
HOUSE BILL 1741

State of Washington

68th Legislature

2023 Regular Session

By Representatives Rule, Leavitt, Reed, Callan, Davis, and Berry; by request of Superintendent of Public Instruction

1 AN ACT Relating to increased prototypical school formulas to
2 support student health, well-being, and educational outcomes;
3 amending RCW 28A.150.260; creating new sections; and providing an
4 effective date.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes the state must
7 provide education funding that corresponds to the cost of providing
8 all students with the opportunity to learn through the state's
9 statutory program of basic education. In section 905, chapter 13,
10 Laws of 2017 and section 951, chapter 334, Laws of 2021, the state
11 established a staffing enrichment work group and compensation work
12 group to make recommendations on strengthening and enhancing the
13 state's program of basic education. The legislature intends to
14 realize the promise of these commitments and to improve student
15 outcomes by increasing state allocations in a way that prioritizes
16 staffing ratio increases to focus on reducing the opportunity gap,
17 supporting the health and well-being of students, and enhancing the
18 educational outcomes for all students.

19 **Sec. 2.** RCW 28A.150.260 and 2022 c 109 s 4 are each amended to
20 read as follows:

1 The purpose of this section is to provide for the allocation of
2 state funding that the legislature deems necessary to support school
3 districts in offering the minimum instructional program of basic
4 education under RCW 28A.150.220. The allocation shall be determined
5 as follows:

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

10 (2)(a) The distribution formula under this section shall be for
11 allocation purposes only. Except as may be required under subsections
12 (4)(b) and (c), (5)(b), and (~~(9)~~) (10) of this section, chapter
13 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
14 regulations, nothing in this section requires school districts to use
15 basic education instructional funds to implement a particular
16 instructional approach or service. Nothing in this section requires
17 school districts to maintain a particular classroom teacher-to-
18 student ratio or other staff-to-student ratio or to use allocated
19 funds to pay for particular types or classifications of staff.
20 Nothing in this section entitles an individual teacher to a
21 particular teacher planning period.

22 (b) To promote transparency in state funding allocations, the
23 superintendent of public instruction must report state per-pupil
24 allocations for each school district for the general apportionment,
25 special education, learning assistance, transitional bilingual,
26 highly capable, and career and technical education programs. The
27 superintendent must report this information in a user-friendly format
28 on the main page of the office's website. School districts must
29 include a link to the superintendent's per-pupil allocations report
30 on the main page of the school district's website. In addition, the
31 budget documents published by the legislature for the enacted omnibus
32 operating appropriations act must report statewide average per-pupil
33 allocations for general apportionment and the categorical programs
34 listed in this subsection.

35 (3)(a) To the extent the technical details of the formula have
36 been adopted by the legislature and except when specifically provided
37 as a school district allocation, the distribution formula for the
38 basic education instructional allocation shall be based on minimum
39 staffing and nonstaff costs the legislature deems necessary to
40 support instruction and operations in prototypical schools serving

1 high, middle, and elementary school students as provided in this
2 section. The use of prototypical schools for the distribution formula
3 does not constitute legislative intent that schools should be
4 operated or structured in a similar fashion as the prototypes.
5 Prototypical schools illustrate the level of resources needed to
6 operate a school of a particular size with particular types and grade
7 levels of students using commonly understood terms and inputs, such
8 as class size, hours of instruction, and various categories of school
9 staff. It is the intent that the funding allocations to school
10 districts be adjusted from the school prototypes based on the actual
11 number of annual average full-time equivalent students in each grade
12 level at each school in the district and not based on the grade-level
13 configuration of the school to the extent that data is available. The
14 allocations shall be further adjusted from the school prototypes with
15 minimum allocations for small schools and to reflect other factors
16 identified in the omnibus appropriations act.

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

19 (i) A prototypical high school has (~~six hundred~~) 600 average
20 annual full-time equivalent students in grades nine through
21 (~~twelve~~) 12;

22 (ii) A prototypical middle school has (~~four hundred thirty two~~)
23 432 average annual full-time equivalent students in grades seven and
24 eight; and

25 (iii) A prototypical elementary school has (~~four hundred~~) 400
26 average annual full-time equivalent students in grades kindergarten
27 through six.

