



A PROCLAMATION BY THE GOVERNOR:

WHEREAS, under the provisions of Article II, Section 1 of the Constitution of the state of Washington, there was submitted to the electorate of the state of Washington for their approval or rejection at the state General Election held on the 4th day of November 2014, an Initiative to the People identified as Initiative Measure No. 1351 and entitled:

"Initiative Measure No. 1351 concerns K-12 education. This measure would direct the legislature to allocate funds to reduce class sizes and increase staffing support for students in all K-12 grades, with additional class-size reductions and staffing increases in high-poverty schools. Should this measure be enacted into law?"

WHEREAS, Kim Wyman, as Secretary of State, has on the 2nd day of December 2014, canvassed the votes cast on this measure at the state General Election and certified that 1,052,519 votes were cast in favor of Initiative Measure No. 1351 and 1,012,958 votes were cast against Initiative Measure No. 1351; and

WHEREAS, as appears from this certification, a majority of the votes cast on this proposition at the state General Election were in favor of its adoption;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, do hereby proclaim that the voters of the state of Washington approved the proposed law as set forth in Initiative Measure No. 1351.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the state of Washington to be affixed this 2nd day of December 2014.


JAY INSLEE
Governor

ATTEST:


KIM WYMAN
Secretary of State

INITIATIVE 1351

To the People

Chapter 2, Laws of 2015

Concerning K-12 education.

EFFECTIVE DATE: December 4, 2014 - Except Section 2, which becomes effective September 1, 2018.

Approved by the
People of the State of Washington
in the General Election on
November 4, 2014

ORIGINALLY FILED

March 18, 2014

Secretary of State

1 AN ACT Relating to lowering class sizes and increasing school
2 staff to provide all students the opportunity for a quality
3 education; amending RCW 28A.150.260; adding a new section to chapter
4 28A.150 RCW; creating new sections; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** This initiative concerns reducing the
7 number of students per class in grades K-12. Washington ranks forty-
8 seventh out of fifty states in the nation in the number of students
9 per class. The voters understand that reduced class sizes are
10 critical for students especially to learn technical skills such as
11 mathematics, science, technology, and other skills critical for
12 success in the new economy.

13 It is the intent of the voters that reduction in class sizes be
14 achieved by the legislature funding annual investments to lower class
15 sizes and to increase school staffing in order to provide every
16 student with the opportunities to receive a high quality basic
17 education as well as improve student performance and graduation
18 rates.

19 A teacher's ability to individualize instruction, provide timely
20 feedback to students and families, and keep students actively engaged
21 in learning activities is substantially increased with smaller class

1 sizes. Students in smaller classes have shown improved attendance,
2 greater academic growth, and higher scores on achievement tests; and
3 students from disadvantaged groups experience two to three times the
4 average gains of their peers. Smaller class sizes will provide an
5 equitable opportunity for all students to reach their potential and
6 will assist in closing the achievement gap.

7 In order to comply with the constitutional requirement to amply
8 fund basic education and with the Washington supreme court decision
9 in *McCleary v. the State of Washington*, it is the intent of the
10 voters to implement with fidelity chapter 548, Laws of 2009 and
11 chapter 236, Laws of 2010. These laws revised the definition of the
12 program of basic education, established new methods for distributing
13 state funds to school districts to support this program of basic
14 education, and established a process where the quality education
15 council and technical working groups would make recommendations as to
16 the level of resources that would be required to achieve the state's
17 defined program of basic education by 2018.

18 This measure would create smaller class sizes for grades K-12
19 over a four-year period with priority to schools with high levels of
20 student poverty. These annual improvements are to be considered basic
21 education funding that may be used to assist the Washington supreme
22 court to determine the adequacy of progress in addressing the state's
23 paramount duty in accordance with the *McCleary* decision. State
24 funding would be provided based on a reduction of K-3 class size to
25 seventeen and grade 4-12 class size to twenty-five; and for schools
26 with more than fifty percent of students in poverty, that is, more
27 than fifty percent of students were eligible for free and reduced-
28 price meals in the prior school year, a reduction of K-3 class size
29 to fifteen, grade 4 to twenty-two, and grade 5-12 class size to
30 twenty-three. The measure would also provide funding for increased
31 school teaching and student support including librarians, counselors,
32 school nurses, teaching assistants, and other critical staff
33 necessary for the safe and effective operation of a school, to meet
34 individual student needs, and to ensure all required school functions
35 can be performed by appropriately trained personnel.

