Chapter 28A.150 RCW
GENERAL PROVISIONS

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RCW 28A.150.010 Public schools. Public schools means the common schools as referred to in Article IX of the state Constitution, charter schools established under chapter 28A.710 RCW, and those

schools and institutions of learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense. [2016 c 241 s 131. Prior: 2013 c 2 s 301 (Initiative Measure No. 1240, approved November 6, 2012); 1969 ex.s. c 223 s 28A.01.055; (2004 c 22 s 24, Referendum Measure No. 55 failed to become law). Formerly RCW 28A.01.055.]

Effective date—2016 c 241: See RCW 28A.710.901.

RCW 28A.150.020 Common schools. "Common schools" means schools maintained at public expense in each school district and carrying on a program from kindergarten through the twelfth grade or any part thereof including vocational educational courses otherwise permitted by law. [1969 ex.s. c 223 s 28A.01.060. Prior: 1909 c 97 p 261 s 1, part; RRS s 4680, part; prior: 1897 c 118 s 64, part; 1890 p 371 s 44, part. Formerly RCW 28A.01.060, 28.58.190, part, 28.01.060.]

RCW 28A.150.050 School holidays. (1) All of the state legal holidays set forth in RCW 1.16.050(1) are also school holidays and school may not be taught on these days.

(2) No reduction from a teacher's time or salary may be made by reason of the fact that a school day happens to be one of the days referred to in this section as a day on which school is not taught. [2022 c 198 s 2; 2014 c 177 s 3; 1989 c 233 s 11; 1985 c 189 s 2; 1984 c 92 s 1; 1975-'76 2nd ex.s. c 24 s 2; 1973 c 32 s 1; 1969 ex.s. c 283 s 13. Prior: 1969 ex.s. c 223 s 28A.02.060; prior: 1955 c 20 s 2; 1909 c 97 p 308 s 6; RRS s 4853. Formerly RCW 28A.02.061, 28A.02.060, 28.02.060.]

Finding—Intent—2022 c 198: "In 2021, the state enacted House Bill No. 1016 to declare Juneteenth a state legal holiday. The legislature finds that there is ambiguity about whether Juneteenth is also a school holiday as a result of that act. The legislature intends to clarify that Juneteenth, like all other state legal holidays, is a school holiday on which school may not be taught." [2022 c 198 s 1.]

Effective date—2022 c 198: "This act takes effect July 1, 2022." [2022 c 198 s 3.]

Findings—Intent—2014 c 177: See note following RCW 1.16.050.

Severability—1969 ex.s. c 283: "If any provision of this 1969 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1969 ex.s. c 283 s 59.]

"Legal holidays": RCW 1.16.050.

RCW 28A.150.070 General public school system—Administration. The administration of the public school system shall be entrusted to such state and local officials, boards, and committees as the state Constitution and the laws of the state shall provide. [1969 ex.s. c

223 s 28A.02.020. Prior: 1909 c 97 p 230 s 2; RRS s 4519; prior: 1897 c 118 s 19; 1890 p 348 s 2; Code 1881 ss 3154, 3155; 1861 p 55 s 1. Formerly RCW 28A.02.020, 28.02.020.]

RCW 28A.150.080 Superintendent of the school district. "Superintendent of the school district", if there be no such superintendent, shall mean such other administrative or certificated employee as the school district board of directors shall so designate. [1969 ex.s. c 223 s 28A.01.100. Formerly RCW 28A.01.100.]

RCW 28A.150.100 Basic education certificated instructional staff—Definition—Ratio to students. (1) For the purposes of this section and RCW 28A.150.410 and 28A.400.200, "basic education certificated instructional staff" means all full-time equivalent classroom teachers, teacher-librarians, counselors, certificated student health services staff, and other certificated instructional staff in the following programs as defined for statewide school district accounting purposes: Basic education, secondary vocational education, general instructional support, and general supportive services.

(2) Each school district shall maintain a ratio of at least 46 basic education certificated instructional staff to 1,000 annual average full-time equivalent students. This requirement does not apply to that portion of a district's annual average full-time equivalent enrollment that is enrolled in alternative learning experience courses as defined in RCW 28A.232.010. [2022 c 109 s 6; 2013 2nd sp.s. c 18 s 512; 2011 1st sp.s. c 34 s 10; 2010 c 236 s 13; 1990 c 33 s 103; 1987 1st ex.s. c 2 s 203. Formerly RCW 28A.41.110.]

Effective date—2022 c 109 ss 3, 6, and 7: See note following RCW 28A.150.260.

Intent—2022 c 109: See note following RCW 28A.300.476.

Application—Enforcement of laws protecting health and safety—2013 2nd sp.s. c 18: See note following RCW 28A.600.022.

Effective date—2011 1st sp.s. c 34 ss 9 and 10: See note following RCW 28A.150.260.

Finding—Intent—2011 1st sp.s. c 34: See RCW 28A.232.005.

