
SENATE BILL 5922

State of Washington

64th Legislature

2015 Regular Session

By Senators Rolfes, Rivers, and Kohl-Welles

Read first time 02/11/15. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to school programs for highly capable students;
2 amending RCW 28A.185.020, 28A.185.030, 28A.150.260, and 28A.150.260;
3 and providing an effective date.

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

5 **Sec. 1.** RCW 28A.185.020 and 2009 c 548 s 708 are each amended to
6 read as follows:

7 (1) The legislature finds that, for highly capable students,
8 access to accelerated learning and enhanced instruction is access to
9 a basic education. There are multiple definitions of highly capable,
10 from intellectual to academic to artistic. Highly capable students
11 perform, or show potential for performing, at significantly advanced
12 levels when compared with others of their age, experience, or
13 environments. Outstanding capabilities are seen within students'
14 general intellectual aptitudes, specific academic abilities, creative
15 productivities within a specific domain, and leadership skills.
16 Highly capable students are present in all cultural and linguistic
17 groups, across all socioeconomic strata, coexist with all manner of
18 disabling conditions both visible and invisible, and manifest across
19 all areas of human endeavor. No single criterion should prevent a
20 student's identification as highly capable. However, any single
21 criterion, if strong enough, can indicate a need for services. The

1 basic education of highly capable students requires supports and
2 services that often go beyond those ordinarily provided as part of
3 general education.

4 (2) The research literature strongly supports using multiple
5 criteria to identify highly capable students, and therefore, the
6 legislature does not intend to prescribe a single method. Instead,
7 the legislature (~~((intends to))~~) shall allocate funding based on (~~((two~~
8 ~~and three hundred fourteen one thousandths))~~) ten percent of each
9 school district's population and authorize school districts to
10 identify through the use of multiple, objective criteria those
11 students most highly capable and eligible to receive accelerated
12 learning and enhanced instruction in the program offered by the
13 district. Access to accelerated learning and enhanced instruction
14 through the program for highly capable students does not constitute
15 an individual entitlement for any particular student.

16 (~~((2) Supplementary funds))~~ (3) Funding provided by the state for
17 the program for highly capable students under RCW 28A.150.260 shall
18 be categorical funding to provide services to highly capable students
19 as determined by a school district under RCW 28A.185.030.

20 **Sec. 2.** RCW 28A.185.030 and 2009 c 380 s 4 are each amended to
21 read as follows:

22 Local school districts (~~((may))~~) must establish and operate, either
23 separately or jointly, programs for highly capable students. Such
24 authority shall include the right to employ and pay special
25 instructors and to operate such programs jointly with a public
26 institution of higher education. Local school districts (~~((which~~
27 ~~establish and operate programs for highly capable students))~~) shall
28 adopt identification procedures and provide educational opportunities
29 as follows:

30 (1) In accordance with rules adopted by the superintendent of
31 public instruction, school districts shall implement procedures for
32 (~~((nomination))~~) referral, assessment and selection of their most
33 highly capable students. (~~((Nominations))~~) Referrals shall be based
34 upon data from teachers, other staff, parents, students, and members
35 of the community. Assessment shall be based upon a review of each
36 student's capability as shown by multiple criteria intended to
37 reveal, from a wide variety of sources and data, each student's
38 unique needs and capabilities. Selection shall be made by a broadly

1 based committee of professionals, after consideration of the results
2 of the multiple criteria assessment.

3 (2) When a student, who is a child of a military family in
4 transition, has been assessed or enrolled as highly capable by a
5 sending school, the receiving school shall initially honor placement
6 of the student into a like program.

7 (a) The receiving school shall determine whether the district's
8 program is a like program when compared to the sending school's
9 program; and

10 (b) The receiving school may conduct subsequent assessments to
11 determine appropriate placement and continued enrollment in the
12 program.

13 (3) Students selected pursuant to procedures outlined in this
14 section shall be provided, to the extent feasible, an educational
15 opportunity which takes into account each student's unique needs and
16 capabilities and the limits of the resources and program options
17 available to the district, including those options which can be
18 developed or provided by using funds allocated by the superintendent
19 of public instruction for that purpose.

