
SECOND SUBSTITUTE SENATE BILL 5315

State of Washington

66th Legislature

2019 Regular Session

By Senate Ways & Means (originally sponsored by Senators Wellman, Dhingra, Hasegawa, Saldaña, and Van De Wege; by request of Office of Financial Management)

READ FIRST TIME 03/01/19.

1 AN ACT Relating to increasing student support staff in the
2 prototypical school funding model; amending RCW 28A.150.260 and
3 28A.400.007; creating a new section; and providing an effective date.

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

5 **Sec. 1.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended to
6 read as follows:

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

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

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

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

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

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

1 allocations shall be further adjusted from the school prototypes with
2 minimum allocations for small schools and to reflect other factors
3 identified in the omnibus appropriations act.

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

6 (i) A prototypical high school has six hundred average annual
7 full-time equivalent students in grades nine through twelve;

8 (ii) A prototypical middle school has four hundred thirty-two
9 average annual full-time equivalent students in grades seven and
10 eight; and

11 (iii) A prototypical elementary school has four hundred average
12 annual full-time equivalent students in grades kindergarten through
13 six.

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

	General education average class size
21 Grades K-3.	17.00
22 Grade 4.	27.00
23 Grades 5-6.	27.00
24 Grades 7-8.	28.53
25 Grades 9-12.	28.74

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

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

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

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

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

	Career and technical education average class size
14 Approved career and technical education offered at 15 the middle school and high school level.	23.00
16 Skill center programs meeting the standards established 17 by the office of the superintendent of public 18 instruction.	20.00

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

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

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

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

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

	Elementary School	Middle School	High School
33 Principals, assistant principals, and other certificated building-level 34 administrators.	1.253	1.353	1.880
35 Teacher-librarians, a function that includes information literacy, technology, 36 and media to support school library media programs.	0.663	0.519	0.523
37 Health and social services:			

1	School nurses.....	0.076	0.060	0.096
2	Social workers.....	0.042	0.006	0.015
3	Psychologists.....	0.017	0.002	0.007
4	Guidance counselors, a function that includes parent outreach and graduation			
5	advising.....	0.493	1.216	2.539
6	Teaching assistance, including any aspect of educational instructional services			
7	provided by classified employees.....	0.936	0.700	0.652
8	Office support and other noninstructional aides.....	2.012	2.325	3.269
9	Custodians.....	1.657	1.942	2.965
10	Classified staff providing student and staff safety.....	0.079	0.092	0.141
11	Parent involvement coordinators.....	0.0825	0.00	0.00

12 (b) In addition, beginning in the 2019-2021 biennium and
13 beginning with school districts with the highest percentage of
14 students eligible for free and reduced-price meals in the prior
15 school year, the following additional allocations shall be provided:

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
	<u>School</u>	<u>School</u>	<u>School</u>
16			
17			
18	<u>Health and social services:</u>		
19	<u>School nurses.....</u>	<u>0.5090</u>	<u>0.8280</u>
20	<u>Social workers.....</u>	<u>0.2690</u>	<u>0.0820</u>
21	<u>Psychologists.....</u>	<u>0.0870</u>	<u>0.0220</u>
22	<u>Guidance counselors, a function that includes parent outreach and graduation</u>		
23	<u>advising.....</u>	<u>0.0070</u>	<u>0.7840</u>

24 (i) During the 2019-2021 biennium, school districts with more
25 than fifty percent of the students eligible for free and reduced-
26 price meals shall receive the additional allocations under this
27 subsection (5) (b).

28 (ii) During the 2021-2023 biennium, school districts with more
29 than thirty-five percent of the students eligible for free and
30 reduced-price meals shall receive the additional allocations under
31 this subsection (5) (b).

32 (iii) Beginning with the 2023-2025 biennium, all school districts
33 shall receive the additional allocations under this subsection
34 (5) (b).

1 (iv) Funding for the additional allocations under this subsection
2 (5)(b) may be provided only to the extent of, and proportionate to,
3 the school district's demonstrated actual increased staffing or
4 existing staffing for school nurses, social workers, school
5 psychologists, and guidance counselors to the funded allocations.

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

	Staff per 1,000 K-12 students
10 Technology.	0.628
11 Facilities, maintenance, and grounds.	1.813
12 Warehouse, laborers, and mechanics.	0.332

13
14
15 (b) The minimum allocation of staff units for each school
16 district to support certificated and classified staffing of central
17 administration shall be 5.30 percent of the staff units generated
18 under subsections (4)(a) and (5) of this section and (a) of this
19 subsection.