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

38 The purpose of this section is to provide for the allocation of
39 state funding that the legislature deems necessary to support school

1 districts in offering the minimum instructional program of basic
2 education under RCW 28A.150.220. The allocation shall be determined
3 as follows:

4 (1) The governor shall and the superintendent of public
5 instruction may recommend to the legislature a formula for the
6 distribution of a basic education instructional allocation for each
7 common school district.

8 (2) The distribution formula under this section shall be for
9 allocation purposes only. Except as required for class size reduction
10 funding provided under subsection (4)(f) of this section and as may
11 be required under chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW,
12 or federal laws and regulations, nothing in this section requires
13 school districts to use basic education instructional funds to
14 implement a particular instructional approach or service. Nothing in
15 this section requires school districts to maintain a particular
16 classroom teacher-to-student ratio or other staff-to-student ratio or
17 to use allocated funds to pay for particular types or classifications
18 of staff. Nothing in this section entitles an individual teacher to a
19 particular teacher planning period.

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

1 minimum allocations for small schools and to reflect other factors
2 identified in the omnibus appropriations act.

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

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

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

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

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

	General education average class size
20 Grades K-3.	((25.23)) <u>17.0</u>
21 Grade 4.	((27.00)) <u>25.0</u>
22 Grades 5-6.	((27.00)) <u>25.0</u>
23 Grades 7-8.	((28.53)) <u>25.0</u>
24 Grades 9-12.	((28.74)) <u>25.0</u>

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

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

35 Career and technical
36 education average

Approved career and technical education offered at the middle school and high school level. ((26.57)) 19.0
Skill center programs meeting the standards established by the office of the superintendent of public instruction. ((22.76)) 16.0

(d) In addition, the omnibus appropriations act shall at a minimum specify((÷

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

~~(ii))~~ a specialty average class size for laboratory science, advanced placement, and international baccalaureate courses.

(e) For each level of prototypical school at which more than fifty percent of the students were eligible for free and reduced-price meals in the prior school year, the superintendent shall allocate funding based on the following average class size of full-time equivalent students per teacher:

	<u>General education average</u>
	<u>class size in</u>
	<u>high poverty</u>
<u>Grades K-3.</u>	<u>15.0</u>
<u>Grade 4.</u>	<u>22.0</u>
<u>Grades 5-6.</u>	<u>23.0</u>
<u>Grades 7-8.</u>	<u>23.0</u>
<u>Grades 9-12.</u>	<u>23.0</u>

(f)(i) Funding for average class sizes in this subsection (4) shall be provided only to the extent of, and proportionate to, the school district's demonstrated actual average class size, up to the funded class sizes.

(ii) Districts that demonstrate capital facility needs that prevent them from reducing actual class sizes to funded levels, may use funding in this subsection (4) for school based-personnel who provide direct services to students. Districts that use this funding for purposes other than reducing actual class sizes must annually report the number and dollar value for each type of personnel funded by school and grade level.

(iii) The office of the superintendent of public instruction shall develop rules to implement this subsection (4).

1 (5) The minimum allocation for each level of prototypical school
 2 shall include allocations necessary for the safe and effective
 3 operation of a school, to meet individual student needs, and to
 4 ensure all required school functions can be performed by
 5 appropriately trained personnel, for the following types of staff in
 6 addition to classroom teachers:

	Elementary	Middle	High
	School	School	School
9 Principals, assistant principals, and other certificated building-level			
10 administrators.	((1.253))	((1.353))	((1.880))
11	<u>1.3</u>	<u>1.4</u>	<u>1.9</u>
12 Teacher librarians, a function that includes information literacy, technology,			
13 and media to support school library media programs.	((0.663))	((0.519))	((0.523))
14	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>
15 Health and social services:			
16 School nurses.	((0.076))	((0.060))	((0.096))
17	<u>0.585</u>	<u>0.888</u>	<u>0.824</u>
18 Social workers.	((0.042))	((0.006))	((0.015))
19	<u>0.311</u>	<u>0.088</u>	<u>0.127</u>
20 Psychologists.	((0.017))	((0.002))	((0.007))
21	<u>0.104</u>	<u>0.024</u>	<u>0.049</u>
22 Guidance counselors, a function that includes parent outreach and graduation			
23 advising.	((0.493))	((1.116))	((1.909))
24	<u>0.50</u>	<u>2.0</u>	<u>3.5</u>
25 Teaching assistance, including any aspect of educational instructional services			
26 provided by classified employees.	((0.936))	((0.700))	((0.652))
27	<u>2.0</u>	<u>1.0</u>	<u>1.0</u>
28 Office support and other noninstructional aides.	((2.012))	((2.325))	((3.269))
29	<u>3.0</u>	<u>3.5</u>	<u>3.5</u>
30 Custodians.	((1.657))	((1.942))	((2.965))
31	<u>1.7</u>	<u>2.0</u>	<u>3.0</u>
32 Classified staff providing student and staff safety.	((0.079))	((0.092))	((0.141))
33	<u>0.0</u>	<u>0.7</u>	<u>1.3</u>
34 Parent involvement coordinators.	((0.00))	((0.00))	((0.00))
35	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>