Effective date—2010 c 236 ss 2, 3, 4, 8, 10, 13, and 14: See note following RCW 28A.150.260.

Intent—Severability—Effective date—1987 1st ex.s. c 2: See notes following RCW 84.52.0531.

RCW 28A.150.198 Finding—Intent—2009 c 548. (1) Public education in Washington state has evolved since the enactment of the Washington basic education act of 1977. Decisions by the courts have played a part in this evolution, as have studies and research about education practices and education funding. The legislature finds ample evidence of a need for continuing to refine the program of basic

education that is funded by the state and delivered by school districts.

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

(3) The legislature recognizes that the first step in revising the definition and funding of basic education is to create a transparent funding system for both allocations and expenditures so that not only policymakers and educators understand how the state supports basic education but also taxpayers. An adequate data system that enables the legislature to make rational, data-driven decisions on which educational programs impact student learning in order to more effectively and efficiently deliver the resources necessary to provide an ample program of basic education is also a necessity. A new prototypical funding system will allow the legislature to better understand how current resources are being used. A more complete and accurate educational data system will allow the legislature to understand whether current basic education programs are supporting student learning. Only with both of these systems in place can the legislature make informed decisions on how to best implement a dynamic and evolving system of basic education.

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

(5) It is the further intent of the legislature to also address additional issues that are of importance to the legislature but are not part of basic education. [2009 c 548 s 1.]

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

RCW 28A.150.1981 Intent—2009 c 548. It is the intent of the legislature that specified policies and allocation formulas adopted under this chapter will constitute the legislature's definition of basic education under Article IX of the state Constitution once fully implemented. The legislature intends, however, to continue to review and revise the formulas and schedules and may make additional revisions, including revisions for technical purposes and consistency in the event of mathematical or other technical errors. [2017 3rd sp.s. c 13 s 413; 2009 c 548 s 2.]

Effective date—2017 3rd sp.s. c 13 ss 401-413: See note following RCW 28A.150.200.

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

RCW 28A.150.200 Program of basic education. (1) The program of basic education established under this chapter is deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution, which states that "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex," and is adopted pursuant to Article IX, section 2 of the state Constitution, which states that "The legislature shall provide for a general and uniform system of public schools."

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

(a) The instructional program of basic education the minimum components of which are described in RCW 28A.150.220;

(b) The program of education provided by chapter 28A.190 RCW for students in residential schools as defined by RCW 28A.190.005 and for juveniles in detention facilities as identified by RCW 28A.190.010;

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

(d) Transportation and transportation services to and from school for eligible students as provided under RCW 28A.160.150 through 28A.160.180; and

(e) Statewide salary allocations necessary to hire and retain qualified staff for the state's statutory program of basic education. [2021 c 164 s 2; 2017 3rd sp.s. c 13 s 401; 2009 c 548 s 101; 1990 c 33 s 104; 1977 ex.s. c 359 s 1. Formerly RCW 28A.58.750.]

Findings—Intent—2021 c 164: See note following RCW 28A.190.005.

Effective date—2017 3rd sp.s. c 13 ss 401-413: "Sections 401 through 413 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect September 1, 2017." [2017 3rd sp.s. c 13 s 414.]

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

Effective date—2009 c 548 ss 101-110 and 701-710: "Sections 101 through 110 and 701 through 710 of this act take effect September 1, 2011." [2009 c 548 s 804.]

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Effective date—1977 ex.s. c 359: "This 1977 amendatory act shall take effect September 1, 1978." [1977 ex.s. c 359 s 22.]

Severability—1977 ex.s. c 359: "If any provision of this 1977 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1977 ex.s. c 359 s 21.]

RCW 28A.150.203 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Basic education goal" means the student learning goals and the student knowledge and skills described under RCW 28A.150.210.

(2) "Certificated administrative staff" means all those persons who are chief executive officers, chief administrative officers, confidential employees, supervisors, principals, or assistant principals within the meaning of RCW 41.59.020(4).

(3) "Certificated employee" as used in this chapter and RCW 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250, 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those persons who hold certificates as authorized by rule of the Washington professional educator standards board.

(4) "Certificated instructional staff" means those persons employed by a school district who are nonsupervisory certificated employees within the meaning of RCW 41.59.020(8), except for paraeducators.

(5) "Class size" means an instructional grouping of students where, on average, the ratio of students to teacher is the number specified.

(6) "Classified employee" means a person who is employed as a paraeducator and a person who does not hold a professional education certificate or is employed in a position that does not require such a certificate.

(7) "Classroom teacher" means a person who holds a professional education certificate and is employed in a position for which such certificate is required whose primary duty is the daily educational instruction of students. In exceptional cases, people of unusual competence but without certification may teach students so long as a certificated person exercises general supervision, but the hiring of such classified employees shall not occur during a labor dispute, and such classified employees shall not be hired to replace certificated employees during a labor dispute.

