
SUBSTITUTE SENATE BILL 5358

State of Washington

69th Legislature

2025 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Braun, Chapman, Christian, Cortes, Llias, MacEwen, Nobles, Salomon, Wellman, and C. Wilson; by request of Superintendent of Public Instruction)

1 AN ACT Relating to career and technical education in sixth grade;
2 amending RCW 28A.150.265; and reenacting and amending RCW
3 28A.150.260.

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

5 **Sec. 1.** RCW 28A.150.260 and 2024 c 262 s 2 and 2024 c 191 s 2
6 are each reenacted and amended 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 the minimum instructional program of basic
10 education under RCW 28A.150.220. The allocation shall be determined
11 as follows:

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

16 (2)(a) The distribution formula under this section shall be for
17 allocation purposes only. Except as may be required under subsections
18 (4)(b) and (c), (5)(b) and (c), (8), and (9) of this section, chapter
19 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
20 regulations, nothing in this section requires school districts to use
21 basic education instructional funds to implement a particular

1 instructional approach or service. Nothing in this section requires
2 school districts to maintain a particular classroom teacher-to-
3 student ratio or other staff-to-student ratio or to use allocated
4 funds to pay for particular types or classifications of staff.
5 Nothing in this section entitles an individual teacher to a
6 particular teacher planning period.

7 (b) To promote transparency in state funding allocations, the
8 superintendent of public instruction must report state per-pupil
9 allocations for each school district for the general apportionment,
10 special education, learning assistance, transitional bilingual,
11 highly capable, and career and technical education programs. The
12 superintendent must report this information in a user-friendly format
13 on the main page of the office's website. School districts must
14 include a link to the superintendent's per-pupil allocations report
15 on the main page of the school district's website. In addition, the
16 budget documents published by the legislature for the enacted omnibus
17 operating appropriations act must report statewide average per-pupil
18 allocations for general apportionment and the categorical programs
19 listed in this subsection.

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

1 minimum allocations for small schools and to reflect other factors
2 identified in the omnibus appropriations act.

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

5 (i) A prototypical high school has 600 average annual full-time
6 equivalent students in grades nine through 12;

7 (ii) A prototypical middle school has 432 average annual full-
8 time equivalent students in grades seven and eight; and

9 (iii) A prototypical elementary school has 400 average annual
10 full-time equivalent students in grades kindergarten through six.

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

	General education average class size
18 Grades K-3.	17.00
19 Grade 4.	27.00
20 Grades 5-6.	27.00
21 Grades 7-8.	28.53
22 Grades 9-12.	28.74

25 (ii) The minimum class size allocation for each prototypical high
26 school shall also provide for enhanced funding for class size
27 reduction for two laboratory science classes within grades nine
28 through 12 per full-time equivalent high school student multiplied by
29 a laboratory science course factor of 0.0833, based on the number of
30 full-time equivalent classroom teachers needed to provide instruction
31 over the minimum required annual instructional hours in RCW
32 28A.150.220, and providing at least one teacher planning period per
33 school day:

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

37 (b)(i) Beginning September 1, 2019, funding for average K-3 class
38 sizes in this subsection (4) may be provided only to the extent of,

1 and proportionate to, the school district's demonstrated actual class
2 size in grades K-3, up to the funded class sizes.

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

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

	Career and technical education average class size
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17 (ii) Funding allocated under this subsection (4)(c) is subject to
18 RCW 28A.150.265.

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

21 (i) A high-poverty average class size in schools where more than
22 50 percent of the students are eligible for free and reduced-price
23 meals; and

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

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

	Elementary School	Middle School	High School
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1	Custodians.....	1.657	1.942	2.965
2	Nurses.....	0.585	0.888	0.824
3	Social workers.....	0.311	0.088	0.127
4	Psychologists.....	0.104	0.024	0.049
5	Counselors.....	0.993	1.716	3.039
6	Classified staff providing student and staff safety.....	0.079	0.092	0.141
7	Parent involvement coordinators.....	0.0825	0.00	0.00

8 (b) (i) The superintendent may only allocate funding, up to the
9 combined minimum allocations, for nurses, social workers,
10 psychologists, counselors, classified staff providing student and
11 staff safety, and parent involvement coordinators under (a) of this
12 subsection to the extent of and proportionate to a school district's
13 demonstrated actual ratios of: Full-time equivalent physical, social,
14 and emotional support staff to full-time equivalent students.

