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**SENATE BILL 5623**

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**State of Washington****65th Legislature****2017 Regular Session**

**By** Senators Rolfes, Billig, Wellman, Saldaña, Takko, Hunt, Darneille, and Ranker

1       AN ACT Relating to fulfilling the state's paramount duty for all  
2 children through equitable and responsible investments in the state's  
3 basic education program and reductions to local effort contributions;  
4 amending RCW 28A.150.200, 28A.150.410, 28A.400.205, 28A.400.200,  
5 28A.500.020, and 28A.150.260; reenacting and amending RCW 84.52.0531,  
6 28A.500.030, and 28A.150.260; adding new sections to chapter 28A.150  
7 RCW; adding a new section to chapter 28A.400 RCW; adding new sections  
8 to chapter 28A.415 RCW; creating new sections; recodifying RCW  
9 28A.300.600, 28A.300.602, and 28A.300.604; repealing RCW 28A.400.201,  
10 28A.415.020, 28A.415.023, 28A.415.024, and 28A.415.025; providing  
11 effective dates; and providing expiration dates.

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

13       NEW SECTION.   **Sec. 1.**   INTENT. (1) Under the paramount duty of  
14 the state Constitution, the legislature must provide every child in  
15 the state with an opportunity to succeed in school. The legislature  
16 must also ensure that children's access to the state's program of  
17 basic education is uniform and equitable. To meet the state's  
18 obligation of making ample provision for the education of all  
19 children, state funding allocations must correspond to the cost of  
20 providing students with the opportunity to receive the state's basic  
21 education program.

1       (2) In chapter 548, Laws of 2009 (Engrossed Substitute House Bill  
2 No. 2261) and chapter 236, Laws of 2010 (Substitute House Bill No.  
3 2776) the state established a plan for enhancing the state's program  
4 of basic education by providing full-day kindergarten and K-3 class  
5 size reduction, fully funding student transportation and materials,  
6 supplies, and operating costs, revising program hour offerings and  
7 graduation requirements, and by adding the program for highly capable  
8 students to the state's program of basic education. With this act,  
9 the legislature intends to realize the remaining element of these  
10 reforms—full state funding allocations for salaries needed for school  
11 districts to hire and retain qualified staff for the state's  
12 education program. Using market data compiled pursuant to Engrossed  
13 Second Substitute Senate Bill No. 6195, the legislature is  
14 establishing a revised salary allocation methodology. The new salary  
15 allocation methodology will ensure that each district receives  
16 sufficient state funding to pay teachers and other school staff a  
17 market-based, competitive wage. The new methodology will also  
18 recognize that the state's duty to fund adequate salaries includes  
19 provisions for regular cost-of-living increases and professional  
20 development as well as adjustments to reflect regional differences in  
21 the cost of hiring staff. In addition, the state's new allocation  
22 methodology will provide for regular future rebasing to ensure that  
23 state salary allocations continue to align with staffing costs for  
24 the state's program.

25       (3) The legislature also intends to phase in further enhancements  
26 to basic education funding formulas by providing additional  
27 allocations for career and technical education, skill centers,  
28 guidance counselors and parent involvement coordinators, and the  
29 highly capable program. To address the opportunity gap, the state  
30 will enhance formulas in the learning assistance and transitional  
31 bilingual programs. The legislature intends to preserve local ability  
32 to enrich the state's program with local voter-approved levies and  
33 local effort assistance, subject to a new phased-in levy lid and a  
34 plan to work collaboratively with school district leaders to provide  
35 accountability and transparency for locally approved funding.

36       (4) Over the next six years, these investments will provide  
37 equity for rural and urban districts, and ensure students' and  
38 educators' achievements are based on hard work, not zip code.

39       (5) The legislature intends to consider recommendations from the  
40 standing capital budget committees to address the additional

1 classroom and facility needs necessary to fully support the existing  
2 and planned investments in state-funded all-day kindergarten and K-3  
3 class size reductions that have been made in recent years.

4 (6) The legislature acknowledges that progress towards improving  
5 educator recruitment and retention was made in the 2016 legislative  
6 session through enacted legislation and increased investment in the  
7 beginning educator support and training program. However, the  
8 legislature recognizes that additional support is still necessary.  
9 The legislature supports full funding of the enacted recruitment and  
10 retention policies, developing additional proposals to further  
11 support recruitment and retention of educators, and increasing  
12 investments in recruitment and retention policies. The legislature  
13 intends to consider the recommendations of its education policy and  
14 fiscal committees to address these needs.

15 (7) The legislature finds that Washington state has a long  
16 history of local control of school districts. The legislature further  
17 finds that one way that local authority is expressed is through the  
18 collective bargaining process. The legislature recognizes that the  
19 legal right to collective bargaining provides the opportunity for  
20 locally elected school districts to negotiate with educators in the  
21 schools to create changes, find solutions, and improve teaching and  
22 learning conditions unique to each school district. The legislature  
23 intends to maintain local control over school district collective  
24 bargaining.

25 (8) The legislature finds that additional reporting requirements  
26 and a more robust accounting system should be created. The  
27 legislature intends to work with school district business officials  
28 to develop details for a more comprehensive accounting system that  
29 ensures local funds are used only for local enrichment to the state's  
30 program of basic education and that state funding is providing full  
31 support for the program of basic education. Additionally, the  
32 legislature intends to require the office of the superintendent of  
33 public instruction to update its online reporting system to align  
34 with the new accounting system and provide increased transparency of  
35 local school district data.

36 (9) The legislature recognizes that local bargaining of health  
37 benefits for school employees is the best way to meet the needs of  
38 the employees who receive the health benefits. The legislature  
39 intends to continue the legal right to locally bargained school  
40 employee health benefits.

**PART I**  
**SALARY ALLOCATIONS**

**Sec. 101.** RCW 28A.150.200 and 2009 c 548 s 101 are each amended to read as follows:

FUNDING ELEMENTS OF THE BASIC EDUCATION PROGRAM. (1) The program of basic education established under this chapter is deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution, which states that "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex," and is adopted pursuant to Article IX, section 2 of the state Constitution, which states that "The legislature shall provide for a general and uniform system of public schools."