(8) "Instructional program of basic education" means the minimum program required to be provided by school districts and includes instructional hour requirements and other components under RCW 28A.150.220.

(9) "Program of basic education" means the overall program under RCW 28A.150.200 and deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution.

(10) "School day" means each day of the school year on which pupils enrolled in the common schools of a school district are engaged in academic and career and technical instruction planned by and under the direction of the school.

(11) "School year" includes the minimum number of school days required under RCW 28A.150.220 and begins on the first day of September and ends with the last day of August, except that any school district may elect to commence the annual school term in the month of August of any calendar year and in such case the operation of a school district for such period in August shall be credited by the superintendent of public instruction to the succeeding school year for the purpose of the allocation and distribution of state funds for the support of such school district.

(12) "Teacher planning period" means a period of a school day as determined by the administration and board of directors of the district that may be used by teachers for instruction-related activities including but not limited to preparing instructional materials; reviewing student performance; recording student data; consulting with other teachers, instructional assistants, mentors, instructional coaches, administrators, and parents; or participating in professional development. [2017 c 237 s 15; 2009 c 548 s 102.]

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

RCW 28A.150.205 Instructional hours. Unless the context clearly requires otherwise, the definition in this section applies throughout RCW 28A.150.200 through 28A.150.295.

(1) "Instructional hours" means those hours students are provided the opportunity to engage in educational activity planned by and under the direction of school district staff, as directed by the administration and board of directors of the district, inclusive of intermissions for class changes, recess, and teacher/parent-guardian

conferences that are planned and scheduled by the district for the purpose of discussing students' educational needs or progress, and exclusive of time actually spent for meals.

(2)(a) If students are provided the opportunity to engage in educational activity that is part of the regular instructional program concurrently with the consumption of breakfast, the period of time designated for student participation in breakfast after the bell, as defined in RCW 28A.235.200, must be considered instructional hours.

(b) Breakfast after the bell programs, as defined in RCW 28A.235.200, including the provision of breakfast, are not considered part of the definition or funding of the program of basic education under Article IX of the state Constitution. [2018 c 8 s 5; 1992 c 141 s 502.]

Findings—Intent—Short title—2018 c 8: See notes following RCW 28A.235.210.

Contingent effective date—1992 c 141 ss 502-504, 506, and 507: "Sections 502 through 504, 506, and 507 of this act shall take effect September 1, 2000. However, these sections shall not take effect if, by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1993 c 336 s 1202; 1992 c 141 s 509.] That law was not enacted by September 1, 2000.

Findings—Part headings—Severability—1992 c 141: See notes following RCW 28A.410.040.

RCW 28A.150.210 Basic education—Goals of school districts. A basic education is an evolving program of instruction that is intended to provide students with the opportunity to become responsible and respectful global citizens, to contribute to their economic well-being and that of their families and communities, to explore and understand different perspectives, and to enjoy productive and satisfying lives. Additionally, the state of Washington intends to provide for a public school system that is able to evolve and adapt in order to better focus on strengthening the educational achievement of all students, which includes high expectations for all students and gives all students the opportunity to achieve personal and academic success. To these ends, the goals of each school district, with the involvement of parents and community members, shall be to provide opportunities for every student to develop the knowledge and skills essential to:

(1) Read with comprehension, write effectively, and communicate successfully in a variety of ways and settings and with a variety of audiences;

(2) Know and apply the core concepts and principles of mathematics; social, physical, and life sciences; civics and history, including different cultures and participation in representative government; geography; arts; and health and fitness;

(3) Think analytically, logically, and creatively, and to integrate technology literacy and fluency as well as different experiences and knowledge to form reasoned judgments and solve problems; and

(4) Understand the importance of work and finance and how performance, effort, and decisions directly affect future career and

educational opportunities. [2011 c 280 s 2; 2009 c 548 s 103; 2007 c 400 s 1; 1993 c 336 s 101; (1992 c 141 s 501 repealed by 1993 c 336 s 1203); 1977 ex.s. c 359 s 2. Formerly RCW 28A.58.752.]

Finding—2011 c 280: "The legislature finds that technology can be effectively integrated into other K-12 core subjects that students are expected to know and be able to do. Integration of knowledge and skills in technology literacy and fluency into other subjects will engage and motivate students to explore high-demand careers, such as engineering, mathematics, computer science, communication, art, entrepreneurship, and others; fields in which skilled individuals will create the new ideas, new products, and new industries of the future; and fields that demand the collaborative information skills and technological fluency of digital citizenship." [2011 c 280 s 1.]

Effective date—2011 c 280: "This act takes effect September 1, 2011." [2011 c 280 s 3.]

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Captions not law—2007 c 400: "Captions used in this act are not any part of the law." [2007 c 400 s 9.]

Findings—Intent—1993 c 336: "The legislature finds that student achievement in Washington must be improved to keep pace with societal changes, changes in the workplace, and an increasingly competitive international economy.