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

| | General education average class size |
|----|---|
| 35 | |
| 36 | |
| 37 | Grades K-3. 17.00 |
| 38 | Grade 4. 27.00 |
| 39 | Grades 5-6. 27.00 |

| | | |
|---|----------------------|-------|
| 1 | Grades 7-8. | 28.53 |
| 2 | Grades 9-12. | 28.74 |

3 (ii) The minimum class size allocation for each prototypical high
4 school shall also provide for enhanced funding for class size
5 reduction for two laboratory science classes within grades nine
6 through (~~twelve~~) 12 per full-time equivalent high school student
7 multiplied by a laboratory science course factor of 0.0833, based on
8 the number of full-time equivalent classroom teachers needed to
9 provide instruction over the minimum required annual instructional
10 hours in RCW 28A.150.220, and providing at least one teacher planning
11 period per school day:

| | | |
|----|----------------------|--------------------|
| 12 | | Laboratory science |
| 13 | | average class size |
| 14 | Grades 9-12. | 19.98 |

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

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

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

| | | |
|----|---|----------------------|
| 25 | | Career and technical |
| 26 | | education average |
| 27 | | class size |
| 28 | Approved career and technical education offered at | |
| 29 | the middle school and high school level. | 23.00 |
| 30 | Skill center programs meeting the standards established | |
| 31 | by the office of the superintendent of public | |
| 32 | instruction. | 19.00 |

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

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

1 (i) A high-poverty average class size in schools where more than
 2 ~~((fifty))~~ 50 percent of the students are eligible for free and
 3 reduced-price meals; and

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

6 (5) (a) The minimum allocation for each level of prototypical
 7 school shall include allocations for the following types of staff in
 8 addition to classroom teachers, to be increased as specified in the
 9 omnibus appropriations act until the values below are provided in the
 10 2025-26 school year:

| | Elementary School | Middle School | High School |
|--|-----------------------|----------------------|----------------------|
| 11 Principals, assistant principals, and other certificated building-level | | | |
| 12 administrators. | ((1.253)) | ((1.353)) | ((1.880)) |
| 13 | <u>1.334</u> | <u>1.440</u> | <u>2.000</u> |
| 14 Teacher-librarians, a function that includes information literacy, technology, | | | |
| 15 and media to support school library media programs. | 0.663 | 0.519 | 0.523 |
| 16 Teaching assistance, including any aspect of educational instructional services | | | |
| 17 provided by classified employees. | 0.936 | 0.700 | 0.652 |
| 18 Office support and other noninstructional aides. | 2.012 | 2.325 | 3.269 |
| 19 Custodians. | 1.657 | 1.942 | 2.965 |
| 20 Nurses. | 0.585 | 0.888 | 0.824 |
| 21 Social workers. | 0.311 | 0.088 | 0.127 |
| 22 Psychologists. | 0.104 | 0.024 | 0.049 |
| 23 Counselors. | ((0.993)) | ((1.716)) | ((3.039)) |
| 24 | <u>1.200</u> | <u>2.500</u> | <u>3.500</u> |
| 25 Classified staff providing student and staff safety. | 0.079 | 0.092 | 0.141 |
| 26 ((Parent involvement)) <u>Family engagement</u> coordinators. | ((0.0825)) | ((0.00)) | ((0.00)) |
| 27 | <u>1.000</u> | <u>1.000</u> | <u>1.000</u> |
| 28 <u>Continuous improvement coaches</u> | <u>1.000</u> | <u>1.00</u> | <u>1.00</u> |

31 (b) (i) The superintendent may only allocate funding, up to the
 32 combined minimum allocations, for nurses, social workers,
 33 psychologists, counselors, classified staff providing student and
 34 staff safety, and parent involvement coordinators under (a) of this
 35 subsection to the extent of and proportionate to a school district's

1 demonstrated actual ratios of: Full-time equivalent physical, social,
2 and emotional support staff to full-time equivalent students.

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

9 (iii) For the purposes of this subsection (5)(b), "physical,
10 social, and emotional support staff" include nurses, social workers,
11 psychologists, counselors, classified staff providing student and
12 staff safety, parent involvement coordinators, and other school
13 district employees and contractors who provide physical, social, and
14 emotional support to students as defined by the superintendent.

