
HOUSE BILL 1357

State of Washington

69th Legislature

2025 Regular Session

By Representatives Stonier, Santos, Obras, Timmons, Scott, Ortiz-Self, Nance, Fosse, Salahuddin, Wylie, Macri, and Hill

Read first time 01/17/25. Referred to Committee on Appropriations.

1 AN ACT Relating to special education funding and support for
2 inclusionary practices; amending RCW 28A.150.390 and 43.216.580; and
3 adding a new section to chapter 28A.150 RCW.

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

5 **Sec. 1.** RCW 28A.150.390 and 2024 c 229 s 1 are each amended to
6 read as follows:

7 (1) The superintendent of public instruction shall submit to each
8 regular session of the legislature during an odd-numbered year a
9 programmed budget request for special education programs for students
10 with disabilities. Funding for programs operated by local school
11 districts shall be on an excess cost basis from appropriations
12 provided by the legislature for special education programs for
13 students with disabilities and shall take account of state funds
14 accruing through RCW 28A.150.260 (4)(a), (5), (6), and (8) and
15 28A.150.415.

16 (2) The excess cost allocation to school districts shall be based
17 on the following:

18 (a) A district's annual average head count enrollment of students
19 ages three and four and those five year olds not yet enrolled in
20 kindergarten who are eligible for and receiving special education,

1 multiplied by the district's base allocation per full-time equivalent
2 student, multiplied by 1.2;

3 (b) (i) Subject to the limitation in (b) (ii) of this subsection
4 (2), a district's annual average enrollment of resident students who
5 are eligible for and receiving special education, excluding students
6 ages three and four and those five year olds not yet enrolled in
7 kindergarten, multiplied by the district's base allocation per full-
8 time equivalent student, multiplied by the special education cost
9 multiplier rate of:

10 (A) (~~Beginning in the 2020-21 school year, either:~~

11 ~~(I) 1.0075 for students eligible for and receiving special~~
12 ~~education and reported to be in the general education setting for 80~~
13 ~~percent or more of the school day; or~~

14 ~~(II) 0.995 for students eligible for and receiving special~~
15 ~~education and reported to be in the general education setting for~~
16 ~~less than 80 percent of the school day;~~

17 ~~(B) Beginning in the 2023-24 school year, either:~~

18 ~~(I) 1.12))~~ 1.18 for students eligible for and receiving special
19 education and reported to be in the general education setting for 80
20 percent or more of the school day; or

21 ~~((II) 1.06))~~ (B) 1.09 for students eligible for and receiving
22 special education and reported to be in the general education setting
23 for less than 80 percent of the school day.

24 (ii) If the enrollment percent exceeds 16 percent, the excess
25 cost allocation calculated under (b) (i) of this subsection must be
26 adjusted by multiplying the allocation by 16 percent divided by the
27 enrollment percent.

28 (3) As used in this section:

29 (a) "Base allocation" means the total state allocation to all
30 schools in the district generated by the distribution formula under
31 RCW 28A.150.260 (4) (a), (5), (6), and (8) and the allocation under
32 RCW 28A.150.415, to be divided by the district's full-time equivalent
33 enrollment.

34 (b) "Basic education enrollment" means enrollment of resident
35 students including nonresident students enrolled under RCW
36 28A.225.225 and students from nonhigh districts enrolled under RCW
37 28A.225.210 and excluding students residing in another district
38 enrolled as part of an interdistrict cooperative program under RCW
39 28A.225.250.

