
ENGROSSED SECOND SUBSTITUTE SENATE BILL 6552

State of Washington

63rd Legislature

2014 Regular Session

By Senate Ways & Means (originally sponsored by Senators Rolfes, Dammeier, Litzow, Rivers, Tom, Fain, Hill, Kohl-Welles, Mullet, McAuliffe, and Cleveland)

READ FIRST TIME 02/11/14.

1 AN ACT Relating to improving student success by modifying
2 instructional hour and graduation requirements; amending RCW
3 28A.700.070, 28A.230.097, 28A.150.220, 28A.230.090, and 28A.150.260;
4 and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes that preparing
7 students to be successful in postsecondary education, gainful
8 employment, and citizenship requires increased rigor and achievement,
9 including attaining a meaningful high school diploma with the
10 opportunity to earn twenty-four credits. The legislature finds that an
11 investment was made in the 2013-2015 omnibus appropriations act to
12 implement an increase in instructional hours in the 2014-15 school
13 year. School districts informed the legislature that the funding as
14 provided in the 2013-2015 omnibus appropriations act would result in
15 only a few minutes being added onto each class period and would not
16 result in a meaningful increase in instruction that would have the
17 positive impact on student learning that the legislature expects. The
18 school districts suggested that it would be a better educational policy
19 to use the funds to implement the requirement of twenty-four credits

1 for high school graduation, which will result in a meaningful increase
2 of instructional hours. Based on input from school districts across
3 the state, the legislature recognizes the need to provide flexibility
4 for school districts to implement the increase in instructional hours
5 while still moving towards an increase in the high school graduation
6 requirements. Therefore, the legislature intends to shift the focus
7 and intent of the investments from compliance with the minimum
8 instructional hours offering to assisting school districts to provide
9 an opportunity for students to earn twenty-four credits for high school
10 graduation and obtain a meaningful diploma, beginning with the
11 graduating class of 2019.

12 **PART I**

13 **CAREER AND TECHNICAL EQUIVALENCIES**

14 **Sec. 101.** RCW 28A.700.070 and 2008 c 170 s 201 are each amended to
15 read as follows:

16 (1) The office of the superintendent of public instruction shall
17 support school district efforts under RCW 28A.230.097 to adopt course
18 equivalencies for career and technical courses by:

19 (a) Recommending career and technical curriculum suitable for
20 course equivalencies;

21 (b) Publicizing best practices for high schools and school
22 districts in developing and adopting course equivalencies; and

23 (c) In consultation with the Washington association for career and
24 technical education, providing professional development, technical
25 assistance, and guidance for school districts seeking to expand their
26 lists of equivalent courses.

27 (2) The office of the superintendent of public instruction shall
28 provide professional development, technical assistance, and guidance
29 for school districts to develop career and technical course
30 equivalencies that also qualify as advanced placement courses.

31 (3) The office of the superintendent of public instruction, in
32 consultation with one or more technical working groups convened for
33 this purpose, shall develop curriculum frameworks for a selected list
34 of career and technical courses that may be offered by high schools or
35 skill centers whose content in science, technology, engineering, and
36 mathematics is considered equivalent in full or in part to science or

1 mathematics courses that meet high school graduation requirements. The
2 content of the courses must be aligned with state essential academic
3 learning requirements in mathematics as adopted by the superintendent
4 of public instruction in July 2011 and the essential academic learning
5 requirements in science as adopted in October 2013, and industry
6 standards. The office shall submit the list of equivalent career and
7 technical courses and their curriculum frameworks to the state board of
8 education for review, an opportunity for public comment, and approval.
9 The first list of courses under this subsection must be developed and
10 approved before the 2015-16 school year. Thereafter, the office may
11 periodically update or revise the list of courses using the process in
12 this subsection.

13 (4) Subject to funds appropriated for this purpose, the office of
14 the superintendent of public instruction shall allocate grant funds to
15 school districts to increase the integration and rigor of academic
16 instruction in career and technical courses. Grant recipients are
17 encouraged to use grant funds to support teams of academic and
18 technical teachers using a research-based professional development
19 model supported by the national research center for career and
20 technical education. The office of the superintendent of public
21 instruction may require that grant recipients provide matching
22 resources using federal Carl Perkins funds or other fund sources.