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

| | Staff per 1,000 K-12 students |
|--|----------------------------------|
| 19 Technology. | 0.628 |
| 20 Facilities, maintenance, and grounds. | 1.813 |
| 21 Warehouse, laborers, and mechanics. | 0.332 |

22
23
24 (b) The minimum allocation of staff units for each school
25 district to support certificated and classified staffing of central
26 administration shall be 5.30 percent of the staff units generated
27 under subsections (4)(a) and (5) of this section and (a) of this
28 subsection.

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

33 (8)(a) Except as provided in (~~(b)~~) (c) of this subsection, the
34 minimum allocation for each school district shall include allocations
35 per annual average full-time equivalent student for the following
36 materials, supplies, and operating costs as provided in the 2017-18
37 school year, after which the allocations shall be adjusted annually
38 for inflation as specified in the omnibus appropriations act:

39 Per annual average

| | | | |
|----|---|------------------------------|----------------|
| 1 | | full-time equivalent student | |
| 2 | | | in grades K-12 |
| 3 | Technology. | | \$130.76 |
| 4 | Utilities and insurance. | | \$355.30 |
| 5 | Curriculum and textbooks. | | \$140.39 |
| 6 | Other supplies | | \$278.05 |
| 7 | Library materials. | | \$20.00 |
| 8 | Instructional professional development for certificated and | | |
| 9 | classified staff. | | \$21.71 |
| 10 | Facilities maintenance. | | \$176.01 |
| 11 | Security and central office administration. | | \$121.94 |

12 **(b)** In addition to the amounts provided in (a) of this
13 subsection, beginning in the 2025-26 school year, the omnibus
14 appropriations act shall provide the following minimum allocation for
15 each annual average full-time equivalent student:

| | | | |
|----|------------------------------------|--|----------------|
| 16 | <u>Classroom supplies.</u> | | <u>\$25.00</u> |
|----|------------------------------------|--|----------------|

17 The superintendent of public instruction must write rules by
18 September 1, 2025, prohibiting local education agencies from charging
19 families directly or requiring mandatory donations of necessary
20 consumable school supplies.

21 **(c)** In addition to the amounts provided in (a) and (b) of this
22 subsection, beginning in the 2014-15 school year, the omnibus
23 appropriations act shall provide the following minimum allocation for
24 each annual average full-time equivalent student in grades nine
25 through (~~twelve~~) 12 for the following materials, supplies, and
26 operating costs, to be adjusted annually for inflation:

| | | | |
|----|---|------------------------------|----------------|
| 27 | | Per annual average | |
| 28 | | full-time equivalent student | |
| 29 | | | in grades 9-12 |
| 30 | Technology. | | \$36.35 |
| 31 | Curriculum and textbooks. | | \$39.02 |
| 32 | Other supplies | | \$77.28 |
| 33 | Library materials. | | \$5.56 |
| 34 | Instructional professional development for certificated and | | |
| 35 | classified staff. | | \$6.04 |

36 **(9)** Beginning with the 2023-24 school year, funding for
37 substitute costs for classroom teachers is based on 12 funded

1 substitute days per classroom teacher unit generated under subsection
2 (4) of this section, at a daily rate of \$189.82.

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

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

9 (b) Preparatory career and technical education courses for
10 students in grades nine through (~~twelve~~) 12 offered in a high
11 school; and

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

14 (~~(10)~~) (11) In addition to the allocations otherwise provided
15 under this section, amounts shall be provided to support the
16 following programs and services:

17 (a)(i) To provide supplemental instruction and services for
18 students who are not meeting academic standards through the learning
19 assistance program under RCW 28A.165.005 through 28A.165.065,
20 allocations shall be based on the greater of either: The district
21 percentage of students in kindergarten through grade (~~twelve~~) 12
22 who were eligible for free or reduced-price meals for the school year
23 immediately preceding the district's participation, in whole or part,
24 in the United States department of agriculture's community
25 eligibility provision, or the district percentage of students in
26 grades K-12 who were eligible for free or reduced-price meals in the
27 prior school year. The minimum allocation for the program shall
28 provide for each level of prototypical school resources to provide,
29 on a statewide average, 2.3975 hours per week in extra instruction
30 with a class size of (~~fifteen~~) 15 learning assistance program
31 students per teacher.