1 (6)(a) The minimum staffing allocation for each school district
 2 to provide district-wide support services shall be allocated per one
 3 thousand annual average full-time equivalent students in grades K-12
 4 as follows:

	Staff per 1,000 K-12 students
5 Technology.	((0.628)) <u>2.8</u>
6 Facilities, maintenance, and grounds.	((1.813)) <u>4.0</u>
7 Warehouse, laborers, and mechanics.	((0.332)) <u>1.9</u>

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

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

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

	Per annual average full-time equivalent student in grades K-12
24 Technology.	\$54.43
25 Utilities and insurance.	\$147.90
26 Curriculum and textbooks.	\$58.44
27 Other supplies and library materials.	\$124.07
28 Instructional professional development for certified and 29 classified staff.	\$9.04
30 Facilities maintenance.	\$73.27
31 Security and central office.	\$50.76

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

1 provided in the 2015-16 school year, after which the allocations
2 shall 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	
5	
6	
7	Technology. \$113.80
8	Utilities and insurance. \$309.21
9	Curriculum and textbooks. \$122.17
10	Other supplies and library materials. \$259.39
11	Instructional professional development for certificated and
12	classified staff. \$18.89
13	Facilities maintenance. \$153.18
14	Security and central office administration. \$106.12

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

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

20 (b) Laboratory science courses for students in grades nine
21 through twelve;

22 (c) Preparatory career and technical education courses for
23 students in grades nine through twelve offered in a high school; and

24 (d) Preparatory career and technical education courses for
25 students in grades eleven and twelve offered through a skill center.

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

29 (a) To provide supplemental instruction and services for
30 underachieving students through the learning assistance program under
31 RCW 28A.165.005 through 28A.165.065, allocations shall be based on
32 the district percentage of students in grades K-12 who were eligible
33 for free or reduced-price meals in the prior school year. The minimum
34 allocation for the program shall provide for each level of
35 prototypical school resources to provide, on a statewide average,
36 1.5156 hours per week in extra instruction with a class size of
37 fifteen learning assistance program students per teacher.

38 (b) To provide supplemental instruction and services for students
39 whose primary language is other than English, allocations shall be

1 based on the head count number of students in each school who are
2 eligible for and enrolled in the transitional bilingual instruction
3 program under RCW 28A.180.010 through 28A.180.080. The minimum
4 allocation for each level of prototypical school shall provide
5 resources to provide, on a statewide average, 4.7780 hours per week
6 in extra instruction with fifteen transitional bilingual instruction
7 program students per teacher. Notwithstanding other provisions of
8 this subsection (10), the actual per-student allocation may be scaled
9 to provide a larger allocation for students needing more intensive
10 intervention and a commensurate reduced allocation for students
11 needing less intensive intervention, as detailed in the omnibus
12 appropriations act.

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

21 (11) The allocations under subsections (4)(a) and (b), (5), (6),
22 and (8) of this section shall be enhanced as provided under RCW
23 28A.150.390 on an excess cost basis to provide supplemental
24 instructional resources for students with disabilities.

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

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

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

1 (b) In the event the legislature rejects the distribution formula
2 recommended by the governor, without adopting a new distribution
3 formula, the distribution formula for the previous school year shall
4 remain in effect.

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

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

20 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.150
21 RCW to read as follows:

22 In order to make measurable progress toward implementing the
23 provisions of section 2, chapter ..., Laws of 2015 (section 2 of this
24 act) by September 1, 2017, the legislature shall increase state
25 funding allocations under RCW 28A.150.260 according to the following
26 schedule:

27 (1) For the 2015-2017 biennium, funding allocations shall be no
28 less than fifty percent of the difference between the funding
29 necessary to support the numerical values under RCW 28A.150.260 as of
30 September 1, 2013, and the funding necessary to support the numerical
31 values under section 2, chapter ..., Laws of 2015 (section 2 of this
32 act), with priority for additional funding provided during this
33 biennium for the highest poverty schools and school districts;

34 (2) By the end of the 2017-2019 biennium and thereafter, funding
35 allocations shall be no less than the funding necessary to support
36 the numerical values under section 2, chapter ..., Laws of 2015
37 (section 2 of this act).

1 NEW SECTION. **Sec. 4.** This act may be known and cited as the
2 lower class sizes for a quality education act.

3 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect
4 September 1, 2018.