23 **Sec. 102.** RCW 28A.230.097 and 2013 c 241 s 2 are each amended to
24 read as follows:

25 (1) Each high school or school district board of directors shall
26 adopt course equivalencies for career and technical high school courses
27 offered to students in high schools and skill centers. A career and
28 technical course equivalency may be for whole or partial credit. Each
29 school district board of directors shall develop a course equivalency
30 approval procedure. Boards of directors must approve AP computer
31 science courses as equivalent to high school mathematics or science,
32 and must denote on a student's transcript that AP computer science
33 qualifies as a math-based quantitative course for students who take the
34 course in their senior year. In order for a board to approve AP
35 computer science as equivalent to high school mathematics, the student
36 must be concurrently enrolled in or have successfully completed algebra
37 II. Beginning no later than the 2015-16 school year, a school district

1 board of directors must, at a minimum, grant academic course
2 equivalency in mathematics or science for a high school career and
3 technical course, if the course is offered, from the list of courses
4 approved by the state board of education under RCW 28A.700.070, but is
5 not limited to the courses on the list. If the list of courses is
6 revised after the 2015-16 school year, the school district board of
7 directors must grant academic course equivalency based on the revised
8 list beginning with the school year immediately following the revision.

9 (2) Career and technical courses determined to be equivalent to
10 academic core courses, in full or in part, by the high school or school
11 district shall be accepted as meeting core requirements, including
12 graduation requirements, if the courses are recorded on the student's
13 transcript using the equivalent academic high school department
14 designation and title. Full or partial credit shall be recorded as
15 appropriate. The high school or school district shall also issue and
16 keep record of course completion certificates that demonstrate that the
17 career and technical courses were successfully completed as needed for
18 industry certification, college credit, or preapprenticeship, as
19 applicable. The certificate shall be either part of the student's high
20 school and beyond plan or the student's culminating project, as
21 determined by the student. The office of the superintendent of public
22 instruction shall develop and make available electronic samples of
23 certificates of course completion.

24

PART II

25

INSTRUCTIONAL HOURS AND HIGH SCHOOL GRADUATION CREDIT REQUIREMENTS

26 **Sec. 201.** RCW 28A.150.220 and 2013 2nd sp.s. c 9 s 2 are each
27 amended to read as follows:

28 (1) In order for students to have the opportunity to develop the
29 basic education knowledge and skills under RCW 28A.150.210, school
30 districts must provide instruction of sufficient quantity and quality
31 and give students the opportunity to complete graduation requirements
32 that are intended to prepare them for postsecondary education, gainful
33 employment, and citizenship. The program established under this
34 section shall be the minimum instructional program of basic education
35 offered by school districts.

1 (2) Each school district shall make available to students the
2 following minimum instructional offering each school year:

3 (a) For students enrolled in grades one through twelve, at least a
4 district-wide annual average of one thousand hours, which shall be
5 increased beginning in the 2015-16 school year to at least one thousand
6 eighty instructional hours for students enrolled in ~~((each of))~~ grades
7 ~~((seven))~~ nine through twelve and at least one thousand instructional
8 hours for students in ~~((each of))~~ grades one through ~~((six according to~~
9 ~~an implementation schedule adopted by the legislature, but not before~~
10 ~~the 2014-15 school year))~~ eight, all of which may be calculated by a
11 school district using a district-wide annual average of instructional
12 hours over grades one through twelve; and

13 (b) For students enrolled in kindergarten, at least four hundred
14 fifty instructional hours, which shall be increased to at least one
15 thousand instructional hours according to the implementation schedule
16 under RCW 28A.150.315.

17 (3) The instructional program of basic education provided by each
18 school district shall include:

19 (a) Instruction in the essential academic learning requirements
20 under RCW 28A.655.070;

21 (b) Instruction that provides students the opportunity to complete
22 twenty-four credits for high school graduation, ~~((subject to a phased-~~
23 ~~in-implementation-of-the-twenty-four-credits-as-established-by-the~~
24 ~~legislature))~~ beginning with the graduating class of 2019. Course
25 distribution requirements may be established by the state board of
26 education under RCW 28A.230.090;

27 (c) If the essential academic learning requirements include a
28 requirement of languages other than English, the requirement may be met
29 by students receiving instruction in one or more American Indian
30 languages;

31 (d) Supplemental instruction and services for underachieving
32 students through the learning assistance program under RCW 28A.165.005
33 through 28A.165.065;

34 (e) Supplemental instruction and services for eligible and enrolled
35 students and exited students whose primary language is other than
36 English through the transitional bilingual instruction program under
37 RCW 28A.180.010 through 28A.180.080;

1 (f) The opportunity for an appropriate education at public expense
2 as defined by RCW 28A.155.020 for all eligible students with
3 disabilities as defined in RCW 28A.155.020; and

4 (g) Programs for highly capable students under RCW 28A.185.010
5 through 28A.185.030.

