
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-3364.1/12

ATTY/TYPIST: SCG:lcl

BRIEF DESCRIPTION: Regarding education funding.

1 AN ACT Relating to education funding; amending RCW 28A.150.198,
2 28A.150.200, 28A.150.220, 28A.150.260, 28A.150.315, 28A.160.150,
3 28A.160.192, 28A.290.010, and 28A.400.201; reenacting and amending RCW
4 28A.150.260; adding a new section to chapter 28A.305 RCW; adding a new
5 section to chapter 43.79 RCW; creating a new section; providing an
6 effective date; providing an expiration date; and declaring an
7 emergency.

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

9 NEW SECTION. **Sec. 1.** In 2009, the legislature took the first step
10 in the process of redefining the instructional program of a basic
11 education and the new funding allocation model to be phased-in
12 according to an implementation schedule adopted by the legislature. In
13 that legislation, several working groups of experienced educators,
14 school professionals, and representatives of key educational
15 stakeholders were established to encourage considerable dialogue about
16 the detailed and complicated issues necessary to achieve education
17 reform. The intent was that each group's recommendations would provide
18 informed guidance to the legislature and recommendations for a phase-in
19 plan. Having a comprehensive set of recommendations from all of the

1 working groups will better enable the legislature to identify common
2 priorities and develop a reasonable and rational implementation
3 schedule that uses all of the information available, not just the
4 information from the early reports. Only by having an understanding of
5 the entire package of recommendations for the reform efforts can the
6 legislature implement a schedule that has the greatest positive impact
7 on student achievement and takes into realistic account the system's
8 capacity to implement the necessary changes.

9 **Sec. 2.** RCW 28A.150.198 and 2009 c 548 s 1 are each amended to
10 read as follows:

11 (1) Public education in Washington state has evolved since the
12 enactment of the Washington basic education act of 1977. Decisions by
13 the courts have played a part in this evolution, as have studies and
14 research about education practices and education funding. The
15 legislature finds ample evidence of a need for continuing to refine the
16 program of basic education that is funded by the state and delivered by
17 school districts.

18 (2) The legislature reaffirms the work of Washington Learns and
19 other educational task forces that have been convened over the past
20 four years and their recommendations to make bold reforms to the entire
21 educational system in order to educate all students to a higher level;
22 to focus on the individualized instructional needs of students; to
23 strive towards closing the achievement gap and reducing dropout rates;
24 and to prepare students for a constantly evolving workforce and
25 increasingly demanding global economy. In enacting this legislation,
26 the legislature intends to continue to review, evaluate, and revise the
27 definition and funding of basic education in order to continue to
28 fulfill the state obligation under Article IX of the state
29 Constitution. The legislature also intends to continue to strengthen
30 and modify the structure of the entire K-12 educational system,
31 including nonbasic education programmatic elements, in order to build
32 the capacity to anticipate and support potential future enhancements to
33 basic education as the educational needs of our citizens continue to
34 evolve.

35 (3) The legislature recognizes that the first step in revising the
36 definition and funding of basic education is to create a transparent
37 funding system for both allocations and expenditures so that not only

1 policymakers and educators understand how the state supports basic
2 education but also taxpayers. An adequate data system that enables the
3 legislature to make rational, data-driven decisions on which
4 educational programs impact student learning in order to more
5 effectively and efficiently deliver the resources necessary to provide
6 an ample program of basic education is also a necessity. A new
7 prototypical funding system will allow the legislature to better
8 understand how current resources are being used. A more complete and
9 accurate educational data system will allow the legislature to
10 understand whether current basic education programs are supporting
11 student learning. Only with both of these systems in place can the
12 legislature make informed decisions on how to best implement a dynamic
13 and evolving system of basic education.

14 (4) For practical and educational reasons, major changes of the
15 program of basic education and the funding formulas to support it
16 cannot occur instantaneously. The legislature intends to build upon
17 the previous efforts of the legislature and the basic education task
18 force in order to develop a realistic implementation strategy for a new
19 instructional program after technical experts develop the details of
20 the prototypical schools funding formulas and the data and reporting
21 system that will support a new instructional program. The legislature
22 also intends to establish a formal structure for monitoring the
23 implementation by the legislature of an evolving program of basic
24 education and the financing necessary to support such a program. ((The
25 legislature intends that the redefined program of basic education and
26 funding for the program be fully implemented by 2018.))

27 (5) It is the further intent of the legislature to also address
28 additional issues that are of importance to the legislature but are not
29 part of basic education.

30 **Sec. 3.** RCW 28A.150.200 and 2009 c 548 s 101 are each amended to
31 read as follows:

32 (1) The program of basic education established under this chapter
33 is deemed by the legislature to comply with the requirements of Article
34 IX, section 1 of the state Constitution, which states that "It is the
35 paramount duty of the state to make ample provision for the education
36 of all children residing within its borders, without distinction or
37 preference on account of race, color, caste, or sex," and is adopted

1 pursuant to Article IX, section 2 of the state Constitution, which
2 states that "The legislature shall provide for a general and uniform
3 system of public schools."

