

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE HOUSE BILL 2494

Chapter 262, Laws of 2024

68th Legislature
2024 Regular Session

PUBLIC SCHOOL OPERATING COSTS—ADDITIONAL STATE FUNDING

EFFECTIVE DATE: June 6, 2024

Passed by the House March 5, 2024
Yeas 93 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 1, 2024
Yeas 48 Nays 1

DENNY HECK

President of the Senate

Approved March 26, 2024 9:27 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2494** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 27, 2024

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2494

AS AMENDED BY THE SENATE

Passed Legislature - 2024 Regular Session

State of Washington 68th Legislature 2024 Regular Session

By House Appropriations (originally sponsored by Representatives Bergquist, Rude, Simmons, Senn, Pollet, Callan, Paul, Macri, Stonier, and Gregerson)

READ FIRST TIME 02/05/24.

1 AN ACT Relating to state funding for operating costs in schools;
2 amending RCW 28A.150.260; creating new sections; and providing an
3 expiration date.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that schools are
6 facing increased operating costs to serve students and staff. Some of
7 these increases are beyond inflationary adjustments and reflect the
8 evolving needs and requirements of schools. Therefore, the
9 legislature intends to increase funding for materials, supplies, and
10 operating costs in schools to address evolving operational needs.

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

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

18 (1) The governor shall and the superintendent of public
19 instruction may recommend to the legislature a formula for the

1 distribution of a basic education instructional allocation for each
2 common school district.

3 (2) (a) The distribution formula under this section shall be for
4 allocation purposes only. Except as may be required under subsections
5 (4) (b) and (c), (5) (b), (8), and (9) of this section, chapter
6 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
7 regulations, nothing in this section requires school districts to use
8 basic education instructional funds to implement a particular
9 instructional approach or service. Nothing in this section requires
10 school districts to maintain a particular classroom teacher-to-
11 student ratio or other staff-to-student ratio or to use allocated
12 funds to pay for particular types or classifications of staff.
13 Nothing in this section entitles an individual teacher to a
14 particular teacher planning period.

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

28 (3) (a) To the extent the technical details of the formula have
29 been adopted by the legislature and except when specifically provided
30 as a school district allocation, the distribution formula for the
31 basic education instructional allocation shall be based on minimum
32 staffing and nonstaff costs the legislature deems necessary to
33 support instruction and operations in prototypical schools serving
34 high, middle, and elementary school students as provided in this
35 section. The use of prototypical schools for the distribution formula
36 does not constitute legislative intent that schools should be
37 operated or structured in a similar fashion as the prototypes.
38 Prototypical schools illustrate the level of resources needed to
39 operate a school of a particular size with particular types and grade
40 levels of students using commonly understood terms and inputs, such

1 as class size, hours of instruction, and various categories of school
2 staff. It is the intent that the funding allocations to school
3 districts be adjusted from the school prototypes based on the actual
4 number of annual average full-time equivalent students in each grade
5 level at each school in the district and not based on the grade-level
6 configuration of the school to the extent that data is available. The
7 allocations shall be further adjusted from the school prototypes with
8 minimum allocations for small schools and to reflect other factors
9 identified in the omnibus appropriations act.

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

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

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

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

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

	General education average class size
25	
26	
27 Grades K-3.	17.00
28 Grade 4.	27.00
29 Grades 5-6.	27.00
30 Grades 7-8.	28.53
31 Grades 9-12.	28.74

32 (ii) The minimum class size allocation for each prototypical high
33 school shall also provide for enhanced funding for class size
34 reduction for two laboratory science classes within grades nine
35 through 12 per full-time equivalent high school student multiplied by
36 a laboratory science course factor of 0.0833, based on the number of
37 full-time equivalent classroom teachers needed to provide instruction
38 over the minimum required annual instructional hours in RCW

1 28A.150.220, and providing at least one teacher planning period per
2 school day:

3 Laboratory science
4 average class size
5 Grades 9-12. 19.98

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

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

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

16 Career and technical
17 education average
18 class size
19 Approved career and technical education offered at
20 the middle school and high school level. 23.00
21 Skill center programs meeting the standards established
22 by the office of the superintendent of public
23 instruction. 19.00

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

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

28 (i) A high-poverty average class size in schools where more than
29 50 percent of the students are eligible for free and reduced-price
30 meals; and

