levy reduction funds in the~~
23 ~~appropriations act. If levy reduction funds are dependent on formula~~
24 ~~factors which would not be finalized until after the start of the~~
25 ~~current school year, the superintendent of public instruction shall~~
26 ~~estimate the total amount of levy reduction funds by using prior school~~
27 ~~year data in place of current school year data. Levy reduction funds~~
28 ~~shall not include moneys received by school districts from cities or~~
29 ~~counties)).~~

30 ~~((+6))~~ (5) For the purposes of this section, "prior school year"
31 means the most recent school year completed prior to the year in which
32 the levies are to be collected.

33 ~~((+7))~~ (6) For the purposes of this section, "current school year"
34 means the year immediately following the prior school year.

35 ~~((+8))~~ (7) Funds collected from transportation vehicle fund tax
36 levies shall not be subject to the levy limitations in this section.

37 ~~((+9))~~ (8) The superintendent of public instruction shall develop

1 rules and regulations and inform school districts of the pertinent data
2 necessary to carry out the provisions of this section.

3 NEW SECTION. **Sec. 5.** A new section is added to chapter 84.52 RCW
4 to read as follows:

5 If the total amount of local effort assistance funds and excess
6 levy revenue received by a district is less under sections 2 through 4
7 of this act than they would have been had sections 2 through 4 of this
8 act not been enacted, the district shall receive hold harmless
9 allocations. Hold harmless allocations shall be the difference between
10 the amount of levy revenue and local effort assistance allocations the
11 district would have received had sections 2 through 4 of this act not
12 been enacted, and the amount of levy revenue and levy equalization the
13 district will receive under sections 2 through 4 of this act,
14 multiplied by the following:

- 15 (1) In calendar year 2005, five-sixths;
- 16 (2) In calendar year 2006, two-thirds;
- 17 (3) In calendar year 2007, one-half;
- 18 (4) In calendar year 2008, one-third; and
- 19 (5) In calendar year 2009, one-sixth.

20 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.500
21 RCW to read as follows:

22 The state auditor shall monitor compliance with this act.

23 NEW SECTION. **Sec. 7.** (1) Section 1 of this act is necessary for
24 the immediate preservation of the public peace, health, or safety, or
25 support of the state government and its existing public institutions,
26 and takes effect immediately.

27 (2) Sections 2 through 4 of this act take effect January 1, 2005.

28 NEW SECTION. **Sec. 8.** Section 5 of this act expires January 1,
29 2010.

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