(2) The legislature defines the program of basic education under this chapter as that which is necessary to provide the opportunity to develop the knowledge and skills necessary to meet the state-established high school graduation requirements that are intended to allow students to have the opportunity to graduate with a meaningful diploma that prepares them for postsecondary education, gainful employment, and citizenship. Basic education by necessity is an evolving program of instruction intended to reflect the changing educational opportunities that are needed to equip students for their role as productive citizens and includes the following:

(a) The instructional program of basic education the minimum components of which are described in RCW 28A.150.220;

(b) The program of education provided by chapter 28A.190 RCW for students in residential schools as defined by RCW 28A.190.020 and for juveniles in detention facilities as identified by RCW 28A.190.010;

(c) The program of education provided by chapter 28A.193 RCW for individuals under the age of eighteen who are incarcerated in adult correctional facilities; ((and))

(d) Transportation and transportation services to and from school for eligible students as provided under RCW 28A.160.150 through 28A.160.180;

(e) Statewide salary allocations provided for staff in the basic education program as provided under RCW 28A.150.410 that are adjusted annually by the same inflationary measure as provided in RCW 28A.400.205, adjusted to reflect regional differences in the cost of

1 hiring staff, and rebased every six years to ensure that state salary  
2 allocations continue to align with staffing costs for the state's  
3 program in accordance with RCW 28A.150.410 and section 105 of this  
4 act; and

5 (f) Professional learning days as provided under section 106 of  
6 this act.

7 **Sec. 102.** RCW 28A.150.410 and 2010 c 236 s 10 are each amended  
8 to read as follows:

9 SALARY ALLOCATION METHODOLOGY—REGULAR REALIGNMENT—COST-OF-LIVING  
10 ADJUSTMENTS. (1) Through the 2016-17 school year, the legislature  
11 shall establish for each school year in the appropriations act a  
12 statewide salary allocation schedule, for allocation purposes only,  
13 to be used to distribute funds for basic education certificated  
14 instructional staff salaries under RCW 28A.150.260. For the purposes  
15 of this section, the staff allocations for classroom teachers,  
16 teacher librarians, guidance counselors, and student health services  
17 staff under RCW 28A.150.260 are considered allocations for  
18 certificated instructional staff.

19 (2) Through the 2016-17 school year, salary allocations for  
20 state-funded basic education certificated instructional staff shall  
21 be calculated by the superintendent of public instruction by  
22 determining the district's average salary for certificated  
23 instructional staff, using the statewide salary allocation schedule  
24 and related documents, conditions, and limitations established by the  
25 omnibus appropriations act.

26 (3) (~~Beginning January 1, 1992~~) Through the 2016-17 school  
27 year, no more than ninety college quarter-hour credits received by  
28 any employee after the baccalaureate degree may be used to determine  
29 compensation allocations under the state salary allocation schedule  
30 and LEAP documents referenced in the omnibus appropriations act, or  
31 any replacement schedules and documents, unless:

32 (a) The employee has a master's degree; or

33 (b) The credits were used in generating state salary allocations  
34 before January 1, 1992.

35 (4) Beginning in the 2007-08 school year and through the 2016-17  
36 school year, the calculation of years of service for occupational  
37 therapists, physical therapists, speech-language pathologists,  
38 audiologists, nurses, social workers, counselors, and psychologists  
39 regulated under Title 18 RCW may include experience in schools and

1 other nonschool positions as occupational therapists, physical  
2 therapists, speech-language pathologists, audiologists, nurses,  
3 social workers, counselors, or psychologists. The calculation shall  
4 be that one year of service in a nonschool position counts as one  
5 year of service for purposes of this chapter, up to a limit of two  
6 years of nonschool service. Nonschool years of service included in  
7 calculations under this subsection shall not be applied to service  
8 credit totals for purposes of any retirement benefit under chapter  
9 41.32, 41.35, or 41.40 RCW, or any other state retirement system  
10 benefits.

11 (5) Beginning with the 2017-18 school year, the minimum state  
12 allocation for salaries for certificated instructional staff in the  
13 basic education program must be increased in a linear fashion using  
14 equal increments to provide a statewide average allocation in the  
15 2019-20 school year of seventy thousand eight hundred twenty-four  
16 dollars, adjusted in the 2019-20 school year by the same inflationary  
17 measure as provided in RCW 28A.400.205.

18 (6) Beginning with the 2017-18 school year, the minimum state  
19 allocation for salaries for certificated administrative staff in the  
20 basic education program must be increased in a linear fashion using  
21 equal increments to provide a statewide average allocation in the  
22 2019-20 school year of one hundred seventeen thousand one hundred  
23 fifty-nine dollars, adjusted in the 2019-20 school year by the same  
24 inflationary measure as provided in RCW 28A.400.205.

25 (7) Beginning with the 2017-18 school year, the minimum state  
26 allocation for salaries for classified staff in the basic education  
27 program must be increased in a linear fashion using equal increments  
28 to provide a statewide average allocation in the 2019-20 school year  
29 of fifty-four thousand eighty-four dollars, adjusted in the 2019-20  
30 school year by the same inflationary measure as provided in RCW  
31 28A.400.205.

32 (8) Beginning with the 2019-20 school year, state allocations for  
33 salaries for certificated instructional staff, certificated  
34 administrative staff, and classified staff must be adjusted for  
35 regional differences in the cost of hiring staff. Adjustments for  
36 regional differences must be specified in the omnibus appropriations  
37 act. However, no district may receive less state funds for the  
38 minimum state salary allocation as compared to its prior school year  
39 salary allocations as a result of adjustments that reflect local  
40 differences in the cost to recruit and retain staff.

1       (9) Beginning with the 2020-21 school year, the minimum state  
2 salary allocations for salaries for certificated instructional staff,  
3 certificated administrative staff, and classified staff must be  
4 adjusted annually by the same inflationary measure as provided in RCW  
5 28A.400.205.

6       (10) Beginning with the 2025-26 school year and every six years  
7 thereafter, the minimum state salary allocation for certificated  
8 instructional staff, certificated administration staff, and  
9 classified staff must be rebased, as provided under section 105 of  
10 this act, to ensure that state salary allocations continue to align  
11 with staffing costs for the state's program of basic education.

12       **Sec. 103.** RCW 28A.400.205 and 2013 2nd sp.s. c 5 s 1 are each  
13 amended to read as follows:

14       COST-OF-LIVING ADJUSTMENTS. (1) School district employees shall  
15 be provided an annual salary cost-of-living increase in accordance  
16 with this section.

17       (a) The cost-of-living increase shall be calculated by applying  
18 the rate of the yearly increase in the cost-of-living index to any  
19 state-funded salary base used in state funding formulas for teachers  
20 and other school district employees. Beginning with the ~~((2001-02~~  
21 ~~school year, and for each subsequent school year, except for the~~  
22 ~~2013-14 and 2014-15 school years))~~ 2019-20 school year, each school  
23 district shall be provided a cost-of-living allocation sufficient to  
24 grant this cost-of-living increase.