To increase student achievement, the legislature finds that the state of Washington needs to develop a public school system that focuses more on the educational performance of students, that includes high expectations for all students, and that provides more flexibility for school boards and educators in how instruction is provided.

The legislature further finds that improving student achievement will require:

(1) Establishing what is expected of students, with standards set at internationally competitive levels;

(2) Parents to be primary partners in the education of their children, and to play a significantly greater role in local school decision making;

(3) Students taking more responsibility for their education;

(4) Time and resources for educators to collaboratively develop and implement strategies for improved student learning;

(5) Making instructional programs more relevant to students' future plans;

(6) All parties responsible for education to focus more on what is best for students; and

(7) An educational environment that fosters mutually respectful interactions in an atmosphere of collaboration and cooperation.

It is the intent of the legislature to provide students the opportunity to achieve at significantly higher levels, and to provide alternative or additional instructional opportunities to help students who are having difficulty meeting the essential academic learning requirements in RCW 28A.630.885.

It is also the intent of the legislature that students who have met or exceeded the essential academic learning requirements be provided with alternative or additional instructional opportunities to help advance their educational experience.

The provisions of chapter 336, Laws of 1993 shall not be construed to change current state requirements for students who receive home-based instruction under chapter 28A.200 RCW, or for students who attend state-approved private schools under chapter 28A.195 RCW." [1993 c 336 s 1.]

Effective date—1993 c 336 s 101: "Section 101 of this act shall take effect September 1, 1994." [1993 c 336 s 102.]

Findings—1993 c 336: "(1) The legislature finds that preparing students to make successful transitions from school to work helps promote educational, career, and personal success for all students.

(2) A successful school experience should prepare students to make informed career direction decisions at critical points in their educational progress. Schools that demonstrate the relevancy and practical application of coursework will expose students to a broad range of interrelated career and educational opportunities and will expand students' posthigh school options.

(3) The school-to-work transitions program, under chapter 335, Laws of 1993, is intended to help secondary schools develop model programs for school-to-work transitions. The purposes of the model programs are to provide incentives for selected schools to:

(a) Integrate vocational and academic instruction into a single curriculum;

(b) Provide each student with a choice of multiple, flexible educational pathways based on the student's career interest areas;

(c) Emphasize increased vocational and academic guidance and counseling for students;

(d) Foster partnerships with local employers and employees to incorporate work sites as part of work-based learning experiences;

(e) Encourage collaboration among middle or junior high schools and secondary schools in developing successful transition programs and to encourage articulation agreements between secondary schools and community and technical colleges.

(4) The legislature further finds that successful implementation of the school-to-work transitions program is an important part of achieving the purposes of chapter 336, Laws of 1993." [1993 c 336 s 601.]

Part headings not law—1993 c 336: "Part headings as used in this act constitute no part of the law." [1993 c 336 s 1204.]

Findings—Part headings—Severability—1992 c 141: See notes following RCW 28A.410.040.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

RCW 28A.150.211 Values and traits recognized. The legislature also recognizes that certain basic values and character traits are essential to individual liberty, fulfillment, and happiness. However, these values and traits are not intended to be assessed or be standards for graduation. The legislature intends that local communities have the responsibility for determining how these values and character traits are learned as determined by consensus at the local level. These values and traits include the importance of:

(1) Honesty, integrity, and trust;
(2) Respect for self and others;
(3) Responsibility for personal actions and commitments;
(4) Self-discipline and moderation;
(5) Diligence and a positive work ethic;
(6) Respect for law and authority;
(7) Healthy and positive behavior; and
(8) Family as the basis of society. [1994 c 245 s 10.]

Effective date—1994 c 245 s 10: "Section 10 of this act shall take effect September 1, 1994." [1994 c 245 s 15.]

RCW 28A.150.220 Basic education—Minimum instructional requirements—Program accessibility—Rules. (1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

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

(a) For students enrolled in grades one through 12, at least a district-wide annual average of 1,000 hours, which shall be increased beginning in the 2015-16 school year to at least 1,080 instructional hours for students enrolled in grades nine through 12 and at least 1,000 instructional hours for students in grades one through eight, all of which may be calculated by a school district using a district-wide annual average of instructional hours over grades one through 12; and

(b) For students enrolled in kindergarten, at least 450 instructional hours, which shall be increased to at least 1,000 instructional hours according to the implementation schedule under RCW 28A.150.315.

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

(a) Instruction in the state learning standards under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete 24 credits for high school graduation. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the state learning standards include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for students who are not meeting academic standards through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

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

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

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

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

(5)(a) Each school district's kindergarten through 12th grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than 21 years of age, and shall remain accessible to students with disabilities as defined in RCW 28A.155.020 from age 21 until the end of the school year in which those students turn 22 years of age. The program of basic education shall consist of a minimum of 180 school days per school year in such grades as are conducted by a school district, and 180 half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of 180 school days per school year according to the implementation schedule under RCW 28A.150.315.

(b) Schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as required in the parent involvement component of the inventory.

