
HOUSE BILL 1960

State of Washington

68th Legislature

2024 Regular Session

By Representatives Stonier, Santos, Pollet, Doglio, Hackney, Callan, Riccelli, Berg, Street, Farivar, Rule, Shavers, Reeves, Ortiz-Self, Harris, Reed, Ryu, Leavitt, Berry, Duerr, Senn, Ramel, Slatter, Morgan, Fey, Timmons, Fosse, Goodman, Thai, Alvarado, Lekanoff, and Davis

Prefiled 12/15/23. Read first time 01/08/24. Referred to Committee on Appropriations.

1 AN ACT Relating to increasing prototypical school staffing to
2 better meet student needs; amending RCW 28A.150.260, 28A.150.260, and
3 28A.400.007; creating a new section; providing effective dates; and
4 providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** Youth mental and behavioral health has
7 been a rising crisis for a decade. As youth grapple with new
8 pressures from social media and impacts of a pandemic, their needs
9 can manifest as disruptive behaviors in the school environment.
10 Teachers, counselors, administrators, and education support
11 professionals have identified the need to have more caring and
12 committed education staff in schools to meet the needs of students.

13 Education support professionals are vital team members in a
14 school and often directly support students. Educational staff
15 professionals drive students safely to school, provide one-on-one
16 individualized instruction for special education students, run small
17 group instruction for English language learners and for students
18 struggling with certain academic concepts, supervise and monitor
19 students before and after school, at lunch, and during recess,
20 provide physical and behavioral health services in schools, serve
21 lunches, keep buildings clean and maintained, and many other support

1 services that are essential to school operations and student
2 learning.

3 Therefore, to improve the individualized support for student
4 learning and behavioral needs, the legislature intends to phase in
5 additional staffing allocations for paraprofessionals in
6 instructional and noninstructional roles.

7 **Sec. 2.** RCW 28A.150.260 and 2023 c 379 s 6 are each amended to
8 read as follows:

9 The purpose of this section is to provide for the allocation of
10 state funding that the legislature deems necessary to support school
11 districts in offering the minimum instructional program of basic
12 education under RCW 28A.150.220. The allocation shall be determined
13 as follows:

14 (1) The governor shall and the superintendent of public
15 instruction may recommend to the legislature a formula for the
16 distribution of a basic education instructional allocation for each
17 common school district.

18 (2)(a) The distribution formula under this section shall be for
19 allocation purposes only. Except as may be required under subsections
20 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
21 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
22 nothing in this section requires school districts to use basic
23 education instructional funds to implement a particular instructional
24 approach or service. Nothing in this section requires school
25 districts to maintain a particular classroom teacher-to-student ratio
26 or other staff-to-student ratio or to use allocated funds to pay for
27 particular types or classifications of staff. Nothing in this section
28 entitles an individual teacher to a particular teacher planning
29 period.

30 (b) To promote transparency in state funding allocations, the
31 superintendent of public instruction must report state per-pupil
32 allocations for each school district for the general apportionment,
33 special education, learning assistance, transitional bilingual,
34 highly capable, and career and technical education programs. The
35 superintendent must report this information in a user-friendly format
36 on the main page of the office's website. School districts must
37 include a link to the superintendent's per-pupil allocations report
38 on the main page of the school district's website. In addition, the
39 budget documents published by the legislature for the enacted omnibus

1 operating appropriations act must report statewide average per-pupil
2 allocations for general apportionment and the categorical programs
3 listed in this subsection.

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

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

28 (i) A prototypical high school has 600 average annual full-time
29 equivalent students in grades nine through 12;

30 (ii) A prototypical middle school has 432 average annual full-
31 time equivalent students in grades seven and eight; and

32 (iii) A prototypical elementary school has 400 average annual
33 full-time equivalent students in grades kindergarten through six.