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

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

36	Elementary	Middle	High
37	School	School	School

1	Principals, assistant principals, and other certificated building-level			
2	administrators.	1.253	1.353	1.880
3	Teacher-librarians, a function that includes information literacy, technology,			
4	and media to support school library media programs.	0.663	0.519	0.523
5	Teaching assistance, including any aspect of educational instructional services			
6	provided by classified employees.	0.936	0.700	0.652
7	Office support and other noninstructional aides.	2.012	2.325	3.269
8	Custodians.	1.657	1.942	2.965
9	Nurses.	0.585	0.888	0.824
10	Social workers.	0.311	0.088	0.127
11	Psychologists.	0.104	0.024	0.049
12	Counselors.	0.993	1.716	3.039
13	Classified staff providing student and staff safety.	0.079	0.092	0.141
14	Parent involvement coordinators.	0.0825	0.00	0.00

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

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

28 (iii) For the purposes of this subsection (5)(b), "physical,
29 social, and emotional support staff" include nurses, social workers,
30 psychologists, counselors, classified staff providing student and
31 staff safety, parent involvement coordinators, and other school
32 district employees and contractors who provide physical, social, and
33 emotional support to students as defined by the superintendent.

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

1		Staff per 1,000
2		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
7 district to support certificated and classified staffing of central
8 administration shall be 5.30 percent of the staff units generated
9 under subsections (4)(a) and (5) of this section and (a) of this
10 subsection.

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

15 (8)(a) Except as provided in (b) of this subsection, the minimum
16 allocation for each school district shall include allocations per
17 annual average full-time equivalent student for the following
18 materials, supplies, and operating costs as provided in the
19 ((2017-18)) 2023-24 school year, after which the allocations shall be
20 adjusted annually for inflation as specified in the omnibus
21 appropriations act:

22		Per annual average
23		full-time equivalent student
24		in grades K-12
25	Technology.	((\$130.76)) <u>\$178.98</u>
26	Utilities and insurance.	((\$355.30)) <u>\$430.26</u>
27	Curriculum and textbooks.	((\$140.39)) <u>\$164.48</u>
28	Other supplies	((\$278.05)) <u>\$326.54</u>
29	Library materials.	((\$20.00)) <u>\$22.65</u>
30	Instructional professional development for certificated and	
31	classified staff.	((\$21.71)) <u>\$28.94</u>
32	Facilities maintenance.	((\$176.01)) <u>\$206.22</u>
33	Security and central office administration.	((\$121.94)) <u>\$146.37</u>

34 (b) In addition to the amounts provided in (a) of this
35 subsection, beginning in the ((2014-15)) 2023-24 school year, the
36 omnibus appropriations act shall provide the following minimum
37 allocation for each annual average full-time equivalent student in

1 grades nine through 12 for the following materials, supplies, and
2 operating costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
3 Technology.	((\$36.35)) <u>\$44.05</u>
4 Curriculum and textbooks.	((\$39.02)) <u>\$48.06</u>
5 Other supplies	((\$77.28)) <u>\$94.07</u>
6 Library materials.	((\$5.56)) <u>\$6.05</u>
7 Instructional professional development for certificated and 8 classified staff.	((\$6.04)) <u>\$8.01</u>

9 (c) The increased allocation amount of \$21 per annual average
10 full-time equivalent student for materials, supplies, and operating
11 costs provided under (a) of this subsection is intended to address
12 growing costs in the enumerated categories and may not be expended
13 for any other purpose.

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

- 18 (a) Exploratory career and technical education courses for
19 students in grades seven through 12;
- 20 (b) Preparatory career and technical education courses for
21 students in grades nine through 12 offered in a high school; and
- 22 (c) Preparatory career and technical education courses for
23 students in grades 11 and 12 offered through a skill center.

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

27 (a)(i) To provide supplemental instruction and services for
28 students who are not meeting academic standards through the learning
29 assistance program under RCW 28A.165.005 through 28A.165.065,
30 allocations shall be based on the greater of either: The district
31 percentage of students in kindergarten through grade 12 who were
32 eligible for free or reduced-price meals for the school year
33 immediately preceding the district's participation, in whole or part,
34 in the United States department of agriculture's community
35 eligibility provision, or the district percentage of students in
36 grades K-12 who were eligible for free or reduced-price meals in the
37
38
39

1 prior school year. The minimum allocation for the program shall,
2 except as provided in (a)(iii) of this subsection, provide for each
3 level of prototypical school resources to provide, on a statewide
4 average, 2.3975 hours per week in extra instruction with a class size
5 of 15 learning assistance program students per teacher.

