
HOUSE BILL 1338

State of Washington

69th Legislature

2025 Regular Session

By Representatives Berg, Bergquist, Ramel, Stonier, Santos, Tharinger, Taylor, Alvarado, Wylie, Berry, Nance, Ryu, Donaghy, Street, Goodman, Doglio, Mena, Kloba, Pollet, Paul, Walen, Shavers, Duerr, Davis, Salahuddin, Macri, Reed, Callan, and Fosse

Read first time 01/16/25. Referred to Committee on Appropriations.

1 AN ACT Relating to school operating costs; and reenacting and
2 amending RCW 28A.150.260.

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

4 **Sec. 1.** RCW 28A.150.260 and 2024 c 262 s 2 and 2024 c 191 s 2
5 are each reenacted and amended to read as follows:

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

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

15 (2)(a) The distribution formula under this section shall be for
16 allocation purposes only. Except as may be required under subsections
17 (4)(b) and (c), (5)(b) and (c), (8), and (9) of this section, chapter
18 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
19 regulations, nothing in this section requires school districts to use
20 basic education instructional funds to implement a particular
21 instructional approach or service. Nothing in this section requires

1 school districts to maintain a particular classroom teacher-to-
2 student ratio or other staff-to-student ratio or to use allocated
3 funds to pay for particular types or classifications of staff.
4 Nothing in this section entitles an individual teacher to a
5 particular teacher planning 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)) <u>16.67</u>

(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
Paraeducators, including any aspect of educational instructional services provided by classified employees.	1.012	0.776	0.728
Office support and other noninstructional aides.	2.088	2.401	3.345
Custodians.	1.657	1.942	2.965
Nurses.	0.585	0.888	0.824

1	Social workers.....	0.311	0.088	0.127
2	Psychologists.....	0.104	0.024	0.049
3	Counselors.....	0.993	1.716	3.039
4	Classified staff providing student and staff safety.....	0.079	0.092	0.141
5	Parent involvement coordinators.....	0.0825	0.00	0.00

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

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

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

25 (c) The superintendent shall develop rules that require school
26 districts to use the additional funding provided under (a) of this
27 subsection to support increased staffing, prevent layoffs, or
28 increase salaries for the following staff types in the 2024-25 school
29 year: Paraeducators, office support, and noninstructional aides. The
30 superintendent shall collect data from school districts on how the
31 increased allocations are used.

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

36			Staff per 1,000	
37			K-12 students	
38	Technology.			0.628

1 Facilities, maintenance, and grounds. 1.813
 2 Warehouse, laborers, and mechanics. 0.332

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

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

12 (8)(a) Except as provided in (b) of this subsection, the minimum
 13 allocation for each school district shall include allocations per
 14 annual average full-time equivalent student for the following
 15 materials, supplies, and operating costs as provided in the
 16 ((2023-24)) 2025-26 school year, after which the allocations shall be
 17 adjusted annually for inflation as specified in ((the omnibus
 18 appropriations act)) (d) of this subsection:

	Per annual average full-time equivalent student in grades K-12
22 Technology.	((\$178.98)) <u>\$224.11</u>
23 Utilities and insurance.	((\$430.26)) <u>\$538.74</u>
24 Curriculum and textbooks.	((\$164.48)) <u>\$205.95</u>
25 Other supplies	((\$326.54)) <u>\$408.87</u>
26 Library materials.	((\$22.65)) <u>\$28.37</u>
27 Instructional professional development for certificated and 28 classified staff.	((\$28.94)) <u>\$32.24</u>
29 Facilities maintenance.	((\$206.22)) <u>\$258.21</u>
30 Security and central office administration.	((\$146.37)) <u>\$183.27</u>

31 (b) In addition to the amounts provided in (a) of this
 32 subsection, beginning in the ((2023-24)) 2025-26 school year, the
 33 omnibus appropriations act shall provide the following minimum
 34 allocation for each annual average full-time equivalent student in
 35 grades nine through 12 for the following materials, supplies, and
 36 operating costs, to be adjusted annually for inflation as specified
 37 in (d) of this subsection:

38 Per annual average

1		full-time equivalent student	
2		in grades 9-12	
3	Technology.	((\$44.05))	<u>\$55.14</u>
4	Curriculum and textbooks.	((\$48.06))	<u>\$60.18</u>
5	Other supplies	((\$94.07))	<u>\$117.79</u>
6	Library materials.	((\$6.05))	<u>\$7.58</u>
7	Instructional professional development for certificated and		
8	classified staff.	((\$8.01))	<u>\$10.03</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)) In addition to the amounts provided in (a) of
14 this subsection, beginning in the 2025-26 school year, the omnibus
15 appropriations act shall provide a minimum allocation per
16 certificated staff unit provided above the school prototypes for
17 small schools of \$16,870.44 for materials, supplies, and operating
18 costs, to be adjusted annually for inflation as specified in (d) of
19 this subsection.~~

20 (d) For purposes of subsections (8) and (9) of this section,
21 "inflation" means the implicit price deflator for the previous
22 calendar year as of the beginning of the school year, using the
23 official current base, compiled by the bureau of economic analysis,
24 United States department of commerce.

25 (e) Beginning in the 2029-30 school year and every four years
26 thereafter, the legislature shall review and rebase materials,
27 supplies, and operating costs compared to school districts' actual
28 operations costs and revise minimum allocations, as necessary.

29 (9) In addition to the amounts provided in subsection (8) of this
30 section and subject to RCW 28A.150.265, beginning in the 2025-26
31 school year, the omnibus appropriations act shall provide ~~((an amount~~
32 ~~based on)) the following amounts per annual average full-time
33 equivalent student enrollment in each of the following to be adjusted
34 annually for inflation as specified in subsection (8)(d) of this
35 section:~~

36	((a))) Exploratory career and technical education courses for		
37	students in grades seven through 12 ((+))		<u>\$1,799.57</u>
38	((b))) Preparatory career and technical education courses for		
39	students in grades nine through 12 offered in a high school ((+ and))		
40		<u>\$1,799.57</u>

1 (~~(e)~~) Preparatory career and technical education courses for
2 students in grades 11 and 12 offered through a skill center(~~(-)~~)

3 \$2,159.48

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

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

22 (ii) In addition to funding allocated under (a) (i) of this
23 subsection, to provide supplemental instruction and services for
24 students who are not meeting academic standards in qualifying
25 schools. A qualifying school, except as provided in (a) (iv) of this
26 subsection, means a school in which the three-year rolling average of
27 the prior year total annual average enrollment that qualifies for
28 free or reduced-price meals equals or exceeds 50 percent or more of
29 its total annual average enrollment. A school continues to meet the
30 definition of a qualifying school if the school: Participates in the
31 United States department of agriculture's community eligibility
32 provision; and met the definition of a qualifying school in the year
33 immediately preceding their participation. The minimum allocation for
34 this additional high poverty-based allocation must provide for each
35 level of prototypical school resources to provide, on a statewide
36 average, 1.1 hours per week in extra instruction with a class size of
37 15 learning assistance program students per teacher, under RCW
38 28A.165.055, school districts must distribute the high poverty-based
39 allocation to the schools that generated the funding allocation.

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

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

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

32 (ii) To provide supplemental instruction and services for
33 students who have exited the transitional bilingual program,
34 allocations shall be based on the head count number of students in
35 each school who have exited the transitional bilingual program within
36 the previous two years based on their performance on the English
37 proficiency assessment and are eligible for and enrolled in the
38 transitional bilingual instruction program under RCW
39 28A.180.040(1)(g). The minimum allocation for each prototypical
40 school shall provide resources to provide, on a statewide average,

1 3.0 hours per week in extra instruction with 15 exited students per
2 teacher.

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

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

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

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

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

30 (b) In the event the legislature rejects the distribution formula
31 recommended by the governor, without adopting a new distribution
32 formula, the distribution formula for the previous school year shall
33 remain in effect.

34 (c) The enrollment of any district shall be the annual average
35 number of full-time equivalent students and part-time students as
36 provided in RCW 28A.150.350, enrolled on the first school day of each
37 month, including students who are in attendance pursuant to RCW
38 28A.335.160 and 28A.225.250 who do not reside within the servicing
39 school district. The definition of full-time equivalent student shall
40 be determined by rules of the superintendent of public instruction

1 and shall be included as part of the superintendent's biennial budget
2 request. The definition shall be based on the minimum instructional
3 hour offerings required under RCW 28A.150.220. Any revision of the
4 present definition shall not take effect until approved by the house
5 ways and means committee and the senate ways and means committee.

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

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