25       (b) A school district shall distribute its cost-of-living  
26 allocation for salaries and salary-related benefits in accordance  
27 with the district's ~~((salary schedules,))~~ collective bargaining  
28 agreements~~((,))~~ and compensation policies. No later than the end of  
29 the school year, each school district shall certify to the  
30 superintendent of public instruction that it has spent funds provided  
31 for cost-of-living increases on salaries and salary-related benefits.

32       (c) Any funded cost-of-living increase shall be included in the  
33 salary base used to determine cost-of-living increases for school  
34 employees in subsequent years. For teachers and other certificated  
35 instructional staff, the rate of the annual cost-of-living increase  
36 funded for certificated instructional staff shall be applied to the  
37 base salary used with the statewide salary allocation ~~((schedule))~~  
38 methodology established under RCW 28A.150.410 and to any other salary

1    (~~models~~) allocation methodologies used to recognize school district  
2    personnel costs.

3        (2) For the purposes of this section, "cost-of-living index"  
4    means, for any school year, the previous calendar year's annual  
5    average consumer price index, using the official current base,  
6    compiled by the bureau of labor statistics, United States department  
7    of labor for the state of Washington. If the bureau of labor  
8    statistics develops more than one consumer price index for areas  
9    within the state, the index covering the greatest number of people,  
10   covering areas exclusively within the boundaries of the state, and  
11   including all items shall be used for the cost-of-living index in  
12   this section.

13        (3) Beginning with the 2019-20 school year, state funding  
14   provided under this section is part of the funding necessary to  
15   comply with the state's Article IX constitutional duty.

16        **Sec. 104.** RCW 28A.400.200 and 2010 c 235 s 401 are each amended  
17   to read as follows:

18        REQUIREMENTS FOR SCHOOL DISTRICT SALARIES. (1) Every school  
19   district board of directors shall fix, alter, allow, and order paid  
20   salaries and compensation for all district employees in conformance  
21   with this section.

22        (2) (a) Through the 2018-19 school year, salaries for certificated  
23   instructional staff shall not be less than the salary provided in the  
24   appropriations act in the statewide salary allocation schedule for an  
25   employee with a baccalaureate degree and zero years of service;  
26   (~~and~~)

27        (b) Salaries for certificated instructional staff with a master's  
28   degree shall not be less than the salary provided in the  
29   appropriations act in the statewide salary allocation schedule for an  
30   employee with a master's degree and zero years of service; and

31        (c) Beginning with 2019-20 school year:

32        (i) Salaries for full-time beginning certificated instructional  
33   staff with zero years of experience must not be less than forty-five  
34   thousand five hundred dollars, to be adjusted annually by the same  
35   inflationary measure as provided in RCW 28A.400.205;

36        (ii) Salaries for full-time certificated instructional staff with  
37   three years of experience must not be less than fifty thousand five  
38   hundred dollars, to be adjusted annually by the same inflationary  
39   measure as provided in RCW 28A.400.205.



1       (3) (a) The actual average salary paid to certificated  
2 instructional staff shall not exceed the district's average  
3 certificated instructional staff salary used for the state basic  
4 education allocations for that school year as determined pursuant to  
5 RCW 28A.150.410.

6       (b) Fringe benefit contributions for certificated instructional  
7 staff shall be included as salary under (a) of this subsection only  
8 to the extent that the district's actual average benefit contribution  
9 exceeds the amount of the insurance benefits allocation provided per  
10 certificated instructional staff unit in the state operating  
11 appropriations act in effect at the time the compensation is payable.  
12 For purposes of this section, fringe benefits shall not include  
13 payment for unused leave for illness or injury under RCW 28A.400.210;  
14 employer contributions for old age survivors insurance, workers'  
15 compensation, unemployment compensation, and retirement benefits  
16 under the Washington state retirement system; or employer  
17 contributions for health benefits in excess of the insurance benefits  
18 allocation provided per certificated instructional staff unit in the  
19 state operating appropriations act in effect at the time the  
20 compensation is payable. A school district may not use state funds to  
21 provide employer contributions for such excess health benefits.

22       (c) Salary and benefits for certificated instructional staff in  
23 programs other than basic education shall be consistent with the  
24 salary and benefits paid to certificated instructional staff in the  
25 basic education program.

26       (4) Salaries and benefits for certificated instructional staff  
27 may exceed the limitations in subsection (3) of this section only by  
28 separate contract for additional time, for additional  
29 responsibilities, for incentives, or for implementing specific  
30 measurable innovative activities, including professional development,  
31 specified by the school district to: (a) Close one or more  
32 achievement gaps, (b) focus on development of science, technology,  
33 engineering, and mathematics (STEM) learning opportunities, or (c)  
34 provide arts education. ~~((Beginning September 1, 2011, school  
35 districts shall annually provide a brief description of the  
36 innovative activities included in any supplemental contract to the  
37 office of the superintendent of public instruction. The office of the  
38 superintendent of public instruction shall summarize the district  
39 information and submit an annual report to the education committees  
40 of the house of representatives and the senate.))~~ Supplemental

1 contracts shall not cause the state to incur any present or future  
2 funding obligation. Supplemental contracts shall be subject to the  
3 collective bargaining provisions of chapter 41.59 RCW and the  
4 provisions of RCW 28A.405.240, shall not exceed one year, and if not  
5 renewed shall not constitute adverse change in accordance with RCW  
6 28A.405.300 through 28A.405.380. No district may enter into a  
7 supplemental contract under this subsection for the provision of  
8 services which are a part of the basic education program required by  
9 Article IX, section 3 of the state Constitution.

10 (5) Employee benefit plans offered by any district shall comply  
11 with RCW 28A.400.350 ((and)), 28A.400.275, and 28A.400.280.

12 NEW SECTION. **Sec. 105.** A new section is added to chapter  
13 28A.150 RCW to read as follows:

14 PROCESS FOR REBASING SALARY ALLOCATIONS. (1) The legislature  
15 intends to ensure that the state-provided K-12 basic education salary  
16 allocations keep pace with the wages of comparable occupations by  
17 requiring that a comparable wage analysis be conducted every six  
18 years.

19 (2)(a) By July 1, 2024, and July 1st every six years thereafter,  
20 the employment security department shall provide the governor and the  
21 legislature an update to the comparable wage analysis that was  
22 conducted by the employment security department and reported to the  
23 legislature in 2012 by the technical working group established in RCW  
24 28A.400.201.

25 (b) The office of financial management must calculate a new  
26 state-funded average base salary to be used in state funding  
27 allocation formulas for certificated instructional staff,  
28 certificated administrative staff, and classified staff, based on the  
29 salaries identified by the employment security department in the  
30 updated comparable wage analysis and increased by the cost-of-living  
31 increase pursuant to RCW 28A.400.205. The office of financial  
32 management must make this calculation for the school year beginning  
33 September 1, 2025, and at a period of every six years thereafter.