32 (ii) In addition to funding allocated under (a)(i) of this
33 subsection, to provide supplemental instruction and services for
34 students who are not meeting academic standards in qualifying
35 schools. A qualifying school means a school in which the three-year
36 rolling average of the prior year total annual average enrollment
37 that qualifies for free or reduced-price meals equals or exceeds
38 (~~fifty~~) 50 percent or more of its total annual average enrollment.
39 A school continues to meet the definition of a qualifying school if

1 the school: Participates in the United States department of
2 agriculture's community eligibility provision; and met the definition
3 of a qualifying school in the year immediately preceding their
4 participation. The minimum allocation for this additional high
5 poverty-based allocation must provide for each level of prototypical
6 school resources to provide, on a statewide average, 1.1 hours per
7 week in extra instruction with a class size of (~~(fifteen)~~) 15
8 learning assistance program students per teacher, under RCW
9 28A.165.055, school districts must distribute the high poverty-based
10 allocation to the schools that generated the funding allocation.

11 (b) (i) To provide supplemental instruction and services for
12 students whose primary language is other than English, allocations
13 shall be based on the head count number of students in each school
14 who are eligible for and enrolled in the transitional bilingual
15 instruction program under RCW 28A.180.010 through 28A.180.080. The
16 minimum allocation for each level of prototypical school shall
17 provide resources to provide, on a statewide average, 4.7780 hours
18 per week in extra instruction for students in grades kindergarten
19 through six and 6.7780 hours per week in extra instruction for
20 students in grades seven through (~~(twelve)~~) 12, with (~~(fifteen)~~) 15
21 transitional bilingual instruction program students per teacher.
22 Notwithstanding other provisions of this subsection (~~(+10)~~) (11),
23 the actual per-student allocation may be scaled to provide a larger
24 allocation for students needing more intensive intervention and a
25 commensurate reduced allocation for students needing less intensive
26 intervention, as detailed in the omnibus appropriations act.

27 (ii) To provide supplemental instruction and services for
28 students who have exited the transitional bilingual program,
29 allocations shall be based on the head count number of students in
30 each school who have exited the transitional bilingual program within
31 the previous two years based on their performance on the English
32 proficiency assessment and are eligible for and enrolled in the
33 transitional bilingual instruction program under RCW
34 28A.180.040(1)(g). The minimum allocation for each prototypical
35 school shall provide resources to provide, on a statewide average,
36 3.0 hours per week in extra instruction with (~~(fifteen)~~) 15 exited
37 students per teacher.

38 (c) To provide additional allocations to support programs for
39 highly capable students under RCW 28A.185.010 through 28A.185.030,
40 allocations shall be based on 5.0 percent of each school district's

1 full-time equivalent basic education enrollment. The minimum
2 allocation for the programs shall provide resources to provide, on a
3 statewide average, 2.1590 hours per week in extra instruction with
4 (~~fifteen~~) 15 highly capable program students per teacher.

5 (~~(11)~~) (12) The allocations under subsections (4) (a), (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)~~) (13) (a) For the purposes of allocations for prototypical
10 high schools and middle schools under subsections (4) and (~~(10)~~)
11 (11) of this section that are based on the percent of students in the
12 school who are eligible for free and reduced-price meals, the actual
13 percent of such students in a school shall be adjusted by a factor
14 identified in the omnibus appropriations act to reflect
15 underreporting of free and reduced-price meal eligibility among
16 middle and high school students.

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

22 (~~(13)~~) (14) (a) This formula for distribution of basic education
23 funds shall be reviewed biennially by the superintendent and
24 governor. The recommended formula shall be subject to approval,
25 amendment or rejection by the legislature.

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

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

1 present definition shall not take effect until approved by the house
2 ways and means committee and the senate ways and means committee.

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

6 NEW SECTION. **Sec. 3.** Salary allocations provided in the omnibus
7 appropriations act shall be increased for the purpose of staff
8 participation in professional development, until the values below are
9 achieved in the 2025-26 school year.

| | | |
|----|--|-------|
| 10 | Certificated instructional staff. | 3.33% |
| 11 | Classified staff. | 3.33% |
| 12 | Certificated administrative staff. | 1.67% |

13 NEW SECTION. **Sec. 4.** Section 2 of this act takes effect
14 September 1, 2025.

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