(c) In the case of students who are graduating from high school, a school district may schedule the last five school days of the 180-day school year for noninstructional purposes including, but not limited to, the observance of graduation and early release from school upon the request of a student. All such students may be claimed as a full-time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260. Any hours scheduled by a school district for noninstructional purposes during the last five school days for such students shall count toward the instructional hours requirement in subsection (2)(a) of this section.

(6) Subject to RCW 28A.150.276, nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish. [2025 c 256 s 4; 2024 c 66 s 10; 2017 3rd sp.s. c 13 s 506; 2014 c 217 s 201; 2013 2nd sp.s. c 9 s 2; 2013 c 323 s 2; 2011 1st sp.s. c 27 s 1; 2009 c 548 s 104; 1993 c 371 s 2; (1995 c 77 s 1 and 1993 c 371 s 1 expired September 1, 2000); 1992 c 141 s 503; 1990

c 33 s 105; 1982 c 158 s 1; 1979 ex.s. c 250 s 1; 1977 ex.s. c 359 s 3. Formerly RCW 28A.58.754.]

Findings—Intent—2025 c 256: See note following RCW 28A.155.020.

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

Finding—Intent—2014 c 217: "The legislature recognizes that preparing students to be successful in postsecondary education, gainful employment, and citizenship requires increased rigor and achievement, including attaining a meaningful high school diploma with the opportunity to earn twenty-four credits. The legislature finds that an investment was made in the 2013-2015 omnibus appropriations act to implement an increase in instructional hours in the 2014-15 school year. School districts informed the legislature that the funding as provided in the 2013-2015 omnibus appropriations act would result in only a few minutes being added onto each class period and would not result in a meaningful increase in instruction that would have the positive impact on student learning that the legislature expects. The school districts suggested that it would be a better educational policy to use the funds to implement the requirement of twenty-four credits for high school graduation, which will result in a meaningful increase of instructional hours. Based on input from school districts across the state, the legislature recognizes the need to provide flexibility for school districts to implement the increase in instructional hours while still moving towards an increase in the high school graduation requirements. Therefore, the legislature intends to shift the focus and intent of the investments from compliance with the minimum instructional hours offering to assisting school districts to provide an opportunity for students to earn twenty-four credits for high school graduation and obtain a meaningful diploma, beginning with the graduating class of 2019, with the opportunity for school districts to request a waiver for up to two years." [2014 c 217 s 1.]

Intent—2013 2nd sp.s. c 9: "The legislature intends to fund a plan to carry out the reforms enacted in chapter 548, Laws of 2009, and chapter 236, Laws of 2010, and to make the statutory changes necessary to support this plan." [2013 2nd sp.s. c 9 s 1.]

Effective dates—2013 2nd sp.s. c 9: "(1) Sections 2 through 4 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect September 1, 2013.

(2) Section 7 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2013.

(3) Sections 5, 6, and 8 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately [June 30, 2013]." [2013 2nd sp.s. c 9 s 9.]

Effective date—2011 1st sp.s. c 27 ss 1-3: "Sections 1 through 3 of this act take effect September 1, 2011." [2011 1st sp.s. c 27 s 8.]

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Contingent expiration date—1995 c 77 s 1: "Section 1 of this act shall expire September 1, 2000. However, section 1 of this act shall not expire if, by September 1, 2000, a law is not enacted stating that a school accountability and academic assessment system is not in place." [1995 c 77 s 32.] That law was not enacted by September 1, 2000.

Contingent effective date—1993 c 371 s 2: "Section 2 of this act shall take effect September 1, 2000. However, section 2 of this act shall not take effect if, by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1993 c 371 s 5.] That law was not enacted by September 1, 2000.

Contingent effective date—1992 c 141 ss 502-504, 506, and 507: See note following RCW 28A.150.205.

Findings—Part headings—Severability—1992 c 141: See notes following RCW 28A.410.040.

Severability—1982 c 158: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 c 158 s 8.]

Effective date—1979 ex.s. c 250: "This amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and except as otherwise provided in subsection (5) of section 1, and section 2 of this amendatory act, shall take effect August 15, 1979." [1979 ex.s. c 250 s 10.]

Severability—1979 ex.s. c 250: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1979 ex.s. c 250 s 11.]

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

RCW 28A.150.222 School days per year waiver. (1) In addition to waivers authorized under RCW 28A.300.750, the superintendent of public

instruction, in accordance with the criteria in subsection (2) of this section and criteria adopted by the state board of education under subsection (3) of this section, may grant waivers of the requirement for a 180-day school year under RCW 28A.150.220 to school districts that propose to operate one or more schools on a flexible calendar for purposes of economy and efficiency as provided in this section. The requirement under RCW 28A.150.220 that school districts offer minimum instructional hours may not be waived.