4 (2) The legislature defines the program of basic education under
5 this chapter as that which is necessary to provide the opportunity to
6 develop the knowledge and skills necessary to meet the state-
7 established high school graduation requirements that are intended to
8 allow students to have the opportunity to graduate with a meaningful
9 diploma that prepares them for postsecondary education, gainful
10 employment, and citizenship. Basic education by necessity is an
11 evolving program of instruction intended to reflect the changing
12 educational opportunities that are needed to equip students for their
13 role as productive citizens and includes the following:

14 (a) The instructional program of basic education the minimum
15 components of which are described in RCW 28A.150.220, which shall be
16 phased-in according to an implementation schedule adopted by the
17 legislature;

18 (b) The program of education provided by chapter 28A.190 RCW for
19 students in residential schools as defined by RCW 28A.190.020 and for
20 juveniles in detention facilities as identified by RCW 28A.190.010;

21 (c) The program of education provided by chapter 28A.193 RCW for
22 individuals under the age of eighteen who are incarcerated in adult
23 correctional facilities; and

24 (d) Transportation and transportation services to and from school
25 for eligible students as provided under RCW 28A.160.150 through
26 28A.160.180, which shall be phased-in according to an implementation
27 schedule adopted by the legislature.

28 **Sec. 4.** RCW 28A.150.220 and 2011 1st sp.s. c 27 s 1 are each
29 amended to read as follows:

30 (1) In order for students to have the opportunity to develop the
31 basic education knowledge and skills under RCW 28A.150.210, school
32 districts must provide instruction of sufficient quantity and quality
33 and give students the opportunity to complete graduation requirements
34 that are intended to prepare them for postsecondary education, gainful
35 employment, and citizenship. The program established under this
36 section shall be the minimum instructional program of basic education
37 offered by school districts.

1 (2) Each school district shall make available to students the
2 following minimum instructional offering each school year:

3 (a) For students enrolled in grades one through twelve, at least a
4 district-wide annual average of one thousand hours, which shall be
5 increased to at least one thousand eighty instructional hours for
6 students enrolled in each of grades seven through twelve and at least
7 one thousand instructional hours for students in each of grades one
8 through six according to an implementation schedule adopted by the
9 legislature, but not before the 2014-15 school year; and

10 (b) For students enrolled in kindergarten, at least four hundred
11 fifty instructional hours, which shall be increased to at least one
12 thousand instructional hours according to the implementation schedule
13 under RCW 28A.150.315.

14 (3) The instructional program of basic education provided by each
15 school district shall include:

16 (a) Instruction in the essential academic learning requirements
17 under RCW 28A.655.070;

18 (b) Instruction that provides students the opportunity to complete
19 twenty-four credits for high school graduation, subject to a phased-in
20 implementation of the twenty-four credits as established by the
21 legislature. Course distribution requirements may be established by
22 the state board of education under RCW 28A.230.090;

23 (c) If the essential academic learning requirements include a
24 requirement of languages other than English, the requirement may be met
25 by students receiving instruction in one or more American Indian
26 languages;

27 (d) Supplemental instruction and services for underachieving
28 students through the learning assistance program under RCW 28A.165.005
29 through 28A.165.065;

30 (e) Supplemental instruction and services for eligible and enrolled
31 students whose primary language is other than English through the
32 transitional bilingual instruction program under RCW 28A.180.010
33 through 28A.180.080;

34 (f) The opportunity for an appropriate education at public expense
35 as defined by RCW 28A.155.020 for all eligible students with
36 disabilities as defined in RCW 28A.155.020; and

37 (g) Programs for highly capable students under RCW 28A.185.010

1 through 28A.185.030, according to an implementation schedule adopted by
2 the legislature.

3 (4) Nothing contained in this section shall be construed to require
4 individual students to attend school for any particular number of hours
5 per day or to take any particular courses.

6 (5) Each school district's kindergarten through twelfth grade basic
7 educational program shall be accessible to all students who are five
8 years of age, as provided by RCW 28A.225.160, and less than twenty-one
9 years of age and shall consist of a minimum of one hundred eighty
10 school days per school year in such grades as are conducted by a school
11 district, and one hundred eighty half-days of instruction, or
12 equivalent, in kindergarten, to be increased to a minimum of one
13 hundred eighty school days per school year according to the
14 implementation schedule under RCW 28A.150.315. However, effective May
15 1, 1979, a school district may schedule the last five school days of
16 the one hundred and eighty day school year for noninstructional
17 purposes in the case of students who are graduating from high school,
18 including, but not limited to, the observance of graduation and early
19 release from school upon the request of a student, and all such
20 students may be claimed as a full-time equivalent student to the extent
21 they could otherwise have been so claimed for the purposes of RCW
22 28A.150.250 and 28A.150.260.

23 (6) Nothing in this section precludes a school district from
24 enriching the instructional program of basic education, such as
25 offering additional instruction or providing additional services,
26 programs, or activities that the school district determines to be
27 appropriate for the education of the school district's students.

28 (7) The state board of education shall adopt rules to implement and
29 ensure compliance with the program requirements imposed by this
30 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental
31 program approval requirements as the state board may establish.