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

| | | | |
|---|----------------------|--------------------|-------|
| 1 | | General education | |
| 2 | | average class size | |
| 3 | Grades K-3. | | 17.00 |
| 4 | Grade 4. | | 27.00 |
| 5 | Grades 5-6. | | 27.00 |
| 6 | Grades 7-8. | | 28.53 |
| 7 | Grades 9-12. | | 28.74 |

8 (ii) The minimum class size allocation for each prototypical high
9 school shall also provide for enhanced funding for class size
10 reduction for two laboratory science classes within grades nine
11 through 12 per full-time equivalent high school student multiplied by
12 a laboratory science course factor of 0.0833, based on the number of
13 full-time equivalent classroom teachers needed to provide instruction
14 over the minimum required annual instructional hours in RCW
15 28A.150.220, and providing at least one teacher planning period per
16 school day:

| | | | |
|----|----------------------|--------------------|-------|
| 17 | | Laboratory science | |
| 18 | | average class size | |
| 19 | Grades 9-12. | | 19.98 |

20 (b)(i) Beginning September 1, 2019, funding for average K-3 class
21 sizes in this subsection (4) may be provided only to the extent of,
22 and proportionate to, the school district's demonstrated actual class
23 size in grades K-3, up to the funded class sizes.

24 (ii) The office of the superintendent of public instruction shall
25 develop rules to implement this subsection (4)(b).

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

| | | | |
|----|---|----------------------|-------|
| 30 | | Career and technical | |
| 31 | | education average | |
| 32 | | class size | |
| 33 | Approved career and technical education offered at | | |
| 34 | the middle school and high school level. | | 23.00 |
| 35 | Skill center programs meeting the standards established | | |
| 36 | by the office of the superintendent of public | | |
| 37 | instruction. | | 19.00 |

1 (ii) Funding allocated under this subsection (4)(c) is subject to
2 RCW 28A.150.265.

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

5 (i) A high-poverty average class size in schools where more than
6 50 percent of the students are eligible for free and reduced-price
7 meals; and

8 (ii) A specialty average class size for advanced placement and
9 international baccalaureate courses.

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

| | Elementary School | Middle School | High School |
|---|----------------------|------------------|----------------|
| 15 Principals, assistant principals, and other certificated building-level 16 administrators..... | 1.253 | 1.353 | 1.880 |
| 17 Teacher-librarians, a function that includes information literacy, technology, 18 and media to support school library media programs..... | 0.663 | 0.519 | 0.523 |
| 19 Teaching assistance, including any aspect of educational instructional services 20 provided by classified employees..... | 0.936 | 0.700 | 0.652 |
| 21 Office support and other noninstructional aides..... | 2.012 | 2.325 | 3.269 |
| 22 Custodians..... | 1.657 | 1.942 | 2.965 |
| 23 Nurses..... | 0.585 | 0.888 | 0.824 |
| 24 Social workers..... | 0.311 | 0.088 | 0.127 |
| 25 Psychologists..... | 0.104 | 0.024 | 0.049 |
| 26 Counselors..... | 0.993 | 1.716 | 3.039 |
| 27 Classified staff providing student and staff safety..... | 0.079 | 0.092 | 0.141 |
| 28 Parent involvement coordinators..... | 0.0825 | 0.00 | 0.00 |

29 (b)(i) The superintendent may only allocate funding, up to the
30 combined minimum allocations, for nurses, social workers,
31 psychologists, counselors, classified staff providing student and
32 staff safety, and parent involvement coordinators under (a) of this
33 subsection to the extent of and proportionate to a school district's
34 demonstrated actual ratios of: Full-time equivalent physical, social,
35 and emotional support staff to full-time equivalent students.

(ii) The superintendent must adopt rules to implement this subsection (5)(b) and the rules must require school districts to prioritize funding allocated as required by (b)(i) of this subsection for physical, social, and emotional support staff who hold a valid educational staff associate certificate appropriate for the staff's role.

(iii) For the purposes of this subsection (5)(b), "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.