34 (c) When submitting his or her biennial budget under chapter  
35 43.88 RCW, the governor's funding request for state school salary  
36 allocations must use the new state-funded average base salaries  
37 calculated by the office of financial management.

38 (d) The legislature must approve or reject the submission of the  
39 request for funding for state school salary allocations as a whole.

1 (3) No district may receive less state funding for the minimum  
2 state salary allocation as compared to its prior school year salary  
3 allocation as a result of adjustments that reflect the updated  
4 comparable wage index.

5 NEW SECTION. **Sec. 106.** A new section is added to chapter  
6 28A.150 RCW to read as follows:

7 PROFESSIONAL LEARNING DAYS. (1) Beginning with the 2017-18 school  
8 year, the legislature shall begin phasing in funding for professional  
9 learning days for certificated instructional staff, certificated  
10 administrative staff, and classified staff. At a minimum, the state  
11 must allocate funding for:

- 12 (a) One professional learning day in the 2017-18 school year;  
13 (b) Two professional learning days in the 2018-19 school year;  
14 (c) Four professional learning days in the 2019-20 school year;  
15 (d) Six professional learning days in the 2020-21 school year;  
16 and  
17 (e) Ten professional learning days by the 2022-23 school year.

18 (2) The professional learning days must meet the definitions and  
19 standards provided in RCW 28A.300.600, 28A.300.602, and 28A.300.604  
20 (as recodified by this act).

21 **PART II**  
22 **MAINTENANCE AND OPERATION LEVIES**  
23 **LOCAL EFFORT ASSISTANCE**

24 **Sec. 201.** RCW 84.52.0531 and 2010 c 237 s 2 and 2010 c 99 s 11  
25 are each reenacted and amended to read as follows:

26 PHASED-IN LEVY LID REDUCTION. The maximum dollar amount which may  
27 be levied by or for any school district for maintenance and operation  
28 support under the provisions of RCW 84.52.053 shall be determined as  
29 follows:

30 (1) For excess levies for collection in calendar year 1997, the  
31 maximum dollar amount shall be calculated pursuant to the laws and  
32 rules in effect in November 1996.

33 (2) For excess levies for collection in calendar year 1998 and  
34 thereafter, the maximum dollar amount shall be the sum of (a) plus or  
35 minus (b), (c), and (d) of this subsection minus (e) of this  
36 subsection:

1 (a) The district's levy base as defined in subsection (3) of this  
2 section multiplied by the district's maximum levy percentage as  
3 defined in subsection (4) of this section;

4 (b) For districts in a high/nonhigh relationship, the high school  
5 district's maximum levy amount shall be reduced and the nonhigh  
6 school district's maximum levy amount shall be increased by an amount  
7 equal to the estimated amount of the nonhigh payment due to the high  
8 school district under RCW 28A.545.030(3) and 28A.545.050 for the  
9 school year commencing the year of the levy;

10 (c) Except for nonhigh districts under (d) of this subsection,  
11 for districts in an interdistrict cooperative agreement, the  
12 nonresident school district's maximum levy amount shall be reduced  
13 and the resident school district's maximum levy amount shall be  
14 increased by an amount equal to the per pupil basic education  
15 allocation included in the nonresident district's levy base under  
16 subsection (3) of this section multiplied by:

17 (i) The number of full-time equivalent students served from the  
18 resident district in the prior school year; multiplied by:

19 (ii) The serving district's maximum levy percentage determined  
20 under subsection (4) of this section; increased by:

21 (iii) The percent increase per full-time equivalent student as  
22 stated in the state basic education appropriation section of the  
23 biennial budget between the prior school year and the current school  
24 year divided by fifty-five percent;

25 (d) The levy bases of nonhigh districts participating in an  
26 innovation academy cooperative established under RCW 28A.340.080  
27 shall be adjusted by the office of the superintendent of public  
28 instruction to reflect each district's proportional share of student  
29 enrollment in the cooperative;

30 (e) The district's maximum levy amount shall be reduced by the  
31 maximum amount of state matching funds for which the district is  
32 eligible under RCW 28A.500.010.

33 (3) For excess levies for collection in calendar year 1998 and  
34 thereafter, a district's levy base shall be the sum of allocations in  
35 (a) through (c) of this subsection received by the district for the  
36 prior school year, including allocations for compensation increases,  
37 plus the sum of such allocations multiplied by the percent increase  
38 per full time equivalent student as stated in the state basic  
39 education appropriation section of the biennial budget between the  
40 prior school year and the current school year and divided by fifty-

1 five percent. A district's levy base shall not include local school  
2 district property tax levies or other local revenues, or state and  
3 federal allocations not identified in (a) through (c) of this  
4 subsection.

5 (a) The district's basic education allocation as determined  
6 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

7 (b) State and federal categorical allocations for the following  
8 programs:

9 (i) Pupil transportation;

10 (ii) Special education;

11 (iii) Education of highly capable students;

12 (iv) Compensatory education, including but not limited to  
13 learning assistance, migrant education, Indian education, refugee  
14 programs, and bilingual education;

15 (v) Food services; and

16 (vi) Statewide block grant programs; and

17 (c) Any other federal allocations for elementary and secondary  
18 school programs, including direct grants, other than federal impact  
19 aid funds and allocations in lieu of taxes.

20 (4) (a) A district's maximum levy percentage (~~((shall be twenty-~~  
21 ~~four percent in 2010 and twenty-eight percent in 2011 through 2017~~  
22 ~~and twenty-four percent every year thereafter))~~) is:

23 (i) For 2018, twenty-eight percent;

24 (ii) For 2019, twenty-seven percent;

25 (iii) For 2020, twenty-six percent;

26 (iv) For 2021 and each year thereafter, twenty-four percent;

27 (b) For qualifying districts, in (~~((addition to))~~) lieu of the  
28 percentage in (a) of this subsection the grandfathered maximum levy  
29 percentage is determined as follows for years 2018 through 2020 only:

30 (i) (~~((For 1997, the difference between the district's 1993~~  
31 ~~maximum levy percentage and twenty percent; and~~

32 ~~(ii) For 2011 through 2017, the percentage calculated as follows:~~

33 ~~(A) Multiply the grandfathered percentage for the prior year~~  
34 ~~times the district's levy base determined under subsection (3) of~~  
35 ~~this section;~~

36 ~~(B) Reduce the result of (b) (ii) (A) of this subsection by any~~  
37 ~~levy reduction funds as defined in subsection (5) of this section~~  
38 ~~that are to be allocated to the district for the current school year;~~