32 **Sec. 5.** RCW 28A.150.260 and 2011 1st sp.s. c 34 s 9 and 2011 1st
33 sp.s. c 27 s 2 are each reenacted and amended to read as follows:

34 The purpose of this section is to provide for the allocation of
35 state funding that the legislature deems necessary to support school
36 districts in offering the minimum instructional program of basic

1 education under RCW 28A.150.220. The allocation shall be determined as
2 follows:

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

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

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

1 schools and to reflect other factors identified in the omnibus
2 appropriations act.

3 (b) The total aggregate statewide allocations calculated under
4 subsections (4) through (12) of this section for full-time equivalent
5 student enrollment in alternative learning experience programs as
6 defined in RCW 28A.150.325 shall be reduced by fifteen percent for the
7 2011-12 and 2012-13 school years. The superintendent of public
8 instruction shall determine how to implement this aggregate fifteen
9 percent reduction among the different alternative learning experience
10 programs. No program may receive less than a ten percent reduction and
11 no program may receive greater than a twenty percent reduction. In
12 determining how to implement the reductions among the alternative
13 learning experience programs, the superintendent of public instruction
14 must look to both how a program is currently operating as well as how
15 it has operated in the past, to the extent that data is available, and
16 must give consideration to the following criteria:

17 (i) The category of program;

18 (ii) The certificated instructional staffing ratio maintained by
19 the program;

20 (iii) The amount and type of direct personal student-to-teacher
21 contact used by the program on a weekly basis;

22 (iv) Whether the program uses any classroom-based instructional
23 time to meet requirements in the written student learning plan for
24 enrolled students; and

25 (v) For online programs, whether the program is approved by the
26 superintendent of public instruction under RCW 28A.250.020.

27 (c) The superintendent of public instruction shall report to the
28 legislature by December 31, 2011, regarding how the reductions in (b)
29 of this subsection were implemented.

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

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

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

37 (iii) A prototypical elementary school has four hundred average

1 annual full-time equivalent students in grades kindergarten through
2 six.

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

	General education average class size
10	
11	
12	
13 Grades K-3	25.23
14 Grade 4	27.00
15 Grades 5-6	27.00
16 Grades 7-8	28.53
17 Grades 9-12	28.74

18 (b) During the 2011-2013 biennium and beginning with schools with
19 the highest percentage of students eligible for free and reduced-price
20 meals in the prior school year, the general education average class
21 size for grades K-3 shall be reduced until the average class size
22 funded under this subsection (4) is no more than 17.0 full-time
23 equivalent students per teacher (~~beginning in the 2017-18 school~~
24 year), which shall be phased-in according to an implementation
25 schedule adopted by the legislature.

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

	Career and technical education average class size
30	
31	
32	
33 Approved career and technical education offered at	
34 the middle school and high school level	26.57
35 Skill center programs meeting the standards established	
36 by the office of the superintendent of public	
37 instruction	22.76

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

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

(ii) A specialty average class size for laboratory science, advanced placement, and international baccalaureate courses.

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

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators	1.253	1.353	1.880
Teacher librarians, a function that includes information literacy, technology, and media to support school library media programs	0.663	0.519	0.523
Health and social services:			
School nurses	0.076	0.060	0.096
Social workers	0.042	0.006	0.015
Psychologists	0.017	0.002	0.007
Guidance counselors, a function that includes parent outreach and graduation advising	0.493	1.116	1.909
Teaching assistance, including any aspect of educational instructional services provided by classified employees	0.936	0.700	0.652
Office support and other noninstructional aides	2.012	2.325	3.269
Custodians	1.657	1.942	2.965
Classified staff providing student and staff safety	0.079	0.092	0.141
Parent involvement coordinators	0.00	0.00	0.00

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

Staff per 1,000
K-12 students

1	Technology	0.628
2	Facilities, maintenance, and grounds	1.813
3	Warehouse, laborers, and mechanics	0.332

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

9 (7) The distribution formula shall include staffing allocations to
10 school districts for career and technical education and skill center
11 administrative and other school-level certificated staff, as specified
12 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 inflation
17 from the 2008-09 school year:

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

26 (b) During the 2011-2013 biennium, the minimum allocation for
27 maintenance, supplies, and operating costs shall be increased as
28 specified in the omnibus appropriations act. The following
29 allocations, adjusted for inflation from the 2007-08 school year, are
30 provided (~~in the 2015-16 school year~~) according to a phased-in
31 implementation schedule adopted by the legislature, after which the
32 allocations shall be adjusted annually for inflation as specified in
33 the omnibus appropriations act:
34

35 Per annual average

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

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

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

16 (b) Laboratory science courses for students in grades nine through
17 twelve;

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

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

22 (10) In addition to the allocations otherwise provided under this
23 section, amounts shall be (~~provided~~) phased-in according to an
24 implementation schedule adopted by the legislature to support the
25 following programs and services:

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

35 (b) To provide supplemental instruction and services for students
36 whose primary language is other than English, allocations shall be
37 based on the head count number of students in each school who are
38 eligible for and enrolled in the transitional bilingual instruction

1 program under RCW 28A.180.010 through 28A.180.080. The minimum
2 allocation for each level of prototypical school shall provide
3 resources to provide, on a statewide average, 4.7780 hours per week in
4 extra instruction with fifteen transitional bilingual instruction
5 program students per teacher. Notwithstanding other provisions of this
6 subsection (10), the actual per-student allocation may be scaled to
7 provide a larger allocation for students needing more intensive
8 intervention and a commensurate reduced allocation for students needing
9 less intensive intervention, as detailed in the omnibus appropriations
10 act.