(c) In addition to the minimum allocation under (a) of this subsection, the following additional staffing units for each level of prototypical school will be provided:

(i) For the 2024-25 school year, the following additional staffing units:

| | <u>Elementary</u> | <u>Middle</u> | <u>High</u> |
|--|-------------------|---------------|---------------|
| | <u>School</u> | <u>School</u> | <u>School</u> |
| <u>Teaching assistance, including any aspect of educational instructional services provided by classified employees.....</u> | <u>0.356</u> | <u>0.100</u> | <u>0.116</u> |
| <u>Office support and other noninstructional aides.....</u> | <u>0.330</u> | <u>0.391</u> | <u>0.770</u> |

(ii) For the 2025-26 school year, the following additional staffing units:

| | <u>Elementary</u> | <u>Middle</u> | <u>High</u> |
|--|-------------------|---------------|---------------|
| | <u>School</u> | <u>School</u> | <u>School</u> |
| <u>Teaching assistance, including any aspect of educational instructional services provided by classified employees.....</u> | <u>0.712</u> | <u>0.200</u> | <u>0.232</u> |
| <u>Office support and other noninstructional aides.....</u> | <u>0.660</u> | <u>0.782</u> | <u>1.540</u> |

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

| | Staff per 1,000 K-12 students |
|---|----------------------------------|
| Technology. | 0.628 |
| Facilities, maintenance, and grounds. | 1.813 |

1 Warehouse, laborers, and mechanics. 0.332

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

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

11 (8)(a) Except as provided in (b) of this subsection, the minimum
12 allocation for each school district shall include allocations per
13 annual average full-time equivalent student for the following
14 materials, supplies, and operating costs as provided in the 2017-18
15 school year, after which the allocations shall be adjusted annually
16 for inflation as specified in the omnibus appropriations act:

| | Per annual average full-time equivalent student in grades K-12 |
|--|--|
| 20 Technology. | \$130.76 |
| 21 Utilities and insurance. | \$355.30 |
| 22 Curriculum and textbooks. | \$140.39 |
| 23 Other supplies | \$278.05 |
| 24 Library materials. | \$20.00 |
| 25 Instructional professional development for certificated and 26 classified staff. | \$21.71 |
| 27 Facilities maintenance. | \$176.01 |
| 28 Security and central office administration. | \$121.94 |

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

| | Per annual average full-time equivalent student in grades 9-12 |
|------------------------|--|
| 38 Technology. | \$36.35 |

| | | |
|---|---|---------|
| 1 | Curriculum and textbooks. | \$39.02 |
| 2 | Other supplies | \$77.28 |
| 3 | Library materials. | \$5.56 |
| 4 | Instructional professional development for certificated and | |
| 5 | classified staff. | \$6.04 |

6 (9) In addition to the amounts provided in subsection (8) of this
7 section and subject to RCW 28A.150.265, the omnibus appropriations
8 act shall provide an amount based on full-time equivalent student
9 enrollment in each of the following:

- 10 (a) Exploratory career and technical education courses for
11 students in grades seven through 12;
- 12 (b) Preparatory career and technical education courses for
13 students in grades nine through 12 offered in a high school; and
- 14 (c) Preparatory career and technical education courses for
15 students in grades 11 and 12 offered through a skill center.

16 (10) In addition to the allocations otherwise provided under this
17 section, amounts shall be provided to support the following programs
18 and services:

19 (a)(i) To provide supplemental instruction and services for
20 students who are not meeting academic standards through the learning
21 assistance program under RCW 28A.165.005 through 28A.165.065,
22 allocations shall be based on the greater of either: The district
23 percentage of students in kindergarten through grade 12 who were
24 eligible for free or reduced-price meals for the school year
25 immediately preceding the district's participation, in whole or part,
26 in the United States department of agriculture's community
27 eligibility provision, or the district percentage of students in
28 grades K-12 who were eligible for free or reduced-price meals in the
29 prior school year. The minimum allocation for the program shall,
30 except as provided in (a)(iii) of this subsection, provide for each
31 level of prototypical school resources to provide, on a statewide
32 average, 2.3975 hours per week in extra instruction with a class size
33 of 15 learning assistance program students per teacher.