20 (4) A district must make a variety of appropriate program
21 services available to students who participate in the district's
22 program for highly capable students. Once services are started, a
23 continuum of services must be provided to the student in kindergarten
24 through twelfth grade. Districts shall periodically review services
25 for each student to ensure that the services are appropriate. The
26 programs shall be research-based and effective in academic content
27 areas and allow for consistent progress and challenge.

28 (5) Professional development for program administrators,
29 principals, counselors, and teachers must be made available and be
30 aligned with state standards for highly capable education. All
31 teachers shall have adequate professional development in how to
32 identify needs and strengths, provide challenging curriculum and
33 instruction, and evaluate progress for highly capable students.

34 (6) The definitions in Article II of RCW 28A.705.010 apply to
35 subsection (2) of this section.

36 **Sec. 3.** RCW 28A.150.260 and 2014 c 217 s 206 are each amended to
37 read as follows:

38 The purpose of this section is to provide for the allocation of
39 state funding that the legislature deems necessary to support school

1 districts in offering the minimum instructional program of basic
2 education under RCW 28A.150.220. The allocation shall be determined
3 as follows:

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

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

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

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

(i) A prototypical high school has 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-

1 price meals in the prior school year, the general education average
 2 class size for grades K-3 shall be reduced until the average class
 3 size funded under this subsection (4) is no more than 17.0 full-time
 4 equivalent students per teacher beginning in the 2017-18 school year.

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

	Career and technical education average class size
9 Approved career and technical education offered at 10 the middle school and high school level.	26.57
11 Skill center programs meeting the standards established 12 by the office of the superintendent of public 13 instruction.	22.76

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

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

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

21 (5) The minimum allocation for each level of prototypical school
 22 shall include allocations for the following types of staff in
 23 addition to classroom teachers:

	Elementary School	Middle School	High School
24 Principals, assistant principals, and other certificated building-level 25 administrators.	1.253	1.353	1.880
26 Teacher librarians, a function that includes information literacy, technology, 27 and media to support school library media programs.	0.663	0.519	0.523
28 Health and social services:			
29 School nurses.	0.076	0.060	0.096
30 Social workers.	0.042	0.006	0.015
31 Psychologists.	0.017	0.002	0.007

1	Guidance counselors, a function that includes parent outreach and graduation			
2	advising.	0.493	1.116	2.539
3	Teaching assistance, including any aspect of educational instructional services			
4	provided by classified employees.	0.936	0.700	0.652
5	Office support and other noninstructional aides.	2.012	2.325	3.269
6	Custodians.	1.657	1.942	2.965
7	Classified staff providing student and staff safety.	0.079	0.092	0.141
8	Parent involvement coordinators.	0.00	0.00	0.00

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

13		Staff per 1,000
14		K-12 students
15	Technology.	0.628
16	Facilities, maintenance, and grounds.	1.813
17	Warehouse, laborers, and mechanics.	0.332

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

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

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

32		Per annual average
33		full-time equivalent student
34		in grades K-12
35	Technology.	\$54.43
36	Utilities and insurance.	\$147.90
37	Curriculum and textbooks.	\$58.44

1	Other supplies and library materials.	\$124.07
2	Instructional professional development for certified and	
3	classified staff.	\$9.04
4	Facilities maintenance.	\$73.27
5	Security and central office.	\$50.76

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

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

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

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

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

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

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

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

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

13 (a) To provide supplemental instruction and services for
14 underachieving students through the learning assistance program under
15 RCW 28A.165.005 through 28A.165.065, allocations shall be based on
16 the district percentage of students in grades K-12 who were eligible
17 for free or reduced-price meals in the prior school year. The minimum
18 allocation for the program shall provide for each level of
19 prototypical school resources to provide, on a statewide average,
20 1.5156 hours per week in extra instruction with a class size of
21 fifteen learning assistance program students per teacher.

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

36 (c) To provide additional allocations to support programs for
37 highly capable students under RCW 28A.185.010 through 28A.185.030,
38 allocations shall be based on (~~two and three hundred fourteen one-~~
39 ~~thousandths~~) ten percent of each school district's full-time

1 equivalent basic education enrollment. The minimum allocation for the
2 programs shall provide resources to provide, on a statewide average,
3 ((2.1590)) ten hours per week in extra instruction with fifteen
4 highly capable program students per teacher.

5 (11) The allocations under subsections (4)(a) and (b), (5), (6),
6 and (8) of this section shall be enhanced as provided under RCW
7 28A.150.390 on an excess cost basis to provide supplemental
8 instructional resources for students with disabilities.