39 ~~(C) Divide the result of (b) (ii) (B) of this subsection by the~~  
40 ~~district's levy base; and~~

1       ~~(D) Take the greater of zero or the percentage calculated in~~  
2 ~~(b)(ii)(C) of this subsection;~~

3       ~~(iii) For 2018 and thereafter, the percentage shall be calculated~~  
4 ~~as follows:~~

5       ~~(A) Multiply the grandfathered percentage for the prior year~~  
6 ~~times the district's levy base determined under subsection (3) of~~  
7 ~~this section;~~

8       ~~(B) Reduce the result of (b)(iii)(A) of this subsection by any~~  
9 ~~levy reduction funds as defined in subsection (5) of this section~~  
10 ~~that are to be allocated to the district for the current school year;~~

11       ~~(C) Divide the result of (b)(iii)(B) of this subsection by the~~  
12 ~~district's levy base; and~~

13       ~~(D) Take the greater of zero or the percentage calculated in~~  
14 ~~(b)(iii)(C) of this subsection))~~ For 2018, the maximum levy  
15 percentage calculated for 2017 under section 8, chapter 242, Laws of  
16 2013 (former RCW 84.52.0531);

17       (ii) For 2019, the district's 2018 maximum levy percentage minus  
18 one-quarter of the difference between the district's 2018 maximum  
19 percentage and twenty-four percent;

20       (iii) For 2020, the district's 2018 maximum levy percentage minus  
21 one-half of the difference between the district's 2018 maximum  
22 percentage and twenty-four percent.

23       (5) "Levy reduction funds" shall mean increases in state funds  
24 from the prior school year for programs included under subsection (3)  
25 of this section: (a) That are not attributable to enrollment changes,  
26 compensation increases, or inflationary adjustments; and (b) that are  
27 or were specifically identified as levy reduction funds in the  
28 appropriations act. If levy reduction funds are dependent on formula  
29 factors which would not be finalized until after the start of the  
30 current school year, the superintendent of public instruction shall  
31 estimate the total amount of levy reduction funds by using prior  
32 school year data in place of current school year data. Levy reduction  
33 funds shall not include moneys received by school districts from  
34 cities or counties.

35       (6) For the purposes of this section, "prior school year" means  
36 the most recent school year completed prior to the year in which the  
37 levies are to be collected.

38       (7) For the purposes of this section, "current school year" means  
39 the year immediately following the prior school year.

(8) Funds collected from transportation vehicle fund tax levies shall not be subject to the levy limitations in this section.

(9) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section.

**Sec. 202.** RCW 28A.500.020 and 1999 c 317 s 2 are each amended to read as follows:

PHASED-IN ADJUSTMENTS TO LOCAL EFFORT ASSISTANCE. (1) Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(a) "Prior tax collection year" means the year immediately preceding the year in which the local effort assistance shall be allocated.

(b) "Statewide average (~~((twelve percent))~~) statutory percentage levy rate" means (~~((twelve percent))~~) the applicable statutory percentage of the total levy bases as defined in RCW 84.52.0531(3) summed for all school districts, and divided by the total assessed valuation for excess levy purposes in the prior tax collection year for all districts as adjusted to one hundred percent by the county indicated ratio established in RCW 84.48.075.

(c) The "district's (~~((twelve percent))~~) statutory percentage levy amount" means the school district's maximum levy authority after transfers determined under RCW 84.52.0531(2) (a) through (c) divided by the district's maximum levy percentage determined under RCW 84.52.0531(4) multiplied by (~~((twelve percent))~~) the applicable statutory percentage.

(d) The "district's (~~((twelve percent))~~) statutory percentage levy rate" means the district's (~~((twelve percent))~~) statutory percentage levy amount divided by the district's assessed valuation for excess levy purposes for the prior tax collection year as adjusted to one hundred percent by the county indicated ratio.

(e) "Districts eligible for local effort assistance" means those districts with a (~~((twelve percent))~~) statutory percentage levy rate that exceeds the statewide average (~~((twelve percent))~~) statutory percentage levy rate.

(f) "Statutory percentage" means:

(i) Fourteen percent for 2018;

(ii) Thirteen and one-half percent for 2019;

(iii) Thirteen percent for 2020; and

1        (iv) Twelve percent for 2021 and each year thereafter.

2        (2) Unless otherwise stated all rates, percents, and amounts are  
3 for the calendar year for which local effort assistance is being  
4 calculated under this chapter.

5        **Sec. 203.** RCW 28A.500.030 and 2006 c 372 s 904 and 2006 c 119 s  
6 1 are each reenacted and amended to read as follows:

7        PHASED-IN ADJUSTMENTS TO LOCAL EFFORT ASSISTANCE. Allocation of  
8 state matching funds to eligible districts for local effort  
9 assistance shall be determined as follows:

10        (1) Funds raised by the district through maintenance and  
11 operation levies shall be matched with state funds using the  
12 following ratio of state funds to levy funds:

13        (a) The difference between the district's ~~((twelve percent))~~  
14 statutory percentage levy rate and the statewide average ~~((twelve~~  
15 ~~percent))~~ statutory percentage levy rate; to

16        (b) The statewide average ~~((twelve percent))~~ statutory percentage  
17 levy rate.

18        (2) The maximum amount of state matching funds for districts  
19 eligible for local effort assistance shall be the district's ~~((twelve~~  
20 ~~percent))~~ statutory percentage levy amount, multiplied by the  
21 following percentage:

22        (a) The difference between the district's ~~((twelve percent))~~  
23 statutory percentage levy rate and the statewide average ~~((twelve~~  
24 ~~percent))~~ statutory percentage levy rate; divided by

25        (b) The district's ~~((twelve percent))~~ statutory percentage levy  
26 rate.

27        (3) ~~((Calendar year 2003 allocations and maximum eligibility~~  
28 ~~under this chapter shall be multiplied by 0.99.~~

29        ~~(4) From January 1, 2004, to December 31, 2005, allocations and~~  
30 ~~maximum eligibility under this chapter shall be multiplied by 0.937.~~

31        ~~(5) From January 1, 2006, to December 31, 2006, allocations and~~  
32 ~~maximum eligibility under this chapter shall be multiplied by~~  
33 ~~0.9563.))~~ Beginning with calendar year 2007, allocations and maximum  
34 eligibility under this chapter shall be fully funded at one hundred  
35 percent and shall not be reduced.

