
HOUSE BILL 1547

State of Washington

66th Legislature

2019 Regular Session

By Representative Dolan; by request of Superintendent of Public Instruction

1 AN ACT Relating to basic education funding; amending RCW
2 84.52.0531, 28A.500.015, 28A.150.260, 28A.505.040, 28A.505.080, and
3 28A.150.415; adding a new section to chapter 28A.505 RCW; adding a
4 new section to chapter 28A.150 RCW; and providing an effective date.

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

6 **Sec. 1.** RCW 84.52.0531 and 2018 c 266 s 307 are each amended to
7 read as follows:

8 (1) Beginning with taxes levied for collection in ~~((2019))~~ 2020,
9 the maximum dollar amount which may be levied by or for any school
10 district for enrichment levies under RCW 84.52.053 is equal to the
11 lesser of ~~((one dollar and fifty cents per thousand dollars))~~ twenty-
12 two percent of ~~((the assessed value of property in))~~ the school
13 district's prior school year actual state and federal revenue or the
14 maximum per-pupil limit.

15 (2) The definitions in this subsection apply to this section
16 unless the context clearly requires otherwise.

17 (a) For the purpose of this section, "inflation" means, for any
18 school year, the rate of the yearly increase of the previous calendar
19 year's annual average consumer price index for all urban consumers,
20 Seattle area, using the official current base compiled by the bureau
21 of labor statistics, United States department of labor.

1 (b) "Maximum per-pupil limit" means (~~two~~) three thousand five
2 hundred dollars, multiplied by the number of average annual full-time
3 equivalent students enrolled in the school district in the prior
4 school year. Beginning with property taxes levied for collection in
5 2020, the maximum per-pupil limit shall be increased by inflation.

6 (c) "Prior school year" means the most recent school year
7 completed prior to the year in which the levies are to be collected.

8 (3) For districts in a high/nonhigh relationship, the enrollments
9 of the nonhigh students attending the high school shall only be
10 counted by the nonhigh school districts for purposes of funding under
11 this section.

12 (4) For school districts participating in an innovation academy
13 cooperative established under RCW 28A.340.080, enrollments of
14 students attending the academy shall be adjusted so that each
15 participant district receives its proportional share of student
16 enrollments for purposes of funding under this section.

17 (~~(5) ((Beginning with propositions for enrichment levies for
18 collection in calendar year 2020 and thereafter, a district must
19 receive approval of an enrichment levy expenditure plan under RCW
20 28A.505.240 before submission of the proposition to the voters.~~

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

24 (~~(7))~~ (6) Beginning with taxes levied for collection in 2018,
25 enrichment levy revenues must be deposited in a separate subfund of
26 the school district's general fund pursuant to RCW 28A.320.330, and
27 for the 2018-19 school year are subject to the restrictions of RCW
28 28A.150.276 and the audit requirements of RCW 43.09.2856.

29 (~~(8) Funds collected from levies for transportation vehicles,
30 construction, modernization, or remodeling of school facilities as
31 established in RCW 84.52.053 are not subject to the levy limitations
32 in subsections (1) through (5) of this section.)~~)

33 **Sec. 2.** RCW 28A.500.015 and 2018 c 266 s 303 are each amended to
34 read as follows:

35 (1) Beginning in calendar year (~~(2019)~~) 2020 and each calendar
36 year thereafter, the state must provide state local effort assistance
37 funding to supplement school district enrichment levies as provided
38 in this section.

1 (2) For an eligible school district, annual local effort
2 assistance funding is equal to the ~~((school district's maximum local
3 effort assistance multiplied by a fraction equal to the school
4 district's actual enrichment levy divided by the school district's
5 maximum allowable enrichment levy))~~ the difference between the tax
6 rate for the lesser of a twenty-two percent levy or the maximum per
7 pupil limit and the state local effort assistance threshold.

8 (3) State local effort assistance funding shall be provided to
9 eligible school districts even if they do not run an enrichment levy.

10 (4) The state local effort assistance funding provided under this
11 section is not part of the state's program of basic education deemed
12 by the legislature to comply with the requirements of Article IX,
13 section 1 of the state Constitution.

14 ~~((4))~~ (5) The definitions in this subsection apply throughout
15 this section unless the context clearly requires otherwise.

16 (a) "Eligible school district" means a school district whose
17 ~~((maximum allowable enrichment levy divided by the school district's
18 total student enrollment in the prior school year is less than))~~ tax
19 rate for the lesser of a twenty-two percent levy or the maximum per
20 pupil limit, exceeds the state local effort assistance threshold.