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

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

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

25 (b) In the event the legislature rejects the distribution formula
26 recommended by the governor, without adopting a new distribution
27 formula, the distribution formula for the previous school year shall
28 remain in effect.

29 (c) The enrollment of any district shall be the annual average
30 number of full-time equivalent students and part-time students as
31 provided in RCW 28A.150.350, enrolled on the first school day of each
32 month, including students who are in attendance pursuant to RCW
33 28A.335.160 and 28A.225.250 who do not reside within the servicing
34 school district. The definition of full-time equivalent student shall
35 be determined by rules of the superintendent of public instruction
36 and shall be included as part of the superintendent's biennial budget
37 request. The definition shall be based on the minimum instructional
38 hour offerings required under RCW 28A.150.220. Any revision of the
39 present definition shall not take effect until approved by the house
40 ways and means committee and the senate ways and means committee.

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

4 **Sec. 4.** RCW 28A.150.260 and 2015 c 2 s 2 (Initiative Measure No.
5 1351) are each amended to read as follows:

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

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

15 (2) The distribution formula under this section shall be for
16 allocation purposes only. Except as required for class size reduction
17 funding provided under subsection (4)(f) of this section and as may
18 be required under chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW,
19 or federal laws and regulations, nothing in this section requires
20 school districts to use basic education instructional funds to
21 implement a particular instructional approach or service. Nothing in
22 this section requires school districts to maintain a particular
23 classroom teacher-to-student ratio or other staff-to-student ratio or
24 to use allocated funds to pay for particular types or classifications
25 of staff. Nothing in this section entitles an individual teacher to a
26 particular teacher planning period.

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

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

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

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

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

17 (iii) A prototypical elementary school has four hundred average
18 annual full-time equivalent students in grades kindergarten through
19 six.

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

	General education average class size
27 Grades K-3.	17.0
28 Grade 4.	25.0
29 Grades 5-6.	25.0
30 Grades 7-8.	25.0
31 Grades 9-12.	25.0

32 (b) During the 2011-2013 biennium and beginning with schools with
33 the highest percentage of students eligible for free and reduced-
34 price meals in the prior school year, the general education average
35 class size for grades K-3 shall be reduced until the average class

1 size funded under this subsection (4) is no more than 17.0 full-time
2 equivalent students per teacher beginning in the 2017-18 school year.

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

	Career and technical education average class size
7	
8	
9	
10	Approved career and technical education offered at
11	the middle school and high school level. 19.0
12	Skill center programs meeting the standards established
13	by the office of the superintendent of public
14	instruction. 16.0

15 (d) In addition, the omnibus appropriations act shall at a
16 minimum specify a specialty average class size for laboratory
17 science, advanced placement, and international baccalaureate courses.

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

	General education average class size in high poverty
23	
24	
25	
26	Grades K-3. 15.0
27	Grade 4. 22.0
28	Grades 5-6. 23.0
29	Grades 7-8. 23.0
30	Grades 9-12. 23.0

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

35 (ii) Districts that demonstrate capital facility needs that
36 prevent them from reducing actual class sizes to funded levels, may
37 use funding in this subsection (4) for school-based personnel who
38 provide direct services to students. Districts that use this funding

1 for purposes other than reducing actual class sizes must annually
 2 report the number and dollar value for each type of personnel funded
 3 by school and grade level.

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

6 (5) The minimum allocation for each level of prototypical school
 7 shall include allocations necessary for the safe and effective
 8 operation of a school, to meet individual student needs, and to
 9 ensure all required school functions can be performed by
 10 appropriately trained personnel, for the following types of staff in
 11 addition to classroom teachers:

	Elementary School	Middle School	High School
14 Principals, assistant principals, and other certificated building-level 15 administrators.	1.3	1.4	1.9
16 Teacher librarians, a function that includes information literacy, technology, 17 and media to support school library media programs.	1.0	1.0	1.0
18 Health and social services:			
19 School nurses.	0.585	0.888	0.824
20 Social workers.	0.311	0.088	0.127
21 Psychologists.	0.104	0.024	0.049
22 Guidance counselors, a function that includes parent outreach and graduation 23 advising.	0.50	2.0	3.5
24 Teaching assistance, including any aspect of educational instructional services 25 provided by classified employees.	2.0	1.0	1.0
26 Office support and other noninstructional aides.	3.0	3.5	3.5
27 Custodians.	1.7	2.0	3.0
28 Classified staff providing student and staff safety.	0.0	0.7	1.3
29 Parent involvement coordinators.	1.0	1.0	1.0