6 (4) Nothing contained in this section shall be construed to require
7 individual students to attend school for any particular number of hours
8 per day or to take any particular courses.

9 (5)(a) Each school district's kindergarten through twelfth grade
10 basic educational program shall be accessible to all students who are
11 five years of age, as provided by RCW 28A.225.160, and less than
12 twenty-one years of age and shall consist of a minimum of one hundred
13 eighty school days per school year in such grades as are conducted by
14 a school district, and one hundred eighty half-days of instruction, or
15 equivalent, in kindergarten, to be increased to a minimum of one
16 hundred eighty school days per school year according to the
17 implementation schedule under RCW 28A.150.315. (~~However,~~)

18 (b) Schools administering the Washington kindergarten inventory of
19 developing skills may use up to three school days at the beginning of
20 the school year to meet with parents and families as required in the
21 parent involvement component of the inventory. (~~In addition,~~
22 ~~effective May 1, 1979,~~)

23 (c) In the case of students who are graduating from high school, a
24 school district may schedule the last five school days of the one
25 hundred (~~and~~) eighty day school year for noninstructional purposes
26 (~~in the case of students who are graduating from high school,~~)
27 including, but not limited to, the observance of graduation and early
28 release from school upon the request of a student(~~,~~~~and~~). All such
29 students may be claimed as a full-time equivalent student to the extent
30 they could otherwise have been so claimed for the purposes of RCW
31 28A.150.250 and 28A.150.260. Any hours scheduled by a school district
32 for noninstructional purposes during the last five school days for such
33 students shall count toward the instructional hours requirement in
34 subsection (2)(a) of this section.

35 (6) Nothing in this section precludes a school district from
36 enriching the instructional program of basic education, such as
37 offering additional instruction or providing additional services,

1 programs, or activities that the school district determines to be
2 appropriate for the education of the school district's students.

3 (7) The state board of education shall adopt rules to implement and
4 ensure compliance with the program requirements imposed by this
5 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental
6 program approval requirements as the state board may establish.

7 **Sec. 202.** RCW 28A.230.090 and 2011 c 203 s 2 are each amended to
8 read as follows:

9 (1) The state board of education shall establish high school
10 graduation requirements or equivalencies for students, except as
11 provided in RCW 28A.230.122 and except those equivalencies established
12 by local high schools or school districts under RCW 28A.230.097. The
13 purpose of a high school diploma is to declare that a student is ready
14 for success in postsecondary education, gainful employment, and
15 citizenship, and is equipped with the skills to be a lifelong learner.

16 (a) Any course in Washington state history and government used to
17 fulfill high school graduation requirements shall consider including
18 information on the culture, history, and government of the American
19 Indian peoples who were the first inhabitants of the state.

20 (b) The certificate of academic achievement requirements under RCW
21 28A.655.061 or the certificate of individual achievement requirements
22 under RCW 28A.155.045 are required for graduation from a public high
23 school but are not the only requirements for graduation.

24 (c) Any decision on whether a student has met the state board's
25 high school graduation requirements for a high school and beyond plan
26 shall remain at the local level.

27 (d) The state board of education shall adopt rules to implement the
28 career and college ready graduation requirement proposal adopted under
29 board resolution on November 10, 2010, and revised on January 9, 2014,
30 which includes authorization for a school district to waive up to two
31 credits on an individual student basis in accordance with the rules
32 established by the state board of education to take effect beginning
33 with the graduating class of 2019.

34 (2)(a) In recognition of the statutory authority of the state board
35 of education to establish and enforce minimum high school graduation
36 requirements, the state board shall periodically reevaluate the

1 graduation requirements and shall report such findings to the
2 legislature in a timely manner as determined by the state board.