34 (ii) In addition to funding allocated under (a)(i) of this
35 subsection, to provide supplemental instruction and services for
36 students who are not meeting academic standards in qualifying
37 schools. A qualifying school, except as provided in (a)(iv) of this
38 subsection, means a school in which the three-year rolling average of
39 the prior year total annual average enrollment that qualifies for

1 free or reduced-price meals equals or exceeds 50 percent or more of
2 its total annual average enrollment. A school continues to meet the
3 definition of a qualifying school if the school: Participates in the
4 United States department of agriculture's community eligibility
5 provision; and met the definition of a qualifying school in the year
6 immediately preceding their participation. The minimum allocation for
7 this additional high poverty-based allocation must provide for each
8 level of prototypical school resources to provide, on a statewide
9 average, 1.1 hours per week in extra instruction with a class size of
10 15 learning assistance program students per teacher, under RCW
11 28A.165.055, school districts must distribute the high poverty-based
12 allocation to the schools that generated the funding allocation.

13 (iii) For the 2024-25 and 2025-26 school years, allocations under
14 (a)(i) of this subsection for school districts providing meals at no
15 charge to students under RCW 28A.235.135 that are not participating,
16 in whole or in part, in the United States department of agriculture's
17 community eligibility provision shall be based on the school district
18 percentage of students in grades K-12 who were eligible for free or
19 reduced-price meals in school years 2019-20 through 2022-23 or the
20 prior school year, whichever is greatest.

21 (iv) For the 2024-25 and 2025-26 school years, a school providing
22 meals at no charge to students under RCW 28A.235.135 that is not
23 participating in the department of agriculture's community
24 eligibility provision continues to meet the definition of a
25 qualifying school under (a)(ii) of this subsection if the school met
26 the definition during one year of the 2019-20 through 2022-23 school
27 years, or in the prior school year.

28 (b)(i) To provide supplemental instruction and services for
29 students whose primary language is other than English, allocations
30 shall be based on the head count number of students in each school
31 who are eligible for and enrolled in the transitional bilingual
32 instruction program under RCW 28A.180.010 through 28A.180.080. The
33 minimum allocation for each level of prototypical school shall
34 provide resources to provide, on a statewide average, 4.7780 hours
35 per week in extra instruction for students in grades kindergarten
36 through six and 6.7780 hours per week in extra instruction for
37 students in grades seven through 12, with 15 transitional bilingual
38 instruction program students per teacher. Notwithstanding other
39 provisions of this subsection (10), the actual per-student allocation
40 may be scaled to provide a larger allocation for students needing

1 more intensive intervention and a commensurate reduced allocation for
2 students needing less intensive intervention, as detailed in the
3 omnibus appropriations act.

4 (ii) To provide supplemental instruction and services for
5 students who have exited the transitional bilingual program,
6 allocations shall be based on the head count number of students in
7 each school who have exited the transitional bilingual program within
8 the previous two years based on their performance on the English
9 proficiency assessment and are eligible for and enrolled in the
10 transitional bilingual instruction program under RCW
11 28A.180.040(1)(g). The minimum allocation for each prototypical
12 school shall provide resources to provide, on a statewide average,
13 3.0 hours per week in extra instruction with 15 exited students per
14 teacher.

15 (c) To provide additional allocations to support programs for
16 highly capable students under RCW 28A.185.010 through 28A.185.030,
17 allocations shall be based on 5.0 percent of each school district's
18 full-time equivalent basic education enrollment. The minimum
19 allocation for the programs shall provide resources to provide, on a
20 statewide average, 2.1590 hours per week in extra instruction with
21 fifteen highly capable program students per teacher.