(2) A school district seeking a waiver under this section must submit an application to the superintendent of public instruction that includes:

(a) A proposed calendar for the school day and school year that demonstrates how the instructional hour requirement will be maintained;

(b) An explanation and estimate of the economies and efficiencies to be gained from compressing the instructional hours into fewer than 180 days;

(c) An explanation of how monetary savings from the proposal will be redirected to support student learning;

(d) A summary of comments received at one or more public hearings on the proposal and how concerns will be addressed;

(e) An explanation of the impact on students who rely upon free and reduced-price school child nutrition services and the impact on the ability of the child nutrition program to operate an economically independent program;

(f) An explanation of the impact on employees in education support positions, including expected position and work hour reductions, reductions in force, and the loss of work benefits or eligibility for work benefits, and the ability to recruit and retain employees in education support positions;

(g) An explanation of the impact on students whose parents work during the missed school day; and

(h) Other information that the superintendent of public instruction may request to assure that the proposed flexible calendar will not adversely affect student learning.

(3) The state board of education shall adopt rules establishing the criteria to evaluate waiver requests under this section. A waiver may be effective for up to three years and may be renewed for subsequent periods of three or fewer years. After each school year in which a waiver has been granted under this section, the superintendent of public instruction must analyze empirical evidence to determine whether the reduction is affecting student learning. If the superintendent of public instruction determines that student learning is adversely affected, the school district must discontinue the flexible calendar as soon as possible but not later than the beginning of the next school year after the superintendent of public instruction's determination.

(4) The superintendent of public instruction may grant waivers authorized under this section to 30 or fewer school districts with student populations of less than 1,000 students. [2024 c 238 s 1; 2019 c 274 s 1; 2018 c 177 s 503.]

Effective date—2019 c 274: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 7, 2019]." [2019 c 274 s 2.]

Effective dates—2018 c 177 ss 201, 202, 501-504, 507, and 701: "(1) Sections 201, 202, 501, 503, 504, and 701 of this act take effect January 1, 2019.

(2) Sections 502 and 507 of this act take effect June 30, 2019." [2018 c 177 s 705.]

Finding—Intent—2018 c 177: See note following RCW 28A.305.905.

RCW 28A.150.230 District school directors' responsibilities. (1) It is the intent and purpose of this section to guarantee that each common school district board of directors, whether or not acting through its respective administrative staff, be held accountable for the proper operation of their district to the local community and its electorate. In accordance with the provisions of this title, as now or hereafter amended, each common school district board of directors shall be vested with the final responsibility for the setting of policies ensuring quality in the content and extent of its educational program and that such program provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning.

(2) In conformance with the provisions of this title, as now or hereafter amended, it shall be the responsibility of each common school district board of directors to adopt policies to:

(a) Establish performance criteria and an evaluation process for its superintendent, classified staff, certificated personnel, including administrative staff, and for all programs constituting a part of such district's curriculum. Each district shall report annually to the superintendent of public instruction the following for each employee group listed in this subsection (2)(a): (i) Evaluation criteria and rubrics; (ii) a description of each rating; and (iii) the number of staff in each rating;

(b) Determine the final assignment of staff, certificated or classified, according to board enumerated classroom and program needs and data, based upon a plan to ensure that the assignment policy: (i) Supports the learning needs of all the students in the district; and (ii) gives specific attention to high-need schools and classrooms;

(c) Provide information to the local community and its electorate describing the school district's policies concerning hiring, assigning, terminating, and evaluating staff, including the criteria for evaluating teachers and principals;

(d) Determine the amount of instructional hours necessary for any student to acquire a quality education in such district, in not less than an amount otherwise required in RCW 28A.150.220, or rules of the state board of education;

(e) Determine the allocation of staff time, whether certificated or classified;

(f) Establish final curriculum standards consistent with law and rules of the superintendent of public instruction, relevant to the particular needs of district students or the unusual characteristics of the district, and ensuring a quality education for each student in the district; and

(g) Evaluate teaching materials, including text books, teaching aids, handouts, or other printed material, upon complaint by parents, guardians[,] or custodians of students who consider dissemination of such material to students objectionable in accordance with RCW

28A.320.235 and 28A.320.230. [2024 c 316 s 4; 2010 c 235 s 201; 2006 c 263 s 201; 1994 c 245 s 9; 1991 c 61 s 1; 1990 c 33 s 106; 1979 ex.s. c 250 s 7; 1977 ex.s. c 359 s 18. Formerly RCW 28A.58.758.]

Finding—2010 c 235: See note following RCW 28A.405.245.

Findings—Purpose—2006 c 263: "In 2005, the legislature reconstituted the state board of education to refocus its purpose; abolished the academic achievement and accountability commission; and assigned policy and rule-making authority for educator preparation and certification to the professional educator standards board. The purpose of this act is to address the remaining statutory responsibilities of the state board of education held before 2005. The legislature finds that some duties should be retained with the reconstituted board; many duties should be transferred to other agencies or organizations, primarily but not exclusively to the superintendent of public instruction; and some duties should be repealed. This act also corrects statutes to implement fully the transfer of responsibilities authorized in 2005." [2006 c 263 s 1.]