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

21 (iii) For the purposes of this subsection (5)(b), "physical,
22 social, and emotional support staff" include nurses, social workers,
23 psychologists, counselors, classified staff providing student and
24 staff safety, parent involvement coordinators, and other school
25 district employees and contractors who provide physical, social, and
26 emotional support to students as defined by the superintendent.

27 (c) The superintendent shall develop rules that require school
28 districts to use the additional funding provided under (a) of this
29 subsection to support increased staffing, prevent layoffs, or
30 increase salaries for the following staff types in the 2024-25 school
31 year: Paraeducators, office support, and noninstructional aides. The
32 superintendent shall collect data from school districts on how the
33 increased allocations are used.

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

1		Staff per 1,000
2		K-12 students
3	Technology.	0.628
4	Facilities, maintenance, and grounds.	1.813
5	Warehouse, laborers, and mechanics.	0.332

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

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

15 (8)(a) Except as provided in (b) of this subsection, the minimum
16 allocation for each school district shall include allocations per
17 annual average full-time equivalent student for the following
18 materials, supplies, and operating costs as provided in the 2023-24
19 school year, after which the allocations shall be adjusted annually
20 for inflation as specified in the omnibus appropriations act:

21		Per annual average
22		full-time equivalent student
23		in grades K-12
24	Technology.	\$178.98
25	Utilities and insurance.	\$430.26
26	Curriculum and textbooks.	\$164.48
27	Other supplies	\$326.54
28	Library materials.	\$22.65
29	Instructional professional development for certificated and	
30	classified staff.	\$28.94
31	Facilities maintenance.	\$206.22
32	Security and central office administration.	\$146.37

33 (b) In addition to the amounts provided in (a) of this
34 subsection, beginning in the 2023-24 school year, the omnibus
35 appropriations act shall provide the following minimum allocation for
36 each annual average full-time equivalent student in grades nine
37 through 12 for the following materials, supplies, and operating
38 costs, to be adjusted annually for inflation:

1		Per annual average
2		full-time equivalent student
3		in grades 9-12
4	Technology.	\$44.05
5	Curriculum and textbooks.	\$48.06
6	Other supplies	\$94.07
7	Library materials.	\$6.05
8	Instructional professional development for certificated and	
9	classified staff.	\$8.01

10 (c) The increased allocation amount of \$21 per annual average
 11 full-time equivalent student for materials, supplies, and operating
 12 costs provided under (a) of this subsection is intended to address
 13 growing costs in the enumerated categories and may not be expended
 14 for any other purpose.

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

19 ~~((a))~~ (i) Exploratory career and technical education courses
 20 for students in grades ~~((seven))~~ six through 12 offered in a middle
 21 or high school;

22 ~~((b))~~ (ii) Preparatory career and technical education courses
 23 for students in grades nine through 12 offered in a high school; and

24 ~~((c))~~ (iii) Preparatory career and technical education courses
 25 for students in grades 11 and 12 offered through a skill center.

26 (b) School districts may only receive funding under (a)(i) of
 27 this subsection for middle school courses if those courses are
 28 developed within a planned program of study that provides a
 29 nonduplicative progression of aligned career and technical education
 30 opportunities across both middle and high school.

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

34 (a) (i) To provide supplemental instruction and services for
 35 students who are not meeting academic standards through the learning
 36 assistance program under RCW 28A.165.005 through 28A.165.065,
 37 allocations shall be based on the greater of either: The district
 38 percentage of students in kindergarten through grade 12 who were
 39 eligible for free or reduced-price meals for the school year

1 immediately preceding the district's participation, in whole or part,
2 in the United States department of agriculture's community
3 eligibility provision, or the district percentage of students in
4 grades K-12 who were eligible for free or reduced-price meals in the
5 prior school year. The minimum allocation for the program shall,
6 except as provided in (a)(iii) of this subsection, provide for each
7 level of prototypical school resources to provide, on a statewide
8 average, 2.3975 hours per week in extra instruction with a class size
9 of 15 learning assistance program students per teacher.