21 (b) For the purpose of this section, "inflation" means, for any
22 school year, the rate of the yearly increase of the previous calendar
23 year's annual average consumer price index for all urban consumers,
24 Seattle area, using the official current base compiled by the bureau
25 of labor statistics, United States department of labor.

26 (c) "Maximum allowable enrichment levy" means the maximum levy
27 permitted by RCW 84.52.0531.

28 ~~((("Maximum local effort assistance" means the difference
29 between the following:~~

30 ~~(i) The school district's actual prior school year enrollment
31 multiplied by the state local effort assistance threshold; and~~

32 ~~(ii) The school district's maximum allowable enrichment levy.~~

33 ~~(e))~~ "Prior school year" means the most recent school year
34 completed prior to the year in which the state local effort
35 assistance funding is to be distributed.

36 ~~((f))~~ (e) "State local effort assistance threshold" means ~~((one
37 thousand five hundred dollars per student, increased for inflation
38 beginning in calendar year 2020))~~ the same as set forth in the
39 omnibus appropriations act.

1 ~~((g) "Student enrollment" means the average annual full-time~~
2 ~~equivalent student enrollment.~~

3 ~~(5))~~ (6) For districts in a high/nonhigh relationship, the
4 enrollments of the nonhigh students attending the high school shall
5 only be counted by the nonhigh school districts for purposes of
6 funding under this section.

7 ~~((6))~~ (7) For school districts participating in an innovation
8 academy cooperative established under RCW 28A.340.080, enrollments of
9 students attending the academy shall be adjusted so that each
10 participant district receives its proportional share of student
11 enrollments for purposes of funding under this section.

12 **Sec. 3.** RCW 28A.150.260 and 2018 c 266 s 101 are each amended to
13 read as follows:

14 The purpose of this section is to provide for the allocation of
15 state funding that the legislature deems necessary to support school
16 districts in offering the minimum instructional program of basic
17 education under RCW 28A.150.220. The allocation shall be determined
18 as follows:

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

23 (2)(a) The distribution formula under this section shall be for
24 allocation purposes only. Except as may be required under subsections
25 (4)(b) and (c) and (9) of this section, chapter 28A.155, 28A.165,
26 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in
27 this section requires school districts to use basic education
28 instructional funds to implement a particular instructional approach
29 or service. Nothing in this section requires school districts to
30 maintain a particular classroom teacher-to-student ratio or other
31 staff-to-student ratio or to use allocated funds to pay for
32 particular types or classifications of staff. Nothing in this section
33 entitles an individual teacher to a particular teacher planning
34 period.

35 (b) To promote transparency in state funding allocations, the
36 superintendent of public instruction must report state per-pupil
37 allocations for each school district for the general apportionment,
38 special education, learning assistance, transitional bilingual,
39 highly capable, and career and technical education programs. The

1 superintendent must also report state general apportionment per-pupil
2 allocations by grade for each school district. The superintendent
3 must report this information in a user-friendly format on the main
4 page of the office's web site and on school district apportionment
5 reports. School districts must include a link to the superintendent's
6 per-pupil allocations report on the main page of the school
7 district's web site. In addition, the budget documents published by
8 the legislature for the enacted omnibus operating appropriations act
9 must report statewide average per-pupil allocations for general
10 apportionment and the categorical programs listed in this subsection.

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

1 (iii) A prototypical elementary school has four hundred average
2 annual full-time equivalent students in grades kindergarten through
3 six.

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

	General education average class size
11 Grades K-3.	17.00
12 Grade 4.	27.00
13 Grades 5-6.	27.00
14 Grades 7-8.	28.53
15 Grades 9-12.	28.74

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

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

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

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

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

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

3		Career and technical
4		education average
5		class size
6	Approved career and technical education offered at	
7	the middle school and high school level.	23.00
8	Skill center programs meeting the standards established	
9	by the office of the superintendent of public	
10	instruction.	20.00

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

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

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

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

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

	Elementary	Middle	High
	School	School	School
25 Principals, assistant principals, and other certificated building-level			
26 administrators.	1.253	1.353	1.880
27 Teacher-librarians, a function that includes information literacy, technology,			
28 and media to support school library media programs.	0.663	0.519	0.523
29 Health and social services:			
30 School nurses.	0.076	0.060	0.096
31 Social workers.	0.042	0.006	0.015
32 Psychologists.	0.017	0.002	0.007
33 Guidance counselors, a function that includes parent outreach and graduation			
34 advising.	0.493	((1.216))	2.539
35		<u>1.728</u>	
36 Teaching assistance, including any aspect of educational instructional services			
37 provided by classified employees.	0.936	0.700	0.652

1	Office support and other noninstructional aides.	2.012	2.325	3.269
2	Custodians.	1.657	1.942	2.965
3	Classified staff providing student and staff safety.	0.079	0.092	0.141
4	((Parent involvement)) Family and community engagement coordinators. ...	0.0825	0.00	0.00

5 (b) (i) Beginning with the 2021-2023 biennium, funding for
6 additional school nurses, guidance counselors, and family and
7 community engagement coordinators shall be phased in. Funding shall
8 continue to be phased in each year until fiscal year 2025, at which
9 point all schools must receive full funding for the staffing
10 allocations set forth in (b) (ii) of this subsection.

