

# SENATE BILL REPORT

## 2SHB 1664

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As Reported by Senate Committee On:  
Ways & Means, February 28, 2022

**Title:** An act relating to prototypical school formulas for physical, social, and emotional support in schools.

**Brief Description:** Concerning prototypical school formulas for physical, social, and emotional support in schools.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Rule, Stonier, Shewmake, Senn, Ramel, Wicks, Johnson, J., Callan, Berg, Cody, Davis, Goodman, Leavitt, Santos, Simmons, Kloba, Pollet, Riccelli, Harris-Talley, Hackney and Frame).

**Brief History:** Passed House: 2/10/22, 73-23.

**Committee Activity:** Ways & Means: 2/22/22, 2/28/22 [DPA, DNP, w/oRec].

### Brief Summary of Amended Bill

- Increases minimum allocations for nurses, social workers, psychologists, and counselors in the prototypical school funding model.
- Designates certain staff positions as physical, social, and emotional support staff (PSES staff) and specifies that the Superintendent of Public Instruction (SPI) may only allocate funding for those positions to the extent of and proportionate to a school district's demonstrated actual ratios of PSES staff, up to the combined minimum allocations.
- Directs the SPI to adopt rules that require school districts to prioritize specified funding allocated through the model for PSES staff with a valid educational staff associate certificate.
- Requires the SPI to submit to the Legislature four biennial implementation reports.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

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**SENATE COMMITTEE ON WAYS & MEANS**

**Majority Report:** Do pass as amended.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Billig, Braun, Carlyle, Conway, Dhingra, Hasegawa, Hunt, Keiser, Mullet, Muzzall, Pedersen, Rivers, Van De Wege, Wagoner, Warnick and Wellman.

**Minority Report:** Do not pass.

Signed by Senator Gildon.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler, Assistant Ranking Member, Capital; Honeyford, Ranking Minority Member, Capital.

**Staff:** Kayla Hammer (786-7305)

**Background:** Prototypical School Model. The state's public school funding model allocates funding to school districts based on assumed levels of staff and other resources necessary to support a prototypical school serving an assumed number of students at defined elementary, middle, and high schools levels. The use of prototypical schools is intended to illustrate the level of resources needed to operate a school of a particular size using commonly understood terms such as class size, hours of instruction, and specified staff positions.

The structure of the formula, which appears in statute, provides allocations for classroom teachers at an assumed class size, plus other building-level staff such as principals, teacher-librarians, counselors, and office support. Based on these staffing ratios, the state uses salary assumptions for each of the different staff types to generate state funding allocations. The funding provided to school districts through the prototypical school formulas is for allocation purposes only, and districts have discretion over how the money is spent, subject to some limits. For example, funding for average K-3 class sizes may be provided only to the extent of, and proportionate to, a school district's demonstrated actual class sizes in grades K-3, up to the funded class sizes.

The prototypical school model currently provides allocations for school nurses, social workers, psychologists, and guidance counselors using the following staff unit amounts:

	Elementary	Middle	High
School Nurses	0.076	0.060	0.096
Social Workers	0.042	0.006	0.015
Psychologists	0.017	0.002	0.007

Guidance Counselors	0.493	1.216	2.539
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Educational Staff Associates. Individuals with educational staff associate (ESA) certificates provide education and health services to students. There are nine ESA roles including school counselor, school nurse, school psychologist, and school social worker. Any individual employed by a public school as an ESA must hold a valid ESA certificate for the role, with the exception of school nurses employed at school districts with fewer than 2000 students.

School districts may also contract with non-employees for nursing, counseling, psychology, and social work services. Individuals contracted for these services are not required to hold valid ESA certificates unless they are supporting students with disabilities with services listed on an individualized education program.