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

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

	Per annual average full-time equivalent student in grades K-12
30 Technology.	\$130.76
31 Utilities and insurance.	\$355.30
32 Curriculum and textbooks.	\$140.39
33 Other supplies	\$278.05
34 Library materials.	\$20.00
35 Instructional professional development for certificated and 36 classified staff.	\$21.71

1 Facilities maintenance. \$176.01
2 Security and central office administration. \$121.94

3 (b) In addition to the amounts provided in (a) of this
4 subsection, beginning in the 2014-15 school year, the omnibus
5 appropriations act shall provide the following minimum allocation for
6 each annual average full-time equivalent student in grades nine
7 through twelve for the following materials, supplies, and operating
8 costs, to be adjusted annually for inflation:

	Per annual average full-time equivalent student in grades 9-12
9	
10	
11	
12 Technology.	\$36.35
13 Curriculum and textbooks.	\$39.02
14 Other supplies	\$77.28
15 Library materials.	\$5.56
16 Instructional professional development for certificated and 17 classified staff.	\$6.04

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

- 22 (a) Exploratory career and technical education courses for
23 students in grades seven through twelve;
- 24 (b) Preparatory career and technical education courses for
25 students in grades nine through twelve offered in a high school; and
- 26 (c) Preparatory career and technical education courses for
27 students in grades eleven and twelve offered through a skill center.

28 (10) In addition to the allocations otherwise provided under this
29 section, amounts shall be provided to support the following programs
30 and services:

31 (a)(i) To provide supplemental instruction and services for
32 students who are not meeting academic standards through the learning
33 assistance program under RCW 28A.165.005 through 28A.165.065,
34 allocations shall be based on the district percentage of students in
35 grades K-12 who were eligible for free or reduced-price meals in the
36 prior school year. The minimum allocation for the program shall
37 provide for each level of prototypical school resources to provide,
38 on a statewide average, 2.3975 hours per week in extra instruction

1 with a class size of fifteen learning assistance program students per
2 teacher.

3 (ii) In addition to funding allocated under (a)(i) of this
4 subsection, to provide supplemental instruction and services for
5 students who are not meeting academic standards in qualifying
6 schools. A qualifying school means a school in which the three-year
7 rolling average of the prior year total annual average enrollment
8 that qualifies for free or reduced-price meals equals or exceeds
9 fifty percent or more of its total annual average enrollment. The
10 minimum allocation for this additional high poverty-based allocation
11 must provide for each level of prototypical school resources to
12 provide, on a statewide average, 1.1 hours per week in extra
13 instruction with a class size of fifteen learning assistance program
14 students per teacher, under RCW 28A.165.055, school districts must
15 distribute the high poverty-based allocation to the schools that
16 generated the funding allocation.

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

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

1 school shall provide resources to provide, on a statewide average,
2 3.0 hours per week in extra instruction with fifteen exited students
3 per teacher.

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

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

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

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

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

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

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

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

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

10 **Sec. 2.** RCW 28A.400.007 and 2017 3rd sp.s. c 13 s 904 are each
 11 amended to read as follows:

12 (1) In addition to the staffing units in RCW 28A.150.260, the
 13 superintendent of public instruction must provide school districts
 14 with allocations for the following staff units if and to the extent
 15 that funding is specifically appropriated and designated for that
 16 category of staffing unit in the omnibus operating appropriations
 17 act.

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

	Elementary	Middle	High
	School	School	School
22 Principals, assistant principals, and other certificated building-level			
23 administrators.....	0.0470	0.0470	0.0200
24 Teacher-librarians, a function that includes information literacy, technology,			
25 and media to support school library media programs.....	0.3370	0.4810	0.4770
26 Health and social services:			
27 School nurses.....	((0.5090))	((0.8280))	((0.7280))
28	<u>0.0000</u>	<u>0.0000</u>	<u>0.5970</u>
29 Social workers.....	((0.2690))	((0.0820))	((0.1120))
30	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>
31 Psychologists.....	((0.0870))	((0.0220))	((0.0420))
32	<u>0.0000</u>	<u>0.0000</u>	<u>0.0000</u>
33 Guidance counselors, a function that includes parent outreach and graduation			
34 advising.....	((0.0070))	((0.7840))	
35	<u>0.0000</u>	<u>0.0000</u>	0.9610
36 Teaching assistance, including any aspect of educational instructional services			
provided by classified employees.....	1.0640	0.3000	0.3480

1	Office support and other noninstructional aides.	0.9880	1.1750	0.2310
2	Custodians.	0.0430	0.0580	0.0350
3	Classified staff providing student and staff safety.	0.0000	0.6080	1.1590
4	Parent involvement coordinators.	0.9175	1.0000	1.0000

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

8			General education	
9			certificated instructional	
10			staff units sufficient to	
11			achieve class size reduction of:	
12	Grades K-3 class size.			0.00
13	Grade 4.			2.00
14	Grades 5-6.			2.00
15	Grades 7-8.			3.53
16	Grades 9-12.			3.74
17	CTE.			4.00
18	Skills.			4.00

19			High poverty	
20			certificated instructional	
21			staff units sufficient to	
22			achieve class size reduction of:	
23	Grades K-3 class size.			2.00
24	Grade 4.			5.00
25	Grades 5-6.			4.00
26	Grades 7-8.			5.53
27	Grades 9-12.			5.74

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

1 NEW SECTION. **Sec. 3.** Section 2 of this act takes effect
2 September 1, 2023.

3 NEW SECTION. **Sec. 4.** If specific funding for the purposes of
4 this act, referencing this act by bill or chapter number, is not
5 provided by June 30, 2019, in the omnibus appropriations act, this
6 act is null and void.

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