10 (ii) In addition to funding allocated under (a)(i) of this
11 subsection, to provide supplemental instruction and services for
12 students who are not meeting academic standards in qualifying
13 schools. A qualifying school, except as provided in (a)(iv) of this
14 subsection, means a school in which the three-year rolling average of
15 the prior year total annual average enrollment that qualifies for
16 free or reduced-price meals equals or exceeds 50 percent or more of
17 its total annual average enrollment. A school continues to meet the
18 definition of a qualifying school if the school: Participates in the
19 United States department of agriculture's community eligibility
20 provision; and met the definition of a qualifying school in the year
21 immediately preceding their participation. The minimum allocation for
22 this additional high poverty-based allocation must provide for each
23 level of prototypical school resources to provide, on a statewide
24 average, 1.1 hours per week in extra instruction with a class size of
25 15 learning assistance program students per teacher, under RCW
26 28A.165.055, school districts must distribute the high poverty-based
27 allocation to the schools that generated the funding allocation.

28 (iii) For the 2024-25 and 2025-26 school years, allocations under
29 (a)(i) of this subsection for school districts providing meals at no
30 charge to students under RCW 28A.235.135 that are not participating,
31 in whole or in part, in the United States department of agriculture's
32 community eligibility provision shall be based on the school district
33 percentage of students in grades K-12 who were eligible for free or
34 reduced-price meals in school years 2019-20 through 2022-23 or the
35 prior school year, whichever is greatest.

36 (iv) For the 2024-25 and 2025-26 school years, a school providing
37 meals at no charge to students under RCW 28A.235.135 that is not
38 participating in the department of agriculture's community
39 eligibility provision continues to meet the definition of a
40 qualifying school under (a)(ii) of this subsection if the school met

1 the definition during one year of the 2019-20 through 2022-23 school
2 years, or in the prior school year.

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

19 (ii) To provide supplemental instruction and services for
20 students who have exited the transitional bilingual program,
21 allocations shall be based on the head count number of students in
22 each school who have exited the transitional bilingual program within
23 the previous two years based on their performance on the English
24 proficiency assessment and are eligible for and enrolled in the
25 transitional bilingual instruction program under RCW
26 28A.180.040(1)(g). The minimum allocation for each prototypical
27 school shall provide resources to provide, on a statewide average,
28 3.0 hours per week in extra instruction with 15 exited students per
29 teacher.

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

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

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

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

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

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

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

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

36 **Sec. 2.** RCW 28A.150.265 and 2017 3rd sp.s. c 13 s 409 are each
37 amended to read as follows:

38 (1) To the extent that career and technical education funding
39 allocations under RCW 28A.150.260 (4)(c) and (9) exceed general

1 education funding allocations under RCW 28A.150.260, school districts
2 may use the difference only for the career and technical education
3 purposes, defined as follows:

4 (a) Staff salaries and benefits for career and technical
5 education program delivery;

6 (b) Materials, supplies, and operating costs;

7 (c) Smaller class sizes;

8 (d) Work-based learning programs such as internships and
9 preapprenticeship programs, including coordination tied to career and
10 technical education coursework;

11 (e) New high quality career and technical education and expanded
12 learning program development in high-demand fields;

13 (f) Certificated work-based learning coordinators and career
14 guidance advisors;

15 (g) School expenses associated with career and technical
16 education community partnerships with a career discovery focus
17 including research or evidence-based mentoring programs and expanded
18 learning opportunities in school, before or after school, and during
19 the summer, and career-focused education programs with private and
20 public K-12 schools and colleges, community-based organizations and
21 nonprofit organizations, industry partners, tribal governments, and
22 workforce development entities;

23 (h) Student fees for national and state industry-recognized
24 certifications; and

25 (i) Course equivalency development to integrate core learning
26 standards into career and technical education courses.

27 (2) A school district's maximum allowable indirect cost charges
28 for approved career and technical education programs funded by the
29 state may not exceed the lower of five percent or the cap established
30 in federal law for federal career and technical education funding
31 provided to school districts, as the federal law existed on September
32 1, 2017.

33 (3) The middle school and high school career and technical
34 education programs funded through RCW 28A.150.260(4)(c) must be
35 treated as a single program when accounting for and calculating
36 minimum expenditures, carryover amounts, and recovery amounts. This
37 treatment is exclusively for accounting purposes and must not result
38 in disparate program quality across grade levels.

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