11 (ii) As schools are phased in, the minimum allocation shall be as
12 follows:

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
	<u>School</u>	<u>School</u>	<u>School</u>
13 <u>School nurses.</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>
14 <u>Guidance counselors.</u>	<u>0.50</u>	<u>2.00</u>	<u>3.50</u>
15 <u>Family and community engagement coordinators.</u>	<u>1.00</u>	<u>1.00</u>	<u>1.00</u>

16 (iii) As schools are phased in, prioritization for the enhanced
17 funding in (b) (i) of this subsection must be based on need as
18 determined by the Washington school improvement framework.

19 (iv) Once a school receives full funding under (b) (i) of this
20 subsection, that school shall at minimum, meet the ratios for each
21 staffing position set forth in (b) (ii) of this subsection, and remain
22 eligible for funding in subsequent school years regardless of changes
23 in the school's status.

24 (v) Subject to funds appropriated for this specific purpose, the
25 office of the superintendent of public instruction may develop rules
26 to implement (b) (i) through (iv) of this subsection.

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

31		Staff per 1,000
32		K-12 students
33	Technology.	0.628
34	Facilities, maintenance, and grounds.	1.813

1 Warehouse, laborers, and mechanics. 0.332

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

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

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

	Per annual average full-time equivalent student in grades K-12
20 Technology.	\$130.76
21 Utilities and insurance.	\$355.30
22 Curriculum and textbooks.	\$140.39
23 Other supplies	\$278.05
24 Library materials.	\$20.00
25 Instructional professional development for certificated and 26 classified staff.	\$21.71
27 Facilities maintenance.	\$176.01
28 Security and central office administration.	\$121.94

29 (b) In addition to the amounts provided in (a) 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:

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

1	Curriculum and textbooks.	\$39.02
2	Other supplies	\$77.28
3	Library materials.	\$5.56
4	Instructional professional development for certificated and	
5	classified staff.	\$6.04

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

- 10 (a) Exploratory career and technical education courses for
11 students in grades seven through twelve;
- 12 (b) Preparatory career and technical education courses for
13 students in grades nine through twelve offered in a high school; and
- 14 (c) Preparatory career and technical education courses for
15 students in grades eleven and twelve offered through a skill center.

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

19 (a)(i) To provide supplemental instruction and services for
20 students who are not meeting academic standards through the learning
21 assistance program under RCW 28A.165.005 through 28A.165.065,
22 allocations shall be based on the district percentage of students in
23 grades K-12 who were eligible for free or reduced-price meals in the
24 prior school year. The minimum allocation for the program shall
25 provide for each level of prototypical school resources to provide,
26 on a statewide average, 2.3975 hours per week in extra instruction
27 with a class size of fifteen learning assistance program students per
28 teacher.

29 (ii) In addition to funding allocated under (a)(i) of this
30 subsection, to provide supplemental instruction and services for
31 students who are not meeting academic standards in qualifying
32 schools. A qualifying school means a school in which the three-year
33 rolling average of the prior year total annual average enrollment
34 that qualifies for free or reduced-price meals equals or exceeds
35 fifty percent or more of its total annual average enrollment. The
36 minimum allocation for this additional high poverty-based allocation
37 must provide for each level of prototypical school resources to
38 provide, on a statewide average, 1.1 hours per week in extra
39 instruction with a class size of fifteen learning assistance program

1 students per teacher, under RCW 28A.165.055, school districts must
2 distribute the high poverty-based allocation to the schools that
3 generated the funding allocation.

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

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

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

38 (11) The allocations under subsections (4)(a), (5), (6), and (8)
39 of this section shall be enhanced as provided under RCW 28A.150.390

1 on an excess cost basis to provide supplemental instructional
2 resources for students with disabilities.