Part headings not law—2006 c 263: "Part headings used in this act are not any part of the law." [2006 c 263 s 1001.]

Effective date—Severability—1979 ex.s. c 250: See notes following RCW 28A.150.220.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

RCW 28A.150.240 Certificated teaching and administrative staff as accountable for classroom teaching—Scope—Responsibilities—Penalty. (1) It is the intended purpose of this section to guarantee that the certificated teaching and administrative staff in each common school district be held accountable for the proper and efficient conduct of classroom teaching in their school which will provide students with the opportunity to achieve those skills which are generally recognized as requisite to learning.

(2) In conformance with the other provisions of Title 28A RCW, it shall be the responsibility of the certificated teaching and administrative staff in each common school to:

(a) Implement the district's prescribed curriculum and enforce, within their area of responsibility, the rules and regulations of the school district, the state superintendent of public instruction, and the state board of education, taking into due consideration individual differences among students, and maintain and render appropriate records and reports pertaining thereto.

(b) Maintain good order and discipline in their classrooms at all times.

(c) Hold students to a strict accountability while in school for any disorderly conduct while under their supervision.

(d) Require excuses from the parents, guardians, or custodians of minor students in all cases of absence, late arrival to school, or early dismissal.

(e) Give careful attention to the maintenance of a healthful atmosphere in the classroom.

(f) Give careful attention to the safety of the student in the classroom and report any doubtful or unsafe conditions to the building administrator.

(g) Evaluate each student's educational growth and development and make periodic reports thereon to parents, guardians, or custodians and to school administrators.

Failure to carry out such requirements as set forth in subsection (2)(a) through (g) above shall constitute sufficient cause for discharge of any member of such teaching or administrative staff. [1979 ex.s. c 250 s 5; 1977 ex.s. c 359 s 19. Formerly RCW 28A.58.760.]

Effective date—Severability—1979 ex.s. c 250: See notes following RCW 28A.150.220.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

RCW 28A.150.250 Annual basic education allocation—Full funding—Withholding of funds for noncompliance. (1) From those funds made available by the legislature for the current use of the common schools, the superintendent of public instruction shall distribute annually as provided in RCW 28A.510.250 to each school district of the state operating a basic education instructional program approved by the state board of education an amount based on the formulas provided in RCW 28A.150.260, 28A.150.390, and 28A.150.392 which, when combined with an appropriate portion of such locally available revenues, other than receipts from federal forest revenues distributed to school districts pursuant to RCW 28A.520.010 and 28A.520.020, as the superintendent of public instruction may deem appropriate for consideration in computing state equalization support, excluding excess property tax levies, will constitute a basic education allocation in dollars for each annual average full-time equivalent student enrolled.

(2) The instructional program of basic education shall be considered to be fully funded by those amounts of dollars appropriated by the legislature pursuant to RCW 28A.150.260, 28A.150.390, and 28A.150.392 to fund those program requirements identified in RCW 28A.150.220 in accordance with the formula provided in RCW 28A.150.260 and those amounts of dollars appropriated by the legislature to fund the salary requirements of RCW 28A.150.410.

(3)(a) If a school district's basic education program fails to meet the basic education requirements enumerated in RCW 28A.150.260 and 28A.150.220, the state board of education may recommend to the superintendent of public instruction that the superintendent withhold state funds in whole or in part for the basic education allocation until program compliance is assured. However, the state board of education may waive this requirement in the event of substantial lack of classroom space.

(b) If the state board of education recommends the withholding of a school district's basic education allocation under this subsection, the superintendent of public instruction may withhold the allocation of state funds in whole or in part for support of the school district. Written notice of the intent to withhold state funds, with reasons stated for this action, shall be made to the school district by the

office of the superintendent of public instruction before any portion of the state allocation is withheld. [2018 c 177 s 601; 2009 c 548 s 105; 1990 c 33 s 107; 1987 1st ex.s. c 2 s 201; 1986 c 144 s 1; 1983 c 3 s 30; 1982 c 158 s 3; 1982 c 158 s 2; 1980 c 154 s 12; 1979 ex.s. c 250 s 2; 1977 ex.s. c 359 s 4; 1975 1st ex.s. c 211 s 1; 1973 2nd ex.s. c 4 s 1; 1973 1st ex.s. c 195 s 9; 1973 c 46 s 2. See also 1973 1st ex.s. c 195 ss 136, 137, 138 and 139. Prior: 1972 ex.s. c 124 s 1; 1972 ex.s. c 105 s 2; 1971 ex.s. c 294 s 19; 1969 c 138 s 2; 1969 ex.s. c 223 s 28A.41.130; prior: 1967 ex.s. c 140 s 3; 1965 ex.s. c 171 s 1; 1965 ex.s. c 154 s 2; prior: (i) 1949 c 212 s 1, part; 1945 c 141 s 4, part; 1923 c 96 s 1, part; 1911 c 118 s 1, part; 1909 c 97 p 312 ss 7-10, part; Rem. Supp. 1949 s 4940-4, part. (ii) 1949 c 212 s 2, part; 1945 c 141 s 5, part; 1909 c 97 p 312 ss 7-10, part; Rem. Supp. 1949 s 4940-5, part. Formerly RCW 28A.41.130, 28.41.130.]