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

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

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

38 (13)(a) This formula for distribution of basic education funds
39 shall be reviewed biennially by the superintendent and governor. The

1 recommended formula shall be subject to approval, amendment or
2 rejection by the legislature.

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

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

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

22 **Sec. 3.** RCW 28A.150.260 and 2023 c 379 s 6 are each amended to
23 read as follows:

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

29 (1) The governor shall and the superintendent of public
30 instruction may recommend to the legislature a formula for the
31 distribution of a basic education instructional allocation for each
32 common school district.

33 (2)(a) The distribution formula under this section shall be for
34 allocation purposes only. Except as may be required under subsections
35 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,
36 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,
37 nothing in this section requires school districts to use basic
38 education instructional funds to implement a particular instructional
39 approach or service. Nothing in this section requires school

1 districts to maintain a particular classroom teacher-to-student ratio
2 or other staff-to-student ratio or to use allocated funds to pay for
3 particular types or classifications of staff. Nothing in this section
4 entitles an individual teacher to a particular teacher planning
5 period.

6 (b) To promote transparency in state funding allocations, the
7 superintendent of public instruction must report state per-pupil
8 allocations for each school district for the general apportionment,
9 special education, learning assistance, transitional bilingual,
10 highly capable, and career and technical education programs. The
11 superintendent must report this information in a user-friendly format
12 on the main page of the office's website. School districts must
13 include a link to the superintendent's per-pupil allocations report
14 on the main page of the school district's website. In addition, the
15 budget documents published by the legislature for the enacted omnibus
16 operating appropriations act must report statewide average per-pupil
17 allocations for general apportionment and the categorical programs
18 listed in this subsection.

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

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

(i) A prototypical high school has 600 average annual full-time equivalent students in grades nine through 12;

(ii) A prototypical middle school has 432 average annual full-time equivalent students in grades seven and eight; and

(iii) A prototypical elementary school has 400 average annual full-time equivalent students in grades kindergarten through six.

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

| | General education average class size |
|----------------------|---|
| Grades K-3. | 17.00 |
| Grade 4. | 27.00 |
| Grades 5-6. | 27.00 |
| Grades 7-8. | 28.53 |
| Grades 9-12. | 28.74 |

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through 12 per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

| | Laboratory science average class size |
|----------------------|--|
| Grades 9-12. | 19.98 |

(b)(i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

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

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

| | Career and technical education average class size |
|--|---|
| Approved career and technical education offered at the middle school and high school level. | 23.00 |
| Skill center programs meeting the standards established by the office of the superintendent of public instruction. | 19.00 |

(ii) Funding allocated under this subsection (4)(c) is subject to RCW 28A.150.265.

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

(i) A high-poverty average class size in schools where more than 50 percent of the students are eligible for free and reduced-price meals; and

(ii) A specialty average class size for advanced placement and international baccalaureate courses.

(5)(a) The minimum allocation for each level of prototypical school shall include allocations for the following types of staff in addition to classroom teachers:

| | Elementary School | Middle School | High School |
|--|-------------------------------------|-------------------------------------|-------------------------------------|
| Principals, assistant principals, and other certificated building-level administrators. | 1.253 | 1.353 | 1.880 |
| Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. | 0.663 | 0.519 | 0.523 |
| Teaching assistance, including any aspect of educational instructional services provided by classified employees. | ((0.936)) <u>2.00</u> | ((0.700)) <u>1.00</u> | ((0.652)) <u>1.00</u> |
| Office support and other noninstructional aides. | ((2.012)) <u>3.00</u> | ((2.325)) <u>3.50</u> | ((3.269)) <u>3.50</u> |

| | | | | |
|---|--|--------|-------|-------|
| 1 | Custodians..... | 1.657 | 1.942 | 2.965 |
| 2 | Nurses..... | 0.585 | 0.888 | 0.824 |
| 3 | Social workers..... | 0.311 | 0.088 | 0.127 |
| 4 | Psychologists..... | 0.104 | 0.024 | 0.049 |
| 5 | Counselors..... | 0.993 | 1.716 | 3.039 |
| 6 | Classified staff providing student and staff safety..... | 0.079 | 0.092 | 0.141 |
| 7 | Parent involvement coordinators..... | 0.0825 | 0.00 | 0.00 |