36        NEW SECTION.        **Sec. 204.** Sections 201 through 203 of this act  
37 take effect January 1, 2018.



PART III

ENHANCING THE PROGRAM OF BASIC EDUCATION

**Sec. 301.** RCW 28A.150.260 and 2014 c 217 s 206 are each amended to read as follows:

PHASED-IN ENHANCEMENTS TO BASIC EDUCATION PROGRAM. The purpose of this section is to provide for the allocation of state funding that the legislature deems necessary to support school districts in offering the minimum instructional program of basic education under RCW 28A.150.220. The allocation shall be determined as follows:

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

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

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

districts be adjusted from the school prototypes based on the actual number of annual average full-time equivalent students in each grade level at each school in the district and not based on the grade-level configuration of the school to the extent that data is available. The allocations shall be further adjusted from the school prototypes with minimum allocations for small schools and to reflect other factors 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 six hundred average annual full-time equivalent students in grades nine through twelve;

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

(iii) A prototypical elementary school has four hundred 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. . . . .	25.23
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 twelve 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) During the 2011-2013 biennium and beginning with schools with the highest percentage of students eligible for free and reduced-price meals in the prior school year, the general education average class size for grades K-3 shall be reduced until the average class size funded under this subsection (4) is no more than 17.0 full-time equivalent students per teacher beginning in the 2017-18 school year.

(c) 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:

(i) Until September 1, 2019:

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level. . . . .	26.57
Skill center programs meeting the standards established by the office of the superintendent of public instruction. . . . .	22.76

(ii) Beginning September 1, 2019:

	<u>Career and technical education average class size</u>
<u>Approved career and technical education offered at the middle school and high school level. . . . .</u>	<u>22.79</u>
<u>Skill center programs meeting the standards established by the office of the superintendent of public instruction. . . . .</u>	<u>19.38</u>

(iii) Beginning September 1, 2020:

	<u>Career and technical education average class size</u>
<u>Approved career and technical education offered at</u>	

the middle school and high school level. . . . . 19.0  
Skill center programs meeting the standards established  
by the office of the superintendent of public  
instruction. . . . . 16.0

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

(i) A high-poverty average class size in schools where more than fifty 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
Health and social services:			
School nurses. . . . .	0.076	0.060	0.096
Social workers. . . . .	0.042	0.006	0.015
Psychologists. . . . .	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising. . . . .	0.493	1.116	2.539
Teaching assistance, including any aspect of educational instructional services provided by classified employees. . . . .	0.936	0.700	0.652
Office support and other noninstructional aides. . . . .	2.012	2.325	3.269
Custodians. . . . .	1.657	1.942	2.965
Classified staff providing student and staff safety. . . . .	0.079	0.092	0.141
Parent involvement coordinators. . . . .	0.00	0.00	0.00

(b) In addition to amounts provided in (a) of this subsection,  
the allocation for each level of prototypical school must include the  
following allocations for parent involvement coordinators:

(i) Until September 1, 2019, 0.0825;  
(ii) Beginning September 1, 2019, 0.5825;  
(iii) Beginning September 1, 2020, 1.0825.  
(c) In addition to amounts provided in (a) of this subsection,  
the allocation for prototypical middle schools must include the  
following allocations for guidance counselors:

(i) Until September 1, 2019, 0.1;  
(ii) Beginning September 1, 2019, 0.6;  
(iii) Beginning September 1, 2020, 1.1.

(d) In addition to amounts provided in (a) of this subsection,  
the allocation for the prototypical high school must include the  
following allocations for guidance counselors:

(i) Beginning September 1, 2019, 0.5;  
(ii) Beginning September 1, 2020, 1.0.

(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
Warehouse, laborers, and mechanics. . . . .	0.332

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

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

(8)(a) Except as provided in (b) and (c) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs, to be adjusted for inflation from the 2008-09 school year:

Per annual average

1		full-time equivalent student	
2		in grades K-12	
3	Technology. . . . .		\$54.43
4	Utilities and insurance. . . . .		\$147.90
5	Curriculum and textbooks. . . . .		\$58.44
6	Other supplies and library materials. . . . .		\$124.07
7	Instructional professional development for certified and		
8	classified staff. . . . .		\$9.04
9	Facilities maintenance. . . . .		\$73.27
10	Security and central office. . . . .		\$50.76

11 (b) During the 2011-2013 biennium, the minimum allocation for  
12 maintenance, supplies, and operating costs shall be increased as  
13 specified in the omnibus appropriations act. The following  
14 allocations, adjusted for inflation from the 2007-08 school year, are  
15 provided in the 2015-16 school year, after which the allocations  
16 shall be adjusted annually for inflation as specified in the omnibus  
17 appropriations act:

18		Per annual average	
19		full-time equivalent student	
20		in grades K-12	
21	Technology. . . . .		\$113.80
22	Utilities and insurance. . . . .		\$309.21
23	Curriculum and textbooks. . . . .		\$122.17
24	Other supplies and library materials. . . . .		\$259.39
25	Instructional professional development for certificated and		
26	classified staff. . . . .		\$18.89
27	Facilities maintenance. . . . .		\$153.18
28	Security and central office administration. . . . .		\$106.12

29 (c) In addition to the amounts provided in (a) and (b) 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 twelve for the following materials, supplies, and operating  
34 costs, to be adjusted annually for inflation:

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

Curriculum and textbooks. . . . . \$39.02  
Other supplies and library materials. . . . . \$82.84  
Instructional professional development for certificated and  
classified staff. . . . . \$6.04

(9) In addition to the amounts provided in subsection (8) of this section, the omnibus appropriations act shall provide an amount based on full-time equivalent student enrollment in each of the following:

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

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

(c) Preparatory career and technical education courses for students in grades eleven and twelve offered through a skill center.

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

(a) To provide supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall provide for each level of prototypical school resources to provide, on a statewide average, ~~((1.5156 hours per week in))~~ extra instruction with a class size of fifteen learning assistance program students per teacher in the following number of hours per week:

(i) Until September 1, 2019, 1.5156 hours;

(ii) Beginning September 1, 2019, 2.8988 hours;

(iii) Beginning September 1, 2020, 3.40 hours.

(b) (i) To provide supplemental instruction and services for students whose primary language is other than English, allocations shall be based on the head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080.

(ii) The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in extra instruction with fifteen transitional bilingual instruction program students per teacher.

1        (iii) In addition to the allocation in (b)(ii) of this  
2 subsection, for the middle and high school levels of the prototypical  
3 school formula, the minimum allocation must provide resources to  
4 provide, on a statewide average, an additional one hour per week  
5 beginning September 1, 2019, and an additional one hour per week  
6 beginning September 1, 2020, for a total of 6.778 hours for these  
7 levels at full implementation in the 2020-21 school year, with  
8 fifteen transitional bilingual instruction program students per  
9 teacher.

