
HOUSE BILL 2180

State of Washington

68th Legislature

2024 Regular Session

By Representatives Callan and Bergquist; by request of Office of Financial Management

1 AN ACT Relating to increasing the special education enrollment
2 funding cap; and amending RCW 28A.150.390.

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

4 **Sec. 1.** RCW 28A.150.390 and 2023 c 417 s 3 are each amended to
5 read as follows:

6 (1) The superintendent of public instruction shall submit to each
7 regular session of the legislature during an odd-numbered year a
8 programmed budget request for special education programs for students
9 with disabilities. Funding for programs operated by local school
10 districts shall be on an excess cost basis from appropriations
11 provided by the legislature for special education programs for
12 students with disabilities and shall take account of state funds
13 accruing through RCW 28A.150.260 (4)(a), (5), (6), and (8) and
14 28A.150.415.

15 (2) The excess cost allocation to school districts shall be based
16 on the following:

17 (a) A district's annual average head count enrollment of students
18 ages three and four and those five year olds not yet enrolled in
19 kindergarten who are eligible for and receiving special education,
20 multiplied by the district's base allocation per full-time equivalent
21 student, multiplied by 1.2;

1 (b)(i) Subject to the limitation in (b)(ii) of this subsection
2 (2), a district's annual average enrollment of resident students who
3 are eligible for and receiving special education, excluding students
4 ages three and four and those five year olds not yet enrolled in
5 kindergarten, multiplied by the district's base allocation per full-
6 time equivalent student, multiplied by the special education cost
7 multiplier rate of:

8 (A) Beginning in the 2020-21 school year, either:

9 (I) 1.0075 for students eligible for and receiving special
10 education and reported to be in the general education setting for 80
11 percent or more of the school day; or

12 (II) 0.995 for students eligible for and receiving special
13 education and reported to be in the general education setting for
14 less than 80 percent of the school day;

15 (B) Beginning in the 2023-24 school year, either:

16 (I) 1.12 for students eligible for and receiving special
17 education and reported to be in the general education setting for 80
18 percent or more of the school day; or

19 (II) 1.06 for students eligible for and receiving special
20 education and reported to be in the general education setting for
21 less than 80 percent of the school day.

22 (ii) If the enrollment percent exceeds (~~(15)~~) 17.25 percent, the
23 excess cost allocation calculated under (b)(i) of this subsection
24 must be adjusted by multiplying the allocation by (~~(15)~~) 17.25
25 percent divided by the enrollment percent.

26 (3) As used in this section:

27 (a) "Base allocation" means the total state allocation to all
28 schools in the district generated by the distribution formula under
29 RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation under
30 RCW 28A.150.415, to be divided by the district's full-time equivalent
31 enrollment.

32 (b) "Basic education enrollment" means enrollment of resident
33 students including nonresident students enrolled under RCW
34 28A.225.225 and students from nonhigh districts enrolled under RCW
35 28A.225.210 and excluding students residing in another district
36 enrolled as part of an interdistrict cooperative program under RCW
37 28A.225.250.

38 (c) "Enrollment percent" means the district's resident annual
39 average enrollment of students who are eligible for and receiving
40 special education, excluding students ages three and four and those

1 five year olds not yet enrolled in kindergarten and students enrolled
2 in institutional education programs, as a percent of the district's
3 annual average full-time equivalent basic education enrollment.

--- **END** ---