3 (b) The state board shall reevaluate the graduation requirements
4 for students enrolled in vocationally intensive and rigorous career and
5 technical education programs, particularly those programs that lead to
6 a certificate or credential that is state or nationally recognized.
7 The purpose of the evaluation is to ensure that students enrolled in
8 these programs have sufficient opportunity to earn a certificate of
9 academic achievement, complete the program and earn the program's
10 certificate or credential, and complete other state and local
11 graduation requirements.

12 (c) The state board shall forward any proposed changes to the high
13 school graduation requirements to the education committees of the
14 legislature for review and to the quality education council established
15 under RCW 28A.290.010. The legislature shall have the opportunity to
16 act during a regular legislative session before the changes are adopted
17 through administrative rule by the state board. Changes that have a
18 fiscal impact on school districts, as identified by a fiscal analysis
19 prepared by the office of the superintendent of public instruction,
20 shall take effect only if formally authorized and funded by the
21 legislature through the omnibus appropriations act or other enacted
22 legislation.

23 (3) Pursuant to any requirement for instruction in languages other
24 than English established by the state board of education or a local
25 school district, or both, for purposes of high school graduation,
26 students who receive instruction in American sign language or one or
27 more American Indian languages shall be considered to have satisfied
28 the state or local school district graduation requirement for
29 instruction in one or more languages other than English.

30 (4) If requested by the student and his or her family, a student
31 who has completed high school courses before attending high school
32 shall be given high school credit which shall be applied to fulfilling
33 high school graduation requirements if:

34 (a) The course was taken with high school students, if the academic
35 level of the course exceeds the requirements for seventh and eighth
36 grade classes, and the student has successfully passed by completing
37 the same course requirements and examinations as the high school
38 students enrolled in the class; or

1 (b) The academic level of the course exceeds the requirements for
2 seventh and eighth grade classes and the course would qualify for high
3 school credit, because the course is similar or equivalent to a course
4 offered at a high school in the district as determined by the school
5 district board of directors.

6 (5) Students who have taken and successfully completed high school
7 courses under the circumstances in subsection (4) of this section shall
8 not be required to take an additional competency examination or perform
9 any other additional assignment to receive credit.

10 (6) At the college or university level, five quarter or three
11 semester hours equals one high school credit.

12 **Sec. 203.** RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each
13 amended to read as follows:

14 The purpose of this section is to provide for the allocation of
15 state funding that the legislature deems necessary to support school
16 districts in offering the minimum instructional program of basic
17 education under RCW 28A.150.220. The allocation shall be determined as
18 follows:

19 (1) The governor shall and the superintendent of public instruction
20 may recommend to the legislature a formula for the distribution of a
21 basic education instructional allocation for each common school
22 district.

23 (2) The distribution formula under this section shall be for
24 allocation purposes only. Except as may be required under chapter
25 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
26 regulations, nothing in this section requires school districts to use
27 basic education instructional funds to implement a particular
28 instructional approach or service. Nothing in this section requires
29 school districts to maintain a particular classroom teacher-to-student
30 ratio or other staff-to-student ratio or to use allocated funds to pay
31 for particular types or classifications of staff. Nothing in this
32 section entitles an individual teacher to a particular teacher planning
33 period.

34 (3)(a) To the extent the technical details of the formula have been
35 adopted by the legislature and except when specifically provided as a
36 school district allocation, the distribution formula for the basic
37 education instructional allocation shall be based on minimum staffing

1 and nonstaff costs the legislature deems necessary to support
2 instruction and operations in prototypical schools serving high,
3 middle, and elementary school students as provided in this section.
4 The use of prototypical schools for the distribution formula does not
5 constitute legislative intent that schools should be operated or
6 structured in a similar fashion as the prototypes. Prototypical
7 schools illustrate the level of resources needed to operate a school of
8 a particular size with particular types and grade levels of students
9 using commonly understood terms and inputs, such as class size, hours
10 of instruction, and various categories of school staff. It is the
11 intent that the funding allocations to school districts be adjusted
12 from the school prototypes based on the actual number of annual average
13 full-time equivalent students in each grade level at each school in the
14 district and not based on the grade-level configuration of the school
15 to the extent that data is available. The allocations shall be further
16 adjusted from the school prototypes with minimum allocations for small
17 schools and to reflect other factors identified in the omnibus
18 appropriations act.