**Summary of Amended Bill:** Prototypical School Funding Model Allocations. The minimum allocations in the prototypical school funding model are increased for specified staff types as follows:

	2022-23	2023-24	2024-25
<b>SCHOOL STAFF - ELEMENTARY</b>			
Nurses	0.246	0.416	0.585
Social Workers	0.311	0.311	0.311
Psychologists	0.104	0.104	0.104
Counselors	0.993	0.993	0.993
<b>SCHOOL STAFF - MIDDLE</b>			
Nurses	0.336	0.612	0.888
Social Workers	0.088	0.088	0.088
Psychologists	0.024	0.024	0.024
Counselors	1.716	1.716	1.716
<b>SCHOOL STAFF - HIGH</b>			
Nurses	0.339	0.582	0.824
Social Workers	0.127	0.127	0.127
Psychologists	0.049	0.049	0.049
Counselors	3.039	3.039	3.039

Exceptions to Discretionary Spending of Allocations. Funding, up to the combined minimum allocations, for nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, and parent involvement coordinators through the prototypical school funding model may be allocated only to the extent of and proportionate to a school district's demonstrated actual ratios of: full-time equivalent physical, social, and emotional support staff (PSES staff) to full-time equivalent students. Physical, social, and emotional support staff include nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, parent involvement coordinators, and other school district employees and contractors who provide physical, social, and emotional support to students as defined by the Superintendent of Public Instruction (SPI).

The SPI must adopt rules to implement these provisions and the rules must require school districts to prioritize funding allocated for PSES staff who hold a valid ESA certificate appropriate for the staff's role.

Implementation Reports. By February 1, 2023, 2025, 2027, and 2029, the SPI must submit to the Legislature a report that:

- compares the staffing units provided for nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, and parent involvement coordinators through the prototypical school funding model to the actual school district staffing levels for PSES staff, disaggregated by school district; and
- analyzes trends with respect to employed PSES staff and contract PSES staff; and the percentage of PSES staff with a valid ESA certificate—these trends must be disaggregated by assignment duty code, as well as analyzed year over year and by school district size and geography.

For the analysis, the SPI must use personnel data reported on or around October 1st of the report year and the prior year, and any other relevant data. For the report due February 1, 2023, the SPI must complete the analysis only to the extent that relevant data are available.

School Counselors. References to counselors in the prototypical school model are changed from Guidance counselors, a function that includes parent outreach and graduation advising, to the new title of Counselors.

Skill Center Class Size. The average skill center class size within the prototypical school model is reduced from 20 students per teacher to 19 students per teacher to align with allocations currently provided in the operating budget.

#### **EFFECT OF WAYS & MEANS COMMITTEE AMENDMENT(S):**

- Removes the three-year phase-in for increasing social worker, psychologist, and counselor allocations in the prototypical school funding model, resulting in the increases taking effect on September 1, 2022. The 3-year phase-in for increasing nurse allocations remains unchanged.

**Appropriation:** The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains several effective dates. Please refer to the bill.

**Staff Summary of Public Testimony on Second Substitute House Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: The prototypical model does not generate sufficient counselors which resulted in the use of ESSER funding to hire staff to deal with student issues during the pandemic. Funding under this bill would help fill the gap. Current funding levels leave some schools without nurses and nurses are necessary for social emotional health of students. The staffing ratios achieved under this bill will much better serve students. The bill is a great first step in addressing the mental health needs of students. Increased staffing will also help with increasing inclusion for students with special needs. These staff types are currently very underfunded and that restricts the delivery of services to students. Moving forward with investments for schools is a great step forward as is the adjustment to the skill center class size.

CON: Providing health care to students is not the duty of the schools. Education related expenses is what the tax payer's dollars should be going to fund.

**Persons Testifying:** PRO: Chris Rust, Superintendent, Toledo School District; Melissa Johnson, School Nurse Organization of Washington; Bob Cooper, National Association of Social Workers WA Chapter; WA Assoc on Substance Abuse & Violence Prevention; Samantha Fogg, Seattle Council PTSA; Michael Uehara-Bingen, Washington State PTA; Graeme Sackrison, Member, North Thurston Public Schools School Board; Tom Seigel, Bethel School District; Rob Roettger, Cheney School District ; Terra Pilch-Bisson; Maya Vergien, WEA/Bellevue EA; Virginia Barry, Stand for Children; Kathryn Salveson, Washington State Association of School Psychologists (WSASP); Maria Huang, WA Chapter of the American Academy of Pediatrics; Charlie Brown, School Alliance, Federal Way, Tacoma and other School Districts; Jake Vela, League of Education Voters; Tyler Muench, Office of Superintendent of Public Instruction.

CON: Julie Barrett, Conservative Ladies of Washington.

**Persons Signed In To Testify But Not Testifying:** No one.