Finding—Intent—2018 c 177: See note following RCW 28A.305.905.

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Intent—Severability—Effective date—1987 1st ex.s. c 2: See notes following RCW 84.52.0531.

Effective date—1986 c 144: "Section 1 of this act shall be effective September 1, 1987." [1986 c 144 s 2.]

Severability—1982 c 158: See note following RCW 28A.150.220.

Purpose—Effective dates—Savings—Disposition of certain funds—Severability—1980 c 154: See notes following chapter 82.45 RCW digest.

Effective date—Severability—1979 ex.s. c 250: See notes following RCW 28A.150.220.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

Emergency—Effective date—1973 2nd ex.s. c 4: See notes following RCW 84.52.043.

Severability—Effective dates and termination dates—Construction—1973 1st ex.s. c 195: See notes following RCW 84.52.043.

Effective date—1972 ex.s. c 124: "This 1972 amendatory act is necessary for the immediate preservation of the public peace, health and safety and the support of the state government and its existing public institutions, and sections 2, 3, 4, 6, 7 and 11 shall take effect immediately [February 25, 1972]; sections 1, 8, 9 and 10 hereof

shall take effect July 1, 1973; and section 5 hereof shall take effect July 1, 1974." [1972 ex.s. c 124 s 12.]

Severability—1972 ex.s. c 124: "If any provision of this 1972 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1972 ex.s. c 124 s 13.]

Effective date—1972 ex.s. c 105: "This act except for section 4 will take effect July 1, 1973." [1972 ex.s. c 105 s 5.]

Severability—1972 ex.s. c 105: "If any provision of this 1972 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1972 ex.s. c 105 s 6.]

Distribution of forest reserve funds—As affects basic education allocation: RCW 28A.520.020.

Program of basic education, RCW 28A.150.250 as part of: RCW 28A.150.200.

RCW 28A.150.260 Allocation of state funding to support instructional program of basic education—Distribution formula—Per-pupil allocations reporting by the superintendent of public instruction and in legislative budget documents—Prototypical schools—Enhancements and adjustments—Review and approval—Enrollment calculation. The purpose of this section is to provide for the allocation of state funding that the legislature deems necessary to support school districts in offering the minimum instructional program of basic education under RCW 28A.150.220. The allocation shall be determined as follows:

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

(2)(a) The distribution formula under this section shall be for allocation purposes only. Except as may be required under subsections (4)(b) and (c), (5)(b) and (c), (8), and (9) of this section, chapter 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations, nothing in this section requires school districts to use basic education instructional funds to implement a particular instructional approach or service. Nothing in this section requires school districts to maintain a particular classroom teacher-to-student ratio or other staff-to-student ratio or to use allocated funds to pay for particular types or classifications of staff. Nothing in this section entitles an individual teacher to a particular teacher planning period.

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

superintendent must report this information in a user-friendly format on the main page of the office's website. School districts must include a link to the superintendent's per-pupil allocations report on the main page of the school district's website. In addition, the budget documents published by the legislature for the enacted omnibus operating appropriations act must report statewide average per-pupil allocations for general apportionment and the categorical programs listed in this subsection.

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

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

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

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

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

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

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

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through 12 per full-time equivalent high school student multiplied by

a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

	Laboratory science average class size
Grades 9-12	19.98

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

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

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

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction	19.00

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

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

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

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

(5)(a) 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
Paraeducators, including any aspect of educational instructional services provided by classified employees	1.012	0.776	0.728
Office support and other noninstructional aides	2.088	2.401	3.345
Custodians	1.657	1.942	2.965
Nurses	0.585	0.888	0.824
Social workers	0.311	0.088	0.127
Psychologists	0.104	0.024	0.049
Counselors	0.993	1.716	3.039
Classified staff providing student and staff safety	0.079	0.092	0.141

	Elementary School	Middle School	High School
Parent involvement coordinators.	0.0825	0.00	0.00

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

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

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

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

(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
Technology.	0.628
Facilities, maintenance, and grounds.	1.813
Warehouse, laborers, and mechanics.	0.332

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

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

(8)(a) Except as provided in (b) of this subsection, the minimum allocation for each school district shall be $1,614.28 per full-time equivalent student for materials, supplies, and operating costs to be adjusted annually for inflation beginning in the 2026-27 school year. For purposes of this subsection, "inflation" means the implicit price deflator for the previous calendar year as of the beginning of the school year, using the official current base, compiled by the bureau of economic analysis, United States department of commerce.

(b) In addition to the amount provided in (a) of this subsection, each school district shall