8 (b) (i) The superintendent may only allocate funding, up to the
9 combined minimum allocations, for nurses, social workers,
10 psychologists, counselors, classified staff providing student and
11 staff safety, and parent involvement coordinators under (a) of this
12 subsection to the extent of and proportionate to a school district's
13 demonstrated actual ratios of: Full-time equivalent physical, social,
14 and emotional support staff to full-time equivalent students.

15 (ii) The superintendent must adopt rules to implement this
16 subsection (5)(b) and the rules must require school districts to
17 prioritize funding allocated as required by (b) (i) of this subsection
18 for physical, social, and emotional support staff who hold a valid
19 educational staff associate certificate appropriate for the staff's
20 role.

21 (iii) For the purposes of this subsection (5)(b), "physical,
22 social, and emotional support staff" include nurses, social workers,
23 psychologists, counselors, classified staff providing student and
24 staff safety, parent involvement coordinators, and other school
25 district employees and contractors who provide physical, social, and
26 emotional support to students as defined by the superintendent.

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

| | | |
|----|---|-----------------|
| 31 | | Staff per 1,000 |
| 32 | | K-12 students |
| 33 | Technology. | 0.628 |
| 34 | Facilities, maintenance, and grounds. | 1.813 |
| 35 | Warehouse, laborers, and mechanics. | 0.332 |

36 (b) The minimum allocation of staff units for each school
37 district to support certificated and classified staffing of central

1 administration shall be 5.30 percent of the staff units generated
2 under subsections (4)(a) and (5) of this section and (a) of this
3 subsection.

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

8 (8)(a) Except as provided in (b) of this subsection, the minimum
9 allocation for each school district shall include allocations per
10 annual average full-time equivalent student for the following
11 materials, supplies, and operating costs as provided in the 2017-18
12 school year, after which the allocations shall be adjusted annually
13 for inflation as specified in the omnibus appropriations act:

| | Per annual average full-time equivalent student in grades K-12 |
|--|--|
| 17 Technology. | \$130.76 |
| 18 Utilities and insurance. | \$355.30 |
| 19 Curriculum and textbooks. | \$140.39 |
| 20 Other supplies | \$278.05 |
| 21 Library materials. | \$20.00 |
| 22 Instructional professional development for certificated and 23 classified staff. | \$21.71 |
| 24 Facilities maintenance. | \$176.01 |
| 25 Security and central office administration. | \$121.94 |

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

| | Per annual average full-time equivalent student in grades 9-12 |
|--|--|
| 35 Technology. | \$36.35 |
| 36 Curriculum and textbooks. | \$39.02 |
| 37 Other supplies | \$77.28 |
| 38 Library materials. | \$5.56 |
| 39 Instructional professional development for certificated and | |

1 classified staff. \$6.04

2 (9) In addition to the amounts provided in subsection (8) of this
3 section and subject to RCW 28A.150.265, the omnibus appropriations
4 act shall provide an amount based on full-time equivalent student
5 enrollment in each of the following:

6 (a) Exploratory career and technical education courses for
7 students in grades seven through 12;

8 (b) Preparatory career and technical education courses for
9 students in grades nine through 12 offered in a high school; and

10 (c) Preparatory career and technical education courses for
11 students in grades 11 and 12 offered through a skill center.