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

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

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

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

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

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

38 **Sec. 4.** RCW 28A.505.040 and 2017 3rd sp.s. c 13 s 604 are each
39 amended to read as follows:

1 (1) On or before the tenth day of July in each year, all school
2 districts shall prepare their budget for the ensuing fiscal year. The
3 annual budget development process shall include the development or
4 update of a four-year budget plan that includes a four-year
5 enrollment projection. The four-year budget plan must include an
6 estimate of funding necessary to maintain the continuing costs of
7 program and service levels and any existing supplemental contract
8 obligations.

9 (2) The completed budget must include a summary of the four-year
10 budget plan and set forth the complete financial plan of the district
11 for the ensuing fiscal year.

12 (3)(a) Upon completion of their budgets, every school district
13 shall electronically publish a notice stating that the district has
14 completed the budget, posted it electronically, placed it on file in
15 the school district administration office, and that a copy of the
16 budget and a summary of the four-year budget plan will be furnished
17 to any person who calls upon the district for it.

18 (b) School districts shall submit one copy of their proposed
19 budget and the four-year budget plan summary to their educational
20 service districts (~~and the office of the superintendent of public~~
21 ~~instruction~~)) for review and comment by July 10th. The superintendent
22 of public instruction may delay the date in this section if the
23 state's operating budget is not finally approved by the legislature
24 until after June 1st.

25 (c) The office of the superintendent of public instruction shall
26 consider the information provided under (b) of this subsection when
27 ranking each school district by the financial health of the school
28 district in order to provide information for districts to avoid
29 potential financial difficulty, insolvency, or binding conditions.

30 **Sec. 5.** RCW 28A.505.080 and 1984 c 128 s 8 are each amended to
31 read as follows:

32 Copies of the budgets for all local school districts, including
33 the four-year budget plan prepared under RCW 28A.505.040, shall be
34 filed with the superintendent of public instruction no later than
35 September 10th. One copy will be retained by the educational service
36 district.

37 **Sec. 6.** RCW 28A.150.415 and 2017 3rd sp.s. c 13 s 105 are each
38 amended to read as follows:

1 (1) Beginning with the 2018-19 school year, the legislature shall
2 begin phasing in funding for professional learning days for
3 certificated instructional staff. At a minimum, the state must
4 allocate funding for:

5 (a) One professional learning day in the 2018-19 school year;

6 (b) Two professional learning days in the 2019-20 school year;

7 and

8 (c) Three professional learning days in the 2020-21 school year.

9 (2) Beginning with the 2021-22 school year, the legislature shall
10 begin phasing in funding for content-specific professional learning
11 days for state-funded certificated instructional staff and classified
12 staff. In addition to the professional learning days under subsection
13 (1) of this section, at a minimum, the state must allocate funding
14 for:

15 (a) Three professional learning days in the 2021-22 school year;

16 (b) Three professional learning days in the 2022-23 school year;

17 and

18 (c) Three professional learning days in the 2023-24 school year.

19 (3) (a) The office of the superintendent of public instruction
20 shall adopt rules necessary to create a menu of professional learning
21 topics that include:

22 (i) Equity, diversity, and race;

23 (ii) Inclusionary practices; and

24 (iii) Strengthening student's social-emotional learning.

25 (b) When providing additional professional learning days under
26 subsection (2) of this section, school districts must select
27 professional learning topics from the menu created by the office of
28 the superintendent of public instruction under (a) of this
29 subsection. School districts may determine when and how the
30 professional learning is delivered, including whether the
31 professional learning days focus on one topic from the menu or
32 multiple.

33 (4) The office of the superintendent of public instruction shall
34 develop online training modules for professional learning topics
35 regarding the development of individualized education programs.

36 (5) Nothing in this section entitles an individual certificated
37 instructional staff or an individual classified staff to any
38 particular number of professional learning days.

1 (~~(3)~~) (6) The professional learning days must meet the
2 definitions and standards provided in RCW 28A.415.430, 28A.415.432,
3 and 28A.415.434.

4 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.505
5 RCW to read as follows:

6 (1) By fiscal year 2021 and each fiscal year thereafter, each
7 school district board of directors shall adopt an unrestricted
8 minimum fund balance for their general fund of no less than 8.5
9 percent of their prior year's state apportionment.

10 (2) The office of the superintendent of public instruction shall
11 calculate the actual minimum fund balance amount for each school
12 district for the school district board of directors' review and
13 adoption.

14 (3) A school district may only use minimum fund balance resources
15 for one-time expenditures. A school district may not use minimum fund
16 balance resources for ongoing salaries or benefits.