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

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

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

26 (iii) A prototypical elementary school has four hundred average
27 annual full-time equivalent students in grades kindergarten through
28 six.

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

	General education average class size
36	
37	
38 Grades K-3	25.23

1	Grade 427.00
2	Grades 5-6	27.00
3	Grades 7-8	28.53
4	Grades 9-12	28.74

5 (ii) The minimum class size allocation for each prototypical high
6 school shall be enhanced to provide funding for two laboratory science
7 courses per full-time equivalent student to be completed within grades
8 nine through twelve, calculated as follows: The number of total full-
9 time equivalent students enrolled in grades nine through twelve
10 multiplied by the laboratory science course factor of 0.0833, by the
11 number of full-time equivalent classroom teachers needed to provide
12 instruction over the minimum required annual instructional hours under
13 RCW 28A.150.220, providing at least one teacher planning period per
14 school day, and based on the laboratory science average class size of
15 19.98 full-time equivalent students per teacher.

16		<u>Laboratory science</u>
17		<u>average class size</u>
18	<u>Grades 9-12</u>	<u>.19.98</u>

19 (b) During the 2011-2013 biennium and beginning with schools with
20 the highest percentage of students eligible for free and reduced-price
21 meals in the prior school year, the general education average class
22 size for grades K-3 shall be reduced until the average class size
23 funded under this subsection (4) is no more than 17.0 full-time
24 equivalent students per teacher beginning in the 2017-18 school year.

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

29		Career and technical
30		education average
31		class size
32	Approved career and technical education offered at	
33	the middle school and high school level	26.57
34	Skill center programs meeting the standards established	
35	by the office of the superintendent of public	
36	instruction	22.76

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

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

6 (ii) A specialty average class size for (~~laboratory-science~~)
7 advanced placement(~~(-)~~) and international baccalaureate courses.

8 (5) The minimum allocation for each level of prototypical school
9 shall include allocations for the following types of staff in addition
10 to classroom teachers:
11
12
13

	Elementary	Middle	High
	School	School	School
14 Principals, assistant principals, and other certificated building-level			
15 administrators	1.253	1.353	1.880
16 Teacher librarians, a function that includes information literacy, technology,			
17 and media to support school library media programs	0.663	0.519	0.523
18 Health and social services:			
19 School nurses	0.076	0.060	0.096
20 Social workers	0.042	0.006	0.015
21 Psychologists	0.017	0.002	0.007
22 Guidance counselors, a function that includes parent outreach and graduation			
23 advising	0.493	1.116	((1.909))
24			<u>2.539</u>
25 Teaching assistance, including any aspect of educational instructional			
26 services provided by classified employees	0.936	0.700	0.652
27 Office support and other noninstructional aides	2.012	2.325	3.269
28 Custodians	1.657	1.942	2.965
29 Classified staff providing student and staff safety	0.079	0.092	0.141
30 Parent involvement coordinators	0.00	0.00	0.00

31 (6)(a) The minimum staffing allocation for each school district to
32 provide district-wide support services shall be allocated per one
33
34

1 thousand annual average full-time equivalent students in grades K-12 as
2 follows:

	Staff per 1,000 K-12 students
3 Technology	0.628
4 Facilities, maintenance, and grounds	1.813
5 Warehouse, laborers, and mechanics	0.332

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

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

15 (8)(a) Except as provided in (b) and (c) of this subsection, the
16 minimum allocation for each school district shall include allocations
17 per annual average full-time equivalent student for the following
18 materials, supplies, and operating costs, to be adjusted for inflation
19 from the 2008-09 school year:

	Per annual average full-time equivalent student in grades K-12
20 Technology	\$54.43
21 Utilities and insurance\$147.90
22 Curriculum and textbooks\$58.44
23 Other supplies and library materials	\$124.07
24 Instructional professional development for certified and 25 classified staff	\$9.04
26 Facilities maintenance\$73.27
27 Security and central office	\$50.76

28 (b) During the 2011-2013 biennium, the minimum allocation for
29 maintenance, supplies, and operating costs shall be increased as
30 specified in the omnibus appropriations act. The following
31 allocations, adjusted for inflation from the 2007-08 school year, are
32