12 (10) In addition to the allocations otherwise provided under this
13 section, amounts shall be provided to support the following programs
14 and services:

15 (a)(i) To provide supplemental instruction and services for
16 students who are not meeting academic standards through the learning
17 assistance program under RCW 28A.165.005 through 28A.165.065,
18 allocations shall be based on the greater of either: The district
19 percentage of students in kindergarten through grade 12 who were
20 eligible for free or reduced-price meals for the school year
21 immediately preceding the district's participation, in whole or part,
22 in the United States department of agriculture's community
23 eligibility provision, or the district percentage of students in
24 grades K-12 who were eligible for free or reduced-price meals in the
25 prior school year. The minimum allocation for the program shall,
26 except as provided in (a)(iii) of this subsection, provide for each
27 level of prototypical school resources to provide, on a statewide
28 average, 2.3975 hours per week in extra instruction with a class size
29 of 15 learning assistance program students per teacher.

30 (ii) In addition to funding allocated under (a)(i) of this
31 subsection, to provide supplemental instruction and services for
32 students who are not meeting academic standards in qualifying
33 schools. A qualifying school, except as provided in (a)(iv) of this
34 subsection, means a school in which the three-year rolling average of
35 the prior year total annual average enrollment that qualifies for
36 free or reduced-price meals equals or exceeds 50 percent or more of
37 its total annual average enrollment. A school continues to meet the
38 definition of a qualifying school if the school: Participates in the
39 United States department of agriculture's community eligibility

1 provision; and met the definition of a qualifying school in the year
2 immediately preceding their participation. The minimum allocation for
3 this additional high poverty-based allocation must provide for each
4 level of prototypical school resources to provide, on a statewide
5 average, 1.1 hours per week in extra instruction with a class size of
6 15 learning assistance program students per teacher, under RCW
7 28A.165.055, school districts must distribute the high poverty-based
8 allocation to the schools that generated the funding allocation.

9 (iii) For the 2024-25 and 2025-26 school years, allocations under
10 (a)(i) of this subsection for school districts providing meals at no
11 charge to students under RCW 28A.235.135 that are not participating,
12 in whole or in part, in the United States department of agriculture's
13 community eligibility provision shall be based on the school district
14 percentage of students in grades K-12 who were eligible for free or
15 reduced-price meals in school years 2019-20 through 2022-23 or the
16 prior school year, whichever is greatest.

17 (iv) For the 2024-25 and 2025-26 school years, a school providing
18 meals at no charge to students under RCW 28A.235.135 that is not
19 participating in the department of agriculture's community
20 eligibility provision continues to meet the definition of a
21 qualifying school under (a)(ii) of this subsection if the school met
22 the definition during one year of the 2019-20 through 2022-23 school
23 years, or in the prior school year.

24 (b)(i) To provide supplemental instruction and services for
25 students whose primary language is other than English, allocations
26 shall be based on the head count number of students in each school
27 who are eligible for and enrolled in the transitional bilingual
28 instruction program under RCW 28A.180.010 through 28A.180.080. The
29 minimum allocation for each level of prototypical school shall
30 provide resources to provide, on a statewide average, 4.7780 hours
31 per week in extra instruction for students in grades kindergarten
32 through six and 6.7780 hours per week in extra instruction for
33 students in grades seven through 12, with 15 transitional bilingual
34 instruction program students per teacher. Notwithstanding other
35 provisions of this subsection (10), the actual per-student allocation
36 may be scaled to provide a larger allocation for students needing
37 more intensive intervention and a commensurate reduced allocation for
38 students needing less intensive intervention, as detailed in the
39 omnibus appropriations act.

1 (ii) To provide supplemental instruction and services for
2 students who have exited the transitional bilingual program,
3 allocations shall be based on the head count number of students in
4 each school who have exited the transitional bilingual program within
5 the previous two years based on their performance on the English
6 proficiency assessment and are eligible for and enrolled in the
7 transitional bilingual instruction program under RCW
8 28A.180.040(1)(g). The minimum allocation for each prototypical
9 school shall provide resources to provide, on a statewide average,
10 3.0 hours per week in extra instruction with 15 exited students per
11 teacher.