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

19 (11) The allocations under subsections (4)(a) and (b), (5), (6),
20 and (8) of this section shall be enhanced as provided under RCW
21 28A.150.390 on an excess cost basis to provide supplemental
22 instructional resources for students with disabilities.

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

30 (b) Allocations or enhancements provided under subsections (4),
31 (7), and (9) of this section for exploratory and preparatory career and
32 technical education courses shall be provided only for courses approved
33 by the office of the superintendent of public instruction under chapter
34 28A.700 RCW.

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

1 (b) In the event the legislature rejects the distribution formula
2 recommended by the governor, without adopting a new distribution
3 formula, the distribution formula for the previous school year shall
4 remain in effect.

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

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

20 **Sec. 6.** RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each
21 amended to read as follows:

22 The purpose of this section is to provide for the allocation of
23 state funding that the legislature deems necessary to support school
24 districts in offering the minimum instructional program of basic
25 education under RCW 28A.150.220. The allocation shall be determined as
26 follows:

27 (1) The governor shall and the superintendent of public instruction
28 may recommend to the legislature a formula for the distribution of a
29 basic education instructional allocation for each common school
30 district.

31 (2) The distribution formula under this section shall be for
32 allocation purposes only. Except as may be required under chapter
33 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and
34 regulations, nothing in this section requires school districts to use
35 basic education instructional funds to implement a particular
36 instructional approach or service. Nothing in this section requires
37 school districts to maintain a particular classroom teacher-to-student

1 ratio or other staff-to-student ratio or to use allocated funds to pay
2 for particular types or classifications of staff. Nothing in this
3 section entitles an individual teacher to a particular teacher planning
4 period.

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

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

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

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

34 (iii) A prototypical elementary school has four hundred average
35 annual full-time equivalent students in grades kindergarten through
36 six.

37 (4)(a) The minimum allocation for each level of prototypical school
38 shall be based on the number of full-time equivalent classroom teachers

1 needed to provide instruction over the minimum required annual
2 instructional hours under RCW 28A.150.220 and provide at least one
3 teacher planning period per school day, and based on the following
4 general education average class size of full-time equivalent students
5 per teacher:

	General education average class size
6	
7	
8	
9	Grades K-3 25.23
10	Grade 4 27.00
11	Grades 5-6 27.00
12	Grades 7-8 28.53
13	Grades 9-12 28.74

14 (b) During the 2011-2013 biennium and beginning with schools with
15 the highest percentage of students eligible for free and reduced-price
16 meals in the prior school year, the general education average class
17 size for grades K-3 shall be reduced until the average class size
18 funded under this subsection (4) is no more than 17.0 full-time
19 equivalent students per teacher (~~beginning in the 2017-18 school~~
20 year), which shall be phased-in according to an implementation
21 schedule adopted by the legislature.

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

	Career and technical education average class size
26	
27	
28	
29	Approved career and technical education offered at
30	the middle school and high school level 26.57
31	Skill center programs meeting the standards established
32	by the office of the superintendent of public
33	instruction 22.76

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

36 (i) A high-poverty average class size in schools where more than

1 fifty percent of the students are eligible for free and reduced-price
 2 meals; and

3 (ii) A specialty average class size for laboratory science,
 4 advanced placement, and international baccalaureate courses.

5 (5) The minimum allocation for each level of prototypical school
 6 shall include allocations for the following types of staff in addition
 7 to classroom teachers:
 8
 9

	Elementary	Middle	High
	School	School	School
10 Principals, assistant principals, and other certificated building-level			
11 administrators	1.253	1.353	1.880
12 Teacher librarians, a function that includes information literacy, technology,			
13 and media to support school library media programs	0.663	0.519	0.523
14 Health and social services:			
15 School nurses	0.076	0.060	0.096
16 Social workers	0.042	0.006	0.015
17 Psychologists	0.017	0.002	0.007
18 Guidance counselors, a function that includes parent outreach and graduation			
19 advising	0.493	1.116	1.909
20 Teaching assistance, including any aspect of educational instructional			
21 services provided by classified employees	0.936	0.700	0.652
22 Office support and other noninstructional aides	2.012	2.325	3.269
23 Custodians	1.657	1.942	2.965
24 Classified staff providing student and staff safety	0.079	0.092	0.141
25 Parent involvement coordinators	0.00	0.00	0.00

26
 27
 28 (6)(a) The minimum staffing allocation for each school district to
 29 provide district-wide support services shall be allocated per one
 30 thousand annual average full-time equivalent students in grades K-12 as
 31 follows:

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

1 Warehouse, laborers, and mechanics 0.332

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

7 (7) The distribution formula shall include staffing allocations to
8 school districts for career and technical education and skill center
9 administrative and other school-level certificated staff, as specified
10 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, to be adjusted for inflation
15 from the 2008-09 school year:

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

24 (b) During the 2011-2013 biennium, the minimum allocation for
25 maintenance, supplies, and operating costs shall be increased as
26 specified in the omnibus appropriations act. The following
27 allocations, adjusted for inflation from the 2007-08 school year, are
28 provided (~~in the 2015-16 school year~~) according to a phased-in
29 implementation schedule adopted by the legislature, after which the
30 allocations shall be adjusted annually for inflation as specified in
31 the omnibus appropriations act:

	Per annual average full-time equivalent student in grades K-12
--	--

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 students
13 in grades seven through twelve;

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

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

18 (d) Preparatory career and technical education courses for students
19 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~~) phased-in according to an
22 implementation schedule adopted by the legislature to support the
23 following programs and services:

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

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

1 resources to provide, on a statewide average, 4.7780 hours per week in
2 extra instruction with fifteen transitional bilingual instruction
3 program students per teacher. Notwithstanding other provisions of this
4 subsection (10), the actual per-student allocation may be scaled to
5 provide a larger allocation for students needing more intensive
6 intervention and a commensurate reduced allocation for students needing
7 less intensive intervention, as detailed in the omnibus appropriations
8 act.

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

17 (11) The allocations under subsections (4)(a) and (b), (5), (6),
18 and (8) of this section shall be enhanced as provided under RCW
19 28A.150.390 on an excess cost basis to provide supplemental
20 instructional resources for students with disabilities.

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

28 (b) Allocations or enhancements provided under subsections (4),
29 (7), and (9) of this section for exploratory and preparatory career and
30 technical education courses shall be provided only for courses approved
31 by the office of the superintendent of public instruction under chapter
32 28A.700 RCW.

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

37 (b) In the event the legislature rejects the distribution formula

1 recommended by the governor, without adopting a new distribution
2 formula, the distribution formula for the previous school year shall
3 remain in effect.

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

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

19 **Sec. 7.** RCW 28A.150.315 and 2011 c 340 s 1 are each amended to
20 read as follows:

21 (1) Beginning with the 2007-08 school year, funding for voluntary
22 all-day kindergarten programs shall be phased-in beginning with schools
23 with the highest poverty levels, defined as those schools with the
24 highest percentages of students qualifying for free and reduced-price
25 lunch support in the prior school year. During the 2011-2013 biennium,
26 funding shall continue to be phased-in (~~each year~~) according to an
27 implementation schedule adopted by the legislature until full statewide
28 implementation of all-day kindergarten is achieved in the 2017-18
29 school year. Once a school receives funding for the all-day
30 kindergarten program, that school shall remain eligible for funding in
31 subsequent school years regardless of changes in the school's
32 percentage of students eligible for free and reduced-price lunches as
33 long as other program requirements are fulfilled. Additionally,
34 schools receiving all-day kindergarten program support shall agree to
35 the following conditions:

36 (a) Provide at least a one thousand-hour instructional program;

1 (b) Provide a curriculum that offers a rich, varied set of
2 experiences that assist students in:

3 (i) Developing initial skills in the academic areas of reading,
4 mathematics, and writing;

5 (ii) Developing a variety of communication skills;

6 (iii) Providing experiences in science, social studies, arts,
7 health and physical education, and a world language other than English;

8 (iv) Acquiring large and small motor skills;

9 (v) Acquiring social and emotional skills including successful
10 participation in learning activities as an individual and as part of a
11 group; and

12 (vi) Learning through hands-on experiences;

13 (c) Establish learning environments that are developmentally
14 appropriate and promote creativity;

15 (d) Demonstrate strong connections and communication with early
16 learning community providers; and

17 (e) Participate in kindergarten program readiness activities with
18 early learning providers and parents.

19 (2)(a) In addition to the requirements in subsection (1) of this
20 section and to the extent funds are available, beginning with the 2011-
21 12 school year on a voluntary basis, schools must identify the skills,
22 knowledge, and characteristics of kindergarten students at the
23 beginning of the school year in order to support social-emotional,
24 physical, and cognitive growth and development of individual children;
25 support early learning provider and parent involvement; and inform
26 instruction. Kindergarten teachers shall administer the Washington
27 kindergarten inventory of developing skills, as directed by the
28 superintendent of public instruction in consultation with the
29 department of early learning, and report the results to the
30 superintendent. The superintendent shall share the results with the
31 director of the department of early learning.

32 (b) School districts shall provide an opportunity for parents and
33 guardians to excuse their children from participation in the Washington
34 kindergarten inventory of developing skills.

35 (c) To the extent funds are available, beginning in the 2012-13
36 school year, the Washington kindergarten inventory of developing skills
37 shall be administered at the beginning of the school year to all

1 students enrolled in state-funded full-day kindergarten programs with
2 the exception of students who have been excused from participation by
3 their parents or guardians.

4 (d) Until full implementation of state-funded all-day kindergarten,
5 the superintendent of public instruction, in consultation with the
6 director of the department of early learning, may grant annual,
7 renewable waivers from the requirement of (c) of this subsection to
8 administer the Washington kindergarten inventory of developing skills.
9 A school district seeking a waiver for one or more of its schools must
10 submit an application to the office of the superintendent of public
11 instruction that includes:

12 (i) A description of the kindergarten readiness assessment and
13 transition processes that it proposes to administer instead of the
14 Washington kindergarten inventory of developing skills;

15 (ii) An explanation of why the administration of the Washington
16 kindergarten inventory of developing skills would be unduly burdensome;
17 and

18 (iii) An explanation of how administration of the alternative
19 kindergarten readiness assessment will support social-emotional,
20 physical, and cognitive growth and development of individual children;
21 support early learning provider and parent involvement; and inform
22 instruction.