1 provided in the 2015-16 school year, after which the allocations shall
2 be adjusted annually for inflation as specified in the omnibus
3 appropriations act:

	Per annual average full-time equivalent student in grades K-12
4 Technology	\$113.80
5 Utilities and insurance	\$309.21
6 Curriculum and textbooks	\$122.17
7 Other supplies and library materials	\$259.39
8 Instructional professional development for certificated and 9 classified staff	\$18.89
10 Facilities maintenance	\$153.18
11 Security and central office administration	\$106.12

12 (c) In addition to the amounts provided in (a) and (b) of this
13 subsection, beginning in the 2014-15 school year, the omnibus
14 appropriations act shall provide the following minimum allocation for
15 each annual average full-time equivalent student in grades nine through
16 twelve for the following materials, supplies, and operating costs, to
17 be adjusted annually for inflation:

	<u>Per annual average</u> <u>full-time equivalent student</u> <u>in grades 9-12</u>
18 <u>Technology</u>	<u>\$36.35</u>
19 <u>Curriculum and textbooks</u>	<u>\$39.02</u>
20 <u>Other supplies and library materials</u>	<u>\$82.84</u>
21 <u>Instructional professional development for certificated and</u> 22 <u>classified staff</u>	<u>\$6.04</u>

23 (9) In addition to the amounts provided in subsection (8) of this
24 section, the omnibus appropriations act shall provide an amount based
25 on full-time equivalent student enrollment in each of the following:

26 (a) Exploratory career and technical education courses for students
27 in grades seven through twelve;

28 (b) ~~((Laboratory science courses for students in grades nine
29 through twelve;~~

30 ~~(e))) Preparatory career and technical education courses for
31 students in grades nine through twelve offered in a high school; and~~

1 ~~((d))~~ (c) Preparatory career and technical education courses for
2 students in grades eleven and twelve offered through a skill center.

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

6 (a) To provide supplemental instruction and services for
7 underachieving students through the learning assistance program under
8 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the
9 district percentage of students in grades K-12 who were eligible for
10 free or reduced-price meals in the prior school year. The minimum
11 allocation for the program shall provide for each level of prototypical
12 school resources to provide, on a statewide average, 1.5156 hours per
13 week in extra instruction with a class size of fifteen learning
14 assistance program students per teacher.

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

29 (c) To provide additional allocations to support programs for
30 highly capable students under RCW 28A.185.010 through 28A.185.030,
31 allocations shall be based on two and three hundred fourteen one-
32 thousandths percent of each school district's full-time equivalent
33 basic education enrollment. The minimum allocation for the programs
34 shall provide resources to provide, on a statewide average, 2.1590
35 hours per week in extra instruction with fifteen highly capable program
36 students per teacher.

37 (11) The allocations under subsections (4)(a) and (b), (5), (6),

1 and (8) of this section shall be enhanced as provided under RCW
2 28A.150.390 on an excess cost basis to provide supplemental
3 instructional resources for students with disabilities.

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

11 (b) Allocations or enhancements provided under subsections (4),
12 (7), and (9) of this section for exploratory and preparatory career and
13 technical education courses shall be provided only for courses approved
14 by the office of the superintendent of public instruction under chapter
15 28A.700 RCW.

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

20 (b) In the event the legislature rejects the distribution formula
21 recommended by the governor, without adopting a new distribution
22 formula, the distribution formula for the previous school year shall
23 remain in effect.

24 (c) The enrollment of any district shall be the annual average
25 number of full-time equivalent students and part-time students as
26 provided in RCW 28A.150.350, enrolled on the first school day of each
27 month, including students who are in attendance pursuant to RCW
28 28A.335.160 and 28A.225.250 who do not reside within the servicing
29 school district. The definition of full-time equivalent student shall
30 be determined by rules of the superintendent of public instruction and
31 shall be included as part of the superintendent's biennial budget
32 request. The definition shall be based on the minimum instructional
33 hour offerings required under RCW 28A.150.220. Any revision of the
34 present definition shall not take effect until approved by the house
35 ways and means committee and the senate ways and means committee.

36 (d) The office of financial management shall make a monthly review

1 of the superintendent's reported full-time equivalent students in the
2 common schools in conjunction with RCW 43.62.050.

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