12 (c) To provide additional allocations to support programs for
13 highly capable students under RCW 28A.185.010 through 28A.185.030,
14 allocations shall be based on 5.0 percent of each school district's
15 full-time equivalent basic education enrollment. The minimum
16 allocation for the programs shall provide resources to provide, on a
17 statewide average, 2.1590 hours per week in extra instruction with
18 fifteen highly capable program students per teacher.

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

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

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

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

39 (b) In the event the legislature rejects the distribution formula
40 recommended by the governor, without adopting a new distribution

1 formula, the distribution formula for the previous school year shall
2 remain in effect.

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

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

18 **Sec. 4.** RCW 28A.400.007 and 2022 c 109 s 5 are each amended to
19 read as follows:

20 (1) In addition to the staffing units in RCW 28A.150.260, the
21 superintendent of public instruction must provide school districts
22 with allocations for the following staff units if and to the extent
23 that funding is specifically appropriated and designated for that
24 category of staffing unit in the omnibus operating appropriations
25 act.

26 (a) Additional staffing units for each level of prototypical
27 school in RCW 28A.150.260:

| | Elementary School | Middle School | High School |
|---|----------------------|-------------------|---------------------|
| Principals, assistant principals, and other certificated building-level administrators..... | 0.0470 | 0.0470 | 0.0200 |
| Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs..... | 0.3370 | 0.4810 | 0.4770 |
| ((Teaching assistance, including any aspect of educational instructional services provided by classified employees..... | 1.0640 | 0.3000 | 0.3480 |
| Office support and other noninstructional aides..... | 0.9880 | 1.1750 | 0.2310)) |
| Custodians..... | 0.0430 | 0.0580 | 0.0350 |

| | | | | |
|---|---|--------|--------|--------|
| 1 | Classified staff providing student and staff safety. | 0.0000 | 0.6080 | 1.1590 |
| 2 | Parent involvement coordinators. | 0.9175 | 1.0000 | 1.0000 |

3 (b) Additional certificated instructional staff units sufficient
4 to achieve the following reductions in class size in each level of
5 prototypical school under RCW 28A.150.260:

6 General education
7 certificated instructional
8 staff units sufficient to
9 achieve class size reduction of:

| | | |
|----|--------------------------------|------|
| 10 | Grades K-3 class size. | 0.00 |
| 11 | Grade 4. | 2.00 |
| 12 | Grades 5-6. | 2.00 |
| 13 | Grades 7-8. | 3.53 |
| 14 | Grades 9-12. | 3.74 |
| 15 | CTE. | 4.00 |
| 16 | Skills. | 3.00 |

17 High poverty
18 certificated instructional
19 staff units sufficient to
20 achieve class size reduction of:

| | | |
|----|--------------------------------|------|
| 21 | Grades K-3 class size. | 2.00 |
| 22 | Grade 4. | 5.00 |
| 23 | Grades 5-6. | 4.00 |
| 24 | Grades 7-8. | 5.53 |
| 25 | Grades 9-12. | 5.74 |

26 (2) The staffing units in subsection (1) of this section are an
27 enrichment to and are beyond the state's statutory program of basic
28 education in RCW 28A.150.220 and 28A.150.260. However, if and to the
29 extent that any of these additional staffing units are funded by
30 specific reference to this section in the omnibus operating
31 appropriations act, those units become part of prototypical school
32 funding formulas and a component of the state funding that the
33 legislature deems necessary to support school districts in offering
34 the statutory program of basic education under Article IX, section 1
35 of the state Constitution.

36 NEW SECTION. **Sec. 5.** Section 2 of this act takes effect
37 September 1, 2024.

1 NEW SECTION. **Sec. 6.** Section 2 of this act expires September 1,
2 2026.

3 NEW SECTION. **Sec. 7.** Sections 3 and 4 of this act take effect
4 September 1, 2026.

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