23 (3) Subject to funds appropriated for this purpose, the
24 superintendent of public instruction shall designate one or more school
25 districts to serve as resources and examples of best practices in
26 designing and operating a high-quality all-day kindergarten program.
27 Designated school districts shall serve as lighthouse programs and
28 provide technical assistance to other school districts in the initial
29 stages of implementing an all-day kindergarten program. Examples of
30 topics addressed by the technical assistance include strategic
31 planning, developing the instructional program and curriculum, working
32 with early learning providers to identify students and communicate with
33 parents, and developing kindergarten program readiness activities.

34 **Sec. 8.** RCW 28A.160.150 and 2009 c 548 s 304 are each amended to
35 read as follows:

36 Funds allocated for transportation costs, except for funds provided
37 for transportation and transportation services to and from school in

1 accordance with an implementation schedule adopted by the legislature,
2 shall be in addition to the basic education allocation. The
3 distribution formula developed in RCW 28A.160.150 through 28A.160.180
4 shall be for allocation purposes only and shall not be construed as
5 mandating specific levels of pupil transportation services by local
6 districts. Operating costs as determined under RCW 28A.160.150 through
7 28A.160.180 shall be funded at one hundred percent or as close thereto
8 as reasonably possible for transportation of an eligible student to and
9 from school as defined in RCW 28A.160.160(3). In addition, funding
10 shall be provided for transportation services for students living
11 within the walk area as determined under RCW 28A.160.160(5).

12 **Sec. 9.** RCW 28A.160.192 and 2011 1st sp.s. c 27 s 3 are each
13 amended to read as follows:

14 (1) The superintendent of public instruction shall phase-in (~~the~~
15 ~~implementation of~~) the distribution formula under this chapter for
16 allocating state funds to school districts for the transportation of
17 students to and from school in accordance with an implementation
18 schedule adopted by the legislature. The phase-in shall begin no later
19 than the 2011-2013 biennium (~~and be fully implemented by the 2013-2015~~
20 ~~biennium~~)).

21 (a) The formula must be developed and revised on an ongoing basis
22 using the major cost factors in student transportation, including basic
23 and special student loads, school district land area, average distance
24 to school, roadway miles, and number of locations served. Factors must
25 include all those site characteristics that are statistically
26 significant after analysis of the data required by the revised
27 reporting process.

28 (b) The formula must allocate funds to school districts based on
29 the average predicted costs of transporting students to and from
30 school, using a regression analysis. Only factors that are
31 statistically significant shall be used in the regression analysis.
32 Employee compensation costs included in the allowable transportation
33 expenditures used for the purpose of establishing each school
34 district's independent variable in the regression analysis shall be
35 limited to the base salary or hourly wage rates, fringe benefit rates,
36 and applicable health care rates provided in the omnibus appropriations
37 act.

1 (2) During the phase-in period, funding provided to school
2 districts for student transportation operations shall be distributed on
3 the following basis:

4 (a) Annually, each school district shall receive the lesser of the
5 previous school year's pupil transportation operations allocation, or
6 the total of allowable pupil transportation expenditures identified on
7 the previous school year's final expenditure report to the state plus
8 district indirect expenses using the federal restricted indirect rate
9 as calculated in the district annual financial report;

10 (b) Annually, the amount identified in (a) of this subsection shall
11 be adjusted for any budgeted increases provided in the omnibus
12 appropriations act for salaries or fringe benefits;

13 (c) Annually, any funds appropriated by the legislature in excess
14 of the maintenance level funding amount for student transportation
15 shall be distributed among school districts on a prorated basis using
16 the difference between the amount identified in (a) adjusted by (b) of
17 this subsection and the amount determined under the formula in RCW
18 28A.160.180; and

19 (d) Allocations provided to recognize the cost of depreciation to
20 districts contracting with private carriers for student transportation
21 shall be deducted from the allowable transportation expenditures in (a)
22 of this subsection.

23 **Sec. 10.** RCW 28A.290.010 and 2011 1st sp.s. c 21 s 54 are each
24 amended to read as follows:

25 (1) The quality education council is created to recommend and
26 inform the ongoing implementation by the legislature of an evolving
27 program of basic education and the financing necessary to support such
28 program. The council shall develop strategic recommendations on the
29 program of basic education for the common schools. The council shall
30 take into consideration the capacity report produced under RCW
31 28A.300.172 and the availability of data and progress of implementing
32 the data systems required under RCW 28A.655.210. Any recommendations
33 for modifications to the program of basic education shall be based on
34 evidence that the programs effectively support student learning. The
35 council shall update the statewide strategic recommendations every four
36 years. The recommendations of the council are intended to:

1 (a) Inform future educational policy and funding decisions of the
2 legislature and governor;

3 (b) Identify measurable goals and priorities for the educational
4 system in Washington state for a ten-year time period, including the
5 goals of basic education and ongoing strategies for coordinating
6 statewide efforts to eliminate the achievement gap and reduce student
7 dropout rates; and

8 (c) Enable the state of Washington to continue to implement an
9 evolving program of basic education.