17 (4)(a) A school district may temporarily spend below its minimum
18 fund balance only if:

19 (i) The school district's board of directors:

20 (A) Adopts a resolution to temporarily spend below its minimum
21 fund balance; and

22 (B) Submits to the office of the superintendent of public
23 instruction, a plan to restore its minimum fund balance to no less
24 than 8.5 percent of the school district's prior year's state
25 apportionment; and

26 (ii) The office of the superintendent of public instruction
27 approves the school district's plan to restore its minimum fund
28 balance.

29 (b) A school district must restore its minimum fund balance to no
30 less than 8.5 percent of the school district's prior year's state
31 apportionment within twelve months of the office of the
32 superintendent of public instruction's approval of the school
33 district's plan.

34 (c) A school district may not spend below the minimum fund
35 balance two years in a row.

36 (5) The office of the superintendent of public instruction shall
37 include whether a school district has failed to replenish its minimum
38 fund balance in the school district's financial health indicators.
39 The office of the superintendent of public instruction may require a

1 school district who has failed to replenish its minimum fund balance
2 to withhold certain expenditures until the minimum fund balance is
3 restored to no less than 8.5 percent of the school district's prior
4 year's state apportionment.

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

7 The purpose of this section is to provide for the allocation of
8 state funding that the legislature deems necessary to support school
9 districts in offering institutional education programs. The
10 allocation shall be determined 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 an institutional education allocation for school
14 districts that offer institutional education programs.

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

24 (b) To promote transparency in state funding allocations, the
25 superintendent of public instruction must report state per-pupil
26 allocations for each school district for institutional education
27 programs. The superintendent must also report state per-pupil
28 allocations for each type of institutional education program listed
29 in subsection (4) of this section. The superintendent must report
30 this information in a user-friendly format on the main page of the
31 office of the superintendent of public instruction's web site and on
32 school district apportionment reports. School districts must include
33 a link to the superintendent's per-pupil allocations report on the
34 main page of the school district's web site. In addition, the budget
35 documents published by the legislature for the enacted omnibus
36 operating appropriations act must report statewide average per-pupil
37 allocations for the institutional education programs listed in
38 subsection (4) of this section.

1 (3) (a) To the extent the technical details of the formula have
2 been adopted by the legislature and except when specifically provided
3 as a school district allocation, the distribution formula for
4 instructional education allocation shall be based on minimum staffing
5 and nonstaff costs the legislature deems necessary to support
6 instruction and operations in prototypical institutional education
7 programs serving students as provided in this section. The use of
8 prototypical institutional education programs for the distribution
9 formula does not constitute legislative intent that institutional
10 education programs should be operated or structured in a similar
11 fashion as the prototypes. Prototypical institutional education
12 programs illustrate the level of resources needed to operate an
13 institutional education program of a particular type and size, using
14 commonly understood terms and inputs, such as various categories of
15 school staff. It is the intent that the funding allocations to school
16 districts be adjusted from the institutional education program
17 prototypes based on the actual number of annual average full-time
18 equivalent students in each institutional education program in the
19 district to the extent that data is available.

20 (b) For the purposes of this section, prototypical institutional
21 programs are defined as follows:

22 (i) A prototypical residential habilitation center has eight
23 annual full-time equivalent students;

24 (ii) A prototypical long-term juvenile justice institution has
25 one hundred twenty-five annual full-time equivalent students;

26 (iii) A prototypical community facility has seven annual full-
27 time equivalent students;

28 (iv) A prototypical county juvenile detention center has twenty-
29 five annual full-time equivalent students;

30 (v) A prototypical state correction facility has twenty-five
31 annual full-time equivalent students;

32 (vi) A prototypical county or city jail has twenty-five annual
33 full-time equivalent students; and

34 (vii) A prototypical residential mental health unit has one
35 hundred twenty-five annual full-time equivalent students.

36 (4) The minimum allocation for each level of prototypical
37 institutional education program shall include allocations for the
38 following types of teachers and staff:

	Residential Habilitation Center	Long-term Juvenile Institution	Community Detention Facility	County Detention Center	State Correction Facility	County or City Jail	Residential Mental Health Unit
4	Teachers	1.20	16.67	1.20	3.00	3.00	20.00
5	Principals	0.15	1.59	0.10	0.50	0.50	1.59
6	Counselors	0.25	1.00	0.00	1.00	1.00	1.00
7	Psychologists	1.00	1.00	0.20	0.20	0.20	1.00
8	Teaching	1.00	6.76	0.00	3.00	3.00	6.76
9	assistants						
10	Office	0.15	2.50	0.20	1.00	1.00	2.50
11	support staff						

12 NEW SECTION. **Sec. 9.** Sections 1 and 2 of this act take effect
13 January 1, 2020.

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