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

34 Staff per 1,000
 35 K-12 students

1	Technology.	2.8
2	Facilities, maintenance, and grounds.	4.0
3	Warehouse, laborers, and mechanics.	1.9

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

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

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

	Per annual average full-time equivalent student in grades K-12
21 Technology.	\$54.43
22 Utilities and insurance.	\$147.90
23 Curriculum and textbooks.	\$58.44
24 Other supplies and library materials.	\$124.07
25 Instructional professional development for certified and 26 classified staff.	\$9.04
27 Facilities maintenance.	\$73.27
28 Security and central office.	\$50.76

29 (b) During the 2011-2013 biennium, the minimum allocation for
30 maintenance, supplies, and operating costs shall be increased as
31 specified in the omnibus appropriations act. The following
32 allocations, adjusted for inflation from the 2007-08 school year, are
33 provided in the 2015-16 school year, after which the allocations
34 shall be adjusted annually for inflation as specified in the omnibus
35 appropriations act:

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

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

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

14 (b) Laboratory science courses for students in grades nine
15 through twelve;

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

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

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

23 (a) To provide supplemental instruction and services for
24 underachieving students through the learning assistance program under
25 RCW 28A.165.005 through 28A.165.065, allocations shall be based on
26 the district percentage of students in grades K-12 who were eligible
27 for free or reduced-price meals in the prior school year. The minimum
28 allocation for the program shall provide for each level of
29 prototypical school resources to provide, on a statewide average,
30 1.5156 hours per week in extra instruction with a class size of
31 fifteen learning assistance program students per teacher.

32 (b) To provide supplemental instruction and services for students
33 whose primary language is other than English, allocations shall be
34 based on the head count number of students in each school who are
35 eligible for and enrolled in the transitional bilingual instruction
36 program under RCW 28A.180.010 through 28A.180.080. The minimum
37 allocation for each level of prototypical school shall provide
38 resources to provide, on a statewide average, 4.7780 hours per week
39 in extra instruction with fifteen transitional bilingual instruction

1 program students per teacher. Notwithstanding other provisions of
2 this subsection (10), the actual per-student allocation may be scaled
3 to provide a larger allocation for students needing more intensive
4 intervention and a commensurate reduced allocation for students
5 needing less intensive intervention, as detailed in the omnibus
6 appropriations act.

7 (c) To provide additional allocations to support programs for
8 highly capable students under RCW 28A.185.010 through 28A.185.030,
9 allocations shall be based on (~~two and three hundred fourteen one-~~
10 ~~thousandths~~) ten percent of each school district's full-time
11 equivalent basic education enrollment. The minimum allocation for the
12 programs shall provide resources to provide, on a statewide average,
13 (~~2.1590~~) ten hours per week in extra instruction with fifteen
14 highly capable program students per teacher.

15 (11) The allocations under subsections (4)(a) and (b), (5), (6),
16 and (8) of this section shall be enhanced as provided under RCW
17 28A.150.390 on an excess cost basis to provide supplemental
18 instructional resources for students with disabilities.

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

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

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

35 (b) In the event the legislature rejects the distribution formula
36 recommended by the governor, without adopting a new distribution
37 formula, the distribution formula for the previous school year shall
38 remain in effect.

39 (c) The enrollment of any district shall be the annual average
40 number of full-time equivalent students and part-time students as

1 provided in RCW 28A.150.350, enrolled on the first school day of each
2 month, including students who are in attendance pursuant to RCW
3 28A.335.160 and 28A.225.250 who do not reside within the servicing
4 school district. The definition of full-time equivalent student shall
5 be determined by rules of the superintendent of public instruction
6 and shall be included as part of the superintendent's biennial budget
7 request. The definition shall be based on the minimum instructional
8 hour offerings required under RCW 28A.150.220. Any revision of the
9 present definition shall not take effect until approved by the house
10 ways and means committee and the senate ways and means committee.

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

14 NEW SECTION. **Sec. 5.** Section 4 of this act takes effect
15 September 1, 2018.

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