10 (2) The council may request updates and progress reports from the
11 office of the superintendent of public instruction, the state board of
12 education, the professional educator standards board, and the
13 department of early learning on the work of the agencies as well as
14 educational working groups established by the legislature.

15 (3) The chair of the council shall be selected from the
16 councilmembers. The council shall be composed of the following
17 members:

18 (a) Four members of the house of representatives, with two members
19 representing each of the major caucuses and appointed by the speaker of
20 the house of representatives;

21 (b) Four members of the senate, with two members representing each
22 of the major caucuses and appointed by the president of the senate;

23 (c) One representative each from the office of the governor, office
24 of the superintendent of public instruction, state board of education,
25 professional educator standards board, and department of early
26 learning; and

27 (d) One nonlegislative representative from the educational
28 opportunity gap oversight and accountability committee established
29 under RCW 28A.300.136, to be selected by the members of the committee.

30 (4) The council shall meet no more than four days a year.

31 (5)(a) The council shall submit an initial report to the governor
32 and the legislature by January 1, 2010, detailing its recommendations,
33 including recommendations for resolving issues or decisions requiring
34 legislative action during the 2010 legislative session, and
35 recommendations for any funding necessary to continue development and
36 implementation of chapter 548, Laws of 2009.

37 (b) The initial report shall, at a minimum, include:

1 (i) Consideration of how to establish a statewide beginning teacher
2 mentoring and support system;

3 (ii) Recommendations for a program of early learning for at-risk
4 children;

5 (iii) A recommended schedule for the concurrent phase-in of the
6 changes to the instructional program of basic education and the
7 implementation of the funding formulas and allocations to support the
8 new instructional program of basic education as established under
9 chapter 548, Laws of 2009(~~(. The phase-in schedule shall have full~~
10 ~~implementation completed by September 1, 2018)~~); and

11 (iv) A recommended schedule for phased-in implementation of the new
12 distribution formula for allocating state funds to school districts for
13 the transportation of students to and from school, with phase-in
14 beginning no later than September 1, 2013.

15 (6) The council shall submit a report to the legislature by January
16 1, 2012, detailing its recommendations for a comprehensive plan for a
17 voluntary program of early learning. Before submitting the report, the
18 council shall seek input from the early learning advisory council
19 created in RCW 43.215.090.

20 (7) The council shall submit a report to the governor and the
21 legislature by December 1, 2010, that includes:

22 (a) Recommendations for specific strategies, programs, and funding,
23 including funding allocations through the funding distribution formula
24 in RCW 28A.150.260, that are designed to close the achievement gap and
25 increase the high school graduation rate in Washington public schools.
26 The council shall consult with the educational opportunity gap
27 oversight and accountability committee and the building bridges work
28 group in developing its recommendations; and

29 (b) Recommendations for assuring adequate levels of state-funded
30 classified staff to support essential school and district services.

31 (8) The council shall be staffed by the office of the
32 superintendent of public instruction and the office of financial
33 management. Additional staff support shall be provided by the state
34 entities with representatives on the council. Senate committee
35 services and the house of representatives office of program research
36 may provide additional staff support.

37 (9) Legislative members of the council shall serve without
38 additional compensation but may be reimbursed for travel expenses in

1 accordance with RCW 44.04.120 while attending sessions of the council
2 or on official business authorized by the council. Nonlegislative
3 members of the council may be reimbursed for travel expenses in
4 accordance with RCW 43.03.050 and 43.03.060.

5 NEW SECTION. **Sec. 11.** A new section is added to chapter 28A.305
6 RCW to read as follows:

7 (1) By January 1, 2014, the state board of education shall
8 synthesize the recommendations and reports from the working groups and
9 entities in subsection (2) of this section to develop recommendations
10 for a phase-in schedule for the legislature to fully implement the
11 increases to the instructional program of basic education concurrently
12 with the enhancements to the funding formulas.

13 (2) Recommendations from the following shall be considered in
14 developing the phase-in schedule under this section:

15 (a) The funding formula technical working group;

16 (b) The local funding technical working group;

17 (c) The compensation technical working group;

18 (d) The highly capable program technical working group;

19 (e) The learning assistance program technical working group;

20 (f) The transitional bilingual instruction program technical
21 working group;

22 (g) The state board of education, regarding the opportunity to
23 complete twenty-four credits for high school graduation; and

24 (h) The office of the superintendent of public instruction's
25 capacity report.

26 (3) The state board of education is encouraged to also consider
27 other major policy changes that schools and districts are being
28 required to implement, such as the new common core state standards, the
29 new assessments of the common core, and the new teacher and principal
30 evaluation pilot programs when developing the recommendations.

31 (4) The state board of education shall make a recommendation as to
32 whether Initiative 728 funding should be removed as a separate funding
33 source but the funds included in the basic education allocations.