1 (c) "Enrollment percent" means the district's resident annual
2 average enrollment of students who are eligible for and receiving
3 special education, excluding students ages three and four and those
4 five year olds not yet enrolled in kindergarten and students enrolled
5 in institutional education programs, as a percent of the district's
6 annual average full-time equivalent basic education enrollment.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.150
8 RCW to read as follows:

9 (1) Subject to availability of amounts appropriated for this
10 specific purpose, the office of the superintendent of public
11 instruction must award grants to up to 25 pilot schools to support
12 school-wide centers of excellence for inclusionary practices. School
13 districts may apply for grant funding on behalf of a school within
14 their district. The selected schools will generate a grant equivalent
15 to the amount needed to bring the school to a multiplier of 1.5 for
16 all students eligible for, and receiving special education in, the
17 school in each school year over a four-year period. Grant amounts
18 provided in this section must be spent on qualifying expenses for
19 special education programs for students with disabilities.

20 (2) The superintendent of public instruction must select grant
21 recipients based on the criteria in this subsection (2). Selected
22 pilot schools must be diverse geographically and in size of
23 enrollment. Successful school applicants must:

24 (a) Demonstrate engaged and committed school leadership and
25 faculty in support of inclusionary practices, which may include, but
26 are not limited to, the following practices:

27 (i) A willingness to make master schedule changes to allow for
28 common collaboration time;

29 (ii) A plan for transformational change in building practices in
30 support of inclusion;

31 (iii) Broadly communicating a commitment to the shift in
32 practices; and

33 (iv) A commitment to, and understanding of, universal design for
34 learning;

35 (b) Demonstrate that all school staff, including classified
36 staff, are appropriately trained in inclusionary practices or submit
37 a plan for all staff to obtain the appropriate training by the end of
38 the following school year;

1 (c) Provide data demonstrating the school's existing success in
2 inclusionary practices or recent improvements in inclusionary
3 practices; and

4 (d) Describe how staff training and support in inclusionary
5 practices will be sustained after initial training is provided.

6 (3) Beginning December 1, 2026, and annually thereafter, the
7 office of the superintendent of public instruction shall submit a
8 report to the appropriate committees of the legislature on the grant
9 program. The report must include, at a minimum:

10 (a) A list of the grant recipients from the previous school year;

11 (b) The additional funding provided to each grant recipient as
12 required in subsection (1) of this section; and

13 (c) The effectiveness of the grant funds in increasing staff
14 training in inclusionary practices and improving student outcomes.

15 (4) The funding provided under this section is not part of the
16 state's statutory program of basic education.

17 **Sec. 3.** RCW 43.216.580 and 2024 c 284 s 1 are each amended to
18 read as follows:

19 (1) The department is the state lead agency for Part C of the
20 federal individuals with disabilities education act. The department
21 shall administer the early support for infants and toddlers program,
22 to provide early intervention services to all eligible children with
23 disabilities from birth to three years of age. Eligibility shall be
24 determined according to Part C of the federal individuals with
25 disabilities education act or other applicable federal and state
26 laws, and as specified in the Washington Administrative Code adopted
27 by the department. Services provided under this section shall not
28 supplant services or funding currently provided in the state for
29 early intervention services to eligible children with disabilities
30 from birth to three years of age.

31 (2)(a) Funding for the early support for infants and toddlers
32 program shall be appropriated to the department based on the annual
33 average head count of children ages birth to three who are eligible
34 for and receiving early intervention services, multiplied by the
35 total statewide allocation generated by the distribution formula
36 under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation
37 under RCW 28A.150.415, per the statewide full-time equivalent
38 enrollment in common schools, multiplied by ~~((1.15))~~ the multiplier
39 used in RCW 28A.150.390(2)(a).

1 (b) The department shall distribute funds to early intervention
2 services providers, and, when appropriate, to county lead agencies.

3 (c) For the purposes of this subsection (2), a child is receiving
4 early intervention services if the child has received services within
5 the same month as the monthly count day, which is the last business
6 day of the month.

7 (3) Federal funds associated with Part C of the federal
8 individuals with disabilities education act shall be subject to payor
9 of last resort requirements pursuant to 34 C.F.R. Sec. 303.510 (2020)
10 for birth-to-three early intervention services provided under this
11 section.

12 (4) The services in this section are not part of the state's
13 program of basic education pursuant to Article IX of the state
14 Constitution.

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