10        (iv) Notwithstanding other provisions of this subsection (10),  
11 the actual per-student allocation may be scaled to provide a larger  
12 allocation for students needing more intensive intervention and a  
13 commensurate reduced allocation for students needing less intensive  
14 intervention, as detailed in the omnibus appropriations act.

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 two and three hundred fourteen one-  
18 thousandths percent of each school district's full-time equivalent  
19 basic education enrollment. The minimum allocation for the programs  
20 shall provide resources to provide, on a statewide average, ~~((2.1590~~  
21 ~~hours per week))~~ in extra instruction with fifteen highly capable  
22 program students per teacher in the following number of hours per  
23 week:

24        (i) Until September 1, 2019, 2.314 hours;

25        (ii) Beginning September 1, 2019, 2.6975 hours;

26        (iii) Beginning September 1, 2020, 3.20 hours.

27        (11) The allocations under subsections (4)(a) and (b), (5), (6),  
28 and (8) of this section shall be enhanced as provided under RCW  
29 28A.150.390 on an excess cost basis to provide supplemental  
30 instructional resources for students with disabilities.

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

38        (b) Allocations or enhancements provided under subsections (4),  
39 (7), and (9) of this section for exploratory and preparatory career  
40 and technical education courses shall be provided only for courses



1 approved by the office of the superintendent of public instruction  
2 under chapter 28A.700 RCW.

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

7 (b) In the event the legislature rejects the distribution formula  
8 recommended by the governor, without adopting a new distribution  
9 formula, the distribution formula for the previous school year shall  
10 remain in effect.

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

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

26 **Sec. 302.** RCW 28A.150.260 and 2015 c 2 s 2 and 2014 c 217 s 206  
27 are each reenacted and amended to read as follows:

28 PHASED-IN FUNDING OF BASIC EDUCATION ENHANCEMENTS (I-1351 VERSION  
29 EFFECTIVE SEPTEMBER 1, 2022). The purpose of this section is to  
30 provide for the allocation of state funding that the legislature  
31 deems necessary to support school districts in offering the minimum  
32 instructional program of basic education under RCW 28A.150.220. The  
33 allocation shall be determined as follows:

34 (1) The governor shall and the superintendent of public  
35 instruction may recommend to the legislature a formula for the  
36 distribution of a basic education instructional allocation for each  
37 common school district.

38 (2) The distribution formula under this section shall be for  
39 allocation purposes only. Except as required for class size reduction

1 funding provided under subsection (4)(f) of this section and as may  
2 be required under chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW,  
3 or federal laws and regulations, nothing in this section requires  
4 school districts to use basic education instructional funds to  
5 implement a particular instructional approach or service. Nothing in  
6 this section requires school districts to maintain a particular  
7 classroom teacher-to-student ratio or other staff-to-student ratio or  
8 to use allocated funds to pay for particular types or classifications  
9 of staff. Nothing in this section entitles an individual teacher to a  
10 particular teacher planning period.

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

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

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

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

(iii) A prototypical elementary school has four hundred 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. . . . .	25.00
Grades 5-6. . . . .	25.00
Grades 7-8. . . . .	25.00
Grades 9-12. . . . .	25.00

(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 twelve 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) During the 2011-2013 biennium and beginning with schools with the highest percentage of students eligible for free and reduced-price meals in the prior school year, the general education average class size for grades K-3 shall be reduced until the average class size funded under this subsection (4) is no more than 17.0 full-time equivalent students per teacher beginning in the 2017-18 school year.

(c) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers

1 based on the following number of full-time equivalent students per  
2 teacher in career and technical education:

	Career and technical education average class size
3 Approved career and technical education offered at	
4 the middle school and high school level. . . . .	19.0
5 Skill center programs meeting the standards established	
6 by the office of the superintendent of public	
7 instruction. . . . .	16.0

8 (d) In addition, the omnibus appropriations act shall at a  
9 minimum specify a specialty average class size for advanced placement  
10 and international baccalaureate courses.

11 (e) For each level of prototypical school at which more than  
12 fifty percent of the students were eligible for free and reduced-  
13 price meals in the prior school year, the superintendent shall  
14 allocate funding based on the following average class size of full-  
15 time equivalent students per teacher:

	General education average class size in high poverty
16 Grades K-3. . . . .	15.0
17 Grade 4. . . . .	22.0
18 Grades 5-6. . . . .	23.0
19 Grades 7-8. . . . .	23.0
20 Grades 9-12. . . . .	23.0

21 (f)(i) Funding for average class sizes in this subsection (4)  
22 shall be provided only to the extent of, and proportionate to, the  
23 school district's demonstrated actual average class size, up to the  
24 funded class sizes.

25 (ii) Districts that demonstrate capital facility needs that  
26 prevent them from reducing actual class sizes to funded levels, may  
27 use funding in this subsection (4) for school-based personnel who  
28 provide direct services to students. Districts that use this funding  
29 for purposes other than reducing actual class sizes must annually  
30 report the number and dollar value for each type of personnel funded  
31 by school and grade level.

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

(5)(a) The minimum allocation for each level of prototypical school shall include allocations necessary for the safe and effective operation of a school, to meet individual student needs, and to ensure all required school functions can be performed by appropriately trained personnel, 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. ....	1.3	1.4	1.9
Teacher librarians, a function that includes information literacy, technology, and media to support school library media programs. ....	1.0	1.0	1.0
Health and social services:			
School nurses. ....	0.585	0.888	0.824
Social workers. ....	0.311	0.088	0.127
Psychologists. ....	0.104	0.024	0.049
Guidance counselors, a function that includes parent outreach and graduation advising. ....	0.50	2.0	3.5
Teaching assistance, including any aspect of educational instructional services provided by classified employees. ....	2.0	1.0	1.0
Office support and other noninstructional aides. ....	3.0	3.5	3.5
Custodians. ....	1.7	2.0	3.0
Classified staff providing student and staff safety. ....	0.0	0.7	1.3
Parent involvement coordinators. ....	1.0	1.0	1.0

(b) In addition to amounts provided in (a) of this subsection, the allocation for each level of prototypical school must include a further 0.0825 allocation for parent involvement coordinators.

(c) In addition to amounts provided in (a) of this subsection, the allocation for prototypical middle schools must include a further 0.0216 allocation for guidance counselors.

(d) In addition to amounts provided in (a) of this subsection, the allocation for the prototypical high school must include a further 0.039 allocation for guidance counselors.