34 (5) The recommendations must prioritize the phase-in actions for
35 implementation and provide a specific recommended timeline for each of
36 the increases in program or instructional requirements in the new
37 definition of basic education and each funding enhancement established

1 by the legislature in the new funding formula. The board shall work
2 collaboratively with the office of the superintendent of public
3 instruction to determine cost estimates for each step of
4 implementation. The state board shall submit the recommendation for a
5 concurrent phase-in implementation schedule to the legislature by
6 January 2014.

7 **Sec. 12.** RCW 28A.400.201 and 2011 1st sp.s. c 43 s 468 are each
8 amended to read as follows:

9 (1) The legislature recognizes that providing students with the
10 opportunity to access a world-class educational system depends on our
11 continuing ability to provide students with access to world-class
12 educators. The legislature also understands that continuing to attract
13 and retain the highest quality educators will require increased
14 investments. The legislature intends to enhance the current salary
15 allocation model and recognizes that changes to the current model
16 cannot be imposed without great deliberation and input from teachers,
17 administrators, and classified employees. Therefore, it is the intent
18 of the legislature to begin the process of developing an enhanced
19 salary allocation model that is collaboratively designed to ensure the
20 rationality of any conclusions regarding what constitutes adequate
21 compensation.

22 (2) Beginning July 1, 2011, the office of the superintendent of
23 public instruction, in collaboration with the human resources director
24 in the office of financial management, shall convene a technical
25 working group to recommend the details of an enhanced salary allocation
26 model that aligns state expectations for educator development and
27 certification with the compensation system and establishes
28 recommendations for a concurrent implementation schedule. In addition
29 to any other details the technical working group deems necessary, the
30 technical working group shall make recommendations on the following:

31 (a) How to reduce the number of tiers within the existing salary
32 allocation model;

33 (b) How to account for labor market adjustments;

34 (c) How to account for different geographic regions of the state
35 where districts may encounter difficulty recruiting and retaining
36 teachers;

37 (d) The role of and types of bonuses available;

1 (e) Ways to accomplish salary equalization over a set number of
2 years; (~~and~~)

3 (f) Whether Initiative 732 should be removed as a separate funding
4 source but the funds included into the basic education allocations; and

5 (g) Initial fiscal estimates for implementing the recommendations
6 including a recognition that staff on the existing salary allocation
7 model would have the option to grandfather in permanently to the
8 existing schedule.

9 (3) As part of its work, the technical working group shall conduct
10 or contract for a preliminary comparative labor market analysis of
11 salaries and other compensation for school district employees to be
12 conducted and shall include the results in any reports to the
13 legislature. For the purposes of this subsection, "salaries and other
14 compensation" includes average base salaries, average total salaries,
15 average employee basic benefits, and retirement benefits.

16 (4) The analysis required under subsection (1) of this section
17 must:

18 (a) Examine salaries and other compensation for teachers, other
19 certificated instructional staff, principals, and other building-level
20 certificated administrators, and the types of classified employees for
21 whom salaries are allocated;

22 (b) Be calculated at a statewide level that identifies labor
23 markets in Washington through the use of data from the United States
24 bureau of the census and the bureau of labor statistics; and

25 (c) Include a comparison of salaries and other compensation to the
26 appropriate labor market for at least the following subgroups of
27 educators: Beginning teachers and types of educational staff
28 associates.

29 (5) The working group shall include representatives of the office
30 of financial management, the professional educator standards board, the
31 office of the superintendent of public instruction, the Washington
32 education association, the Washington association of school
33 administrators, the association of Washington school principals, the
34 Washington state school directors' association, the public school
35 employees of Washington, and other interested stakeholders with
36 appropriate expertise in compensation related matters. The working
37 group may convene advisory subgroups on specific topics as necessary to

1 assure participation and input from a broad array of diverse
2 stakeholders.

3 (6) The working group shall be monitored and overseen by the
4 legislature and the quality education council created in RCW
5 28A.290.010. The working group shall make an initial report to the
6 legislature by June 30, 2012, and shall include in its report
7 recommendations for whether additional further work of the group is
8 necessary.

9 NEW SECTION. **Sec. 13.** A new section is added to chapter 43.79 RCW
10 to read as follows:

11 (1) The education stabilization account is created in the state
12 treasury. Moneys in the account may be spent only after appropriation
13 and solely for the purpose of implementing the basic education program
14 as established in chapter 548, Laws of 2009. All receipts from
15 subsection (2) of this section shall be deposited into the account.

16 (2) By September 30, 2013, and by September 30th of each odd-
17 numbered year thereafter, at least sixty percent of all general state
18 revenues that exceed the state revenues from the previous fiscal
19 biennium shall be transferred to the account to be used solely for the
20 purpose of implementing the basic education program established in
21 chapter 548, Laws of 2009.

22 (3) For the purposes of this section, "general state revenues"
23 shall be as defined by Article VIII, section 1 of the state
24 Constitution.

25 NEW SECTION. **Sec. 14.** Section 5 of this act expires July 1, 2013.

26 NEW SECTION. **Sec. 15.** Section 6 of this act takes effect July 1,
27 2013.

28 NEW SECTION. **Sec. 16.** Sections 11 and 12 of this act are
29 necessary for the immediate preservation of the public peace, health,
30 or safety, or support of the state government and its existing public
31 institutions, and take effect immediately.

--- END ---