6 (ii) In addition to funding allocated under (a)(i) of this
7 subsection, to provide supplemental instruction and services for
8 students who are not meeting academic standards in qualifying
9 schools. A qualifying school, except as provided in (a)(iv) of this
10 subsection, means a school in which the three-year rolling average of
11 the prior year total annual average enrollment that qualifies for
12 free or reduced-price meals equals or exceeds 50 percent or more of
13 its total annual average enrollment. A school continues to meet the
14 definition of a qualifying school if the school: Participates in the
15 United States department of agriculture's community eligibility
16 provision; and met the definition of a qualifying school in the year
17 immediately preceding their participation. The minimum allocation for
18 this additional high poverty-based allocation must provide for each
19 level of prototypical school resources to provide, on a statewide
20 average, 1.1 hours per week in extra instruction with a class size of
21 15 learning assistance program students per teacher, under RCW
22 28A.165.055, school districts must distribute the high poverty-based
23 allocation to the schools that generated the funding allocation.

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

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

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

1 shall be based on the head count number of students in each school
2 who are eligible for and enrolled in the transitional bilingual
3 instruction program under RCW 28A.180.010 through 28A.180.080. The
4 minimum allocation for each level of prototypical school shall
5 provide resources to provide, on a statewide average, 4.7780 hours
6 per week in extra instruction for students in grades kindergarten
7 through six and 6.7780 hours per week in extra instruction for
8 students in grades seven through 12, with 15 transitional bilingual
9 instruction program students per teacher. Notwithstanding other
10 provisions of this subsection (10), the actual per-student allocation
11 may be scaled to provide a larger allocation for students needing
12 more intensive intervention and a commensurate reduced allocation for
13 students needing less intensive intervention, as detailed in the
14 omnibus appropriations act.

15 (ii) To provide supplemental instruction and services for
16 students who have exited the transitional bilingual program,
17 allocations shall be based on the head count number of students in
18 each school who have exited the transitional bilingual program within
19 the previous two years based on their performance on the English
20 proficiency assessment and are eligible for and enrolled in the
21 transitional bilingual instruction program under RCW
22 28A.180.040(1)(g). The minimum allocation for each prototypical
23 school shall provide resources to provide, on a statewide average,
24 3.0 hours per week in extra instruction with 15 exited students per
25 teacher.

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

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

37 (12)(a) For the purposes of allocations for prototypical high
38 schools and middle schools under subsections (4) and (10) of this
39 section that are based on the percent of students in the school who
40 are eligible for free and reduced-price meals, the actual percent of

1 such students in a school shall be adjusted by a factor identified in
2 the omnibus appropriations act to reflect underreporting of free and
3 reduced-price meal eligibility among middle and high school students.

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

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

13 (b) In the event the legislature rejects the distribution formula
14 recommended by the governor, without adopting a new distribution
15 formula, the distribution formula for the previous school year shall
16 remain in effect.

17 (c) The enrollment of any district shall be the annual average
18 number of full-time equivalent students and part-time students as
19 provided in RCW 28A.150.350, enrolled on the first school day of each
20 month, including students who are in attendance pursuant to RCW
21 28A.335.160 and 28A.225.250 who do not reside within the servicing
22 school district. The definition of full-time equivalent student shall
23 be determined by rules of the superintendent of public instruction
24 and shall be included as part of the superintendent's biennial budget
25 request. The definition shall be based on the minimum instructional
26 hour offerings required under RCW 28A.150.220. Any revision of the
27 present definition shall not take effect until approved by the house
28 ways and means committee and the senate ways and means committee.

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

32 NEW SECTION. **Sec. 3.** The state must provide the full school
33 year amount for materials, supplies, and operating costs provided in
34 this act for the 2023-24 school year. The first month's distribution
35 of additional amounts provided under this act in the 2023-24 school
36 year must be a proportion of the total annual additional amount
37 provided in this act equal to the sum of the proportional shares
38 under RCW 28A.510.250 from September 2023 to the first month's
39 distribution.

1 This section expires September 1, 2024.

2 NEW SECTION. **Sec. 4.** If specific funding for the purposes of
3 this act, referencing this act by bill or chapter number, is not
4 provided by June 30, 2024, in the omnibus appropriations act, this
5 act is null and void.

Passed by the House March 5, 2024.

Passed by the Senate March 1, 2024.

Approved by the Governor March 26, 2024.

Filed in Office of Secretary of State March 27, 2024.

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