(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. . . . .	2.8
Facilities, maintenance, and grounds. . . . .	4.0
Warehouse, laborers, and mechanics. . . . .	1.9

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

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

(8)(a) Except as provided in (b) and (c) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs, to be adjusted for inflation from the 2008-09 school year:

	Per annual average full-time equivalent student in grades K-12
Technology. . . . .	\$54.43
Utilities and insurance. . . . .	\$147.90
Curriculum and textbooks. . . . .	\$58.44
Other supplies and library materials. . . . .	\$124.07
Instructional professional development for certified and classified staff. . . . .	\$9.04
Facilities maintenance. . . . .	\$73.27
Security and central office. . . . .	\$50.76

(b) During the 2011-2013 biennium, the minimum allocation for maintenance, supplies, and operating costs shall be increased as specified in the omnibus appropriations act. The following allocations, adjusted for inflation from the 2007-08 school year, are

provided in the 2015-16 school year, after which the allocations shall be adjusted annually for inflation as specified in the omnibus appropriations act:

	Per annual average full-time equivalent student in grades K-12
Technology. . . . .	\$113.80
Utilities and insurance. . . . .	\$309.21
Curriculum and textbooks. . . . .	\$122.17
Other supplies and library materials. . . . .	\$259.39
Instructional professional development for certificated and classified staff. . . . .	\$18.89
Facilities maintenance. . . . .	\$153.18
Security and central office administration. . . . .	\$106.12

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

	Per annual average full-time equivalent student in grades 9-12
Technology. . . . .	\$36.35
Curriculum and textbooks. . . . .	\$39.02
Other supplies and library materials. . . . .	\$82.84
Instructional professional development for certificated and classified staff. . . . .	\$6.04

(9) In addition to the amounts provided in subsection (8) of this section, the omnibus appropriations act shall provide an amount based on full-time equivalent student enrollment in each of the following:

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

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

(c) Preparatory career and technical education courses for students in grades eleven and twelve offered through a skill center.

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

(a) To provide supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall provide for each level of prototypical school resources to provide, on a statewide average, ~~((1.5156))~~ 3.40 hours per week in extra instruction with a class size of fifteen learning assistance program students per teacher.

(b) To provide supplemental instruction and services for students whose primary language is other than English, allocations shall be based on the head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080. The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in the elementary school level of the prototypical school model and 6.7880 hours per week in the middle and high school levels of the prototypical school model in extra instruction with fifteen transitional bilingual instruction program students per teacher. Notwithstanding other provisions of this subsection (10), the actual per-student allocation may be scaled to provide a larger allocation for students needing more intensive intervention and a commensurate reduced allocation for students needing less intensive intervention, as detailed in the omnibus appropriations act.

(c) To provide additional allocations to support programs for highly capable students under RCW 28A.185.010 through 28A.185.030, allocations shall be based on two and three hundred fourteen one-thousandths percent of each school district's full-time equivalent basic education enrollment. The minimum allocation for the programs shall provide resources to provide, on a statewide average, ~~((2.1590))~~ 3.20 hours per week in extra instruction with fifteen highly capable program students per teacher.

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



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

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

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

17 (b) In the event the legislature rejects the distribution formula  
18 recommended by the governor, without adopting a new distribution  
19 formula, the distribution formula for the previous school year shall  
20 remain in effect.

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

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

36 NEW SECTION. **Sec. 303.** Section 301 of this act takes effect  
37 September 1, 2017.

NEW SECTION.      **Sec. 304.**      Section 301 of this act expires  
September 1, 2022.

NEW SECTION.     **Sec. 305.**     Section 302 of this act takes effect  
September 1, 2022.

## PART IV

### REPORTING, ACCOUNTING, AND TRANSPARENCY

NEW SECTION.      **Sec. 401.**      TECHNICAL WORKING GROUP FOR SCHOOL DISTRICT TRANSPARENCY AND ACCOUNTING PRACTICES. (1) The superintendent of public instruction must convene a technical working group to provide recommendations for revising school district accounting practices. The purpose of the recommended revisions is to improve fiscal transparency by establishing methods for separate accounting of school district expenditures made to support the state's program of basic education and those made as locally determined enrichments with local or other funding sources.

(2) The technical working group must include representatives of school administrators, school business officers, county treasurers, the legislative evaluation and accountability program, and other interested stakeholders with expertise in school district and local government accounting and finance.

(3) The technical working group is administered and staffed by the office of the superintendent of public instruction.

(4) The technical working group must provide its recommendations to the appropriate policy and fiscal committees of the legislature by December 15, 2017.

(5) This section expires July 1, 2018.

NEW SECTION.     **Sec. 402.**     A new section is added to chapter 28A.400 RCW to read as follows:

SCHOOL DISTRICT REPORTS TO THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION ON TRII CONTRACTS. Beginning September 1, 2017, school districts must annually report to the superintendent of public instruction on supplemental contracts entered into subject to RCW 28A.400.200(4) for additional time, responsibility, incentive, or innovative activities. The office of the superintendent of public instruction shall summarize the district information and submit an

1 annual report to the education committees of the house of  
2 representatives and the senate.

3 **PART V**  
4 **TECHNICAL PROVISIONS**

5 NEW SECTION. **Sec. 501.** RECODIFICATION. RCW 28A.300.600,  
6 28A.300.602, and 28A.300.604 are each recodified as sections in  
7 chapter 28A.415 RCW.

8 NEW SECTION. **Sec. 502.** REPEALERS. The following acts or parts  
9 of acts are each repealed:

10 (1) RCW 28A.400.201 (Enhanced salary allocation model for  
11 educator development and certification—Technical working group—  
12 Report and recommendation) and 2016 c 162 s 4, 2011 1st sp.s. c 43 s  
13 468, 2010 c 236 s 7, & 2009 c 548 s 601;

14 (2) RCW 28A.415.020 (Credit on salary schedule for approved in-  
15 service training, continuing education, and internship) and 2011 1st  
16 sp.s. c 18 s 5, 2007 c 319 s 3, 2006 c 263 s 808, 1995 c 284 s 2,  
17 1990 c 33 s 415, & 1987 c 519 s 1;

18 (3) RCW 28A.415.023 (Credit on salary schedule for approved in-  
19 service training, continuing education, or internship—Course content  
20 —Rules) and 2012 c 35 s 6 & 2011 1st sp.s. c 18 s 6;

21 (4) RCW 28A.415.024 (Credit on salary schedule—Accredited  
22 institutions—Verification—Penalty for submitting credits from  
23 unaccredited institutions) and 2006 c 263 s 809 & 2005 c 461 s 1; and

24 (5) RCW 28A.415.025 (Internship clock hours—Rules) and 2006 c 263  
25 s 810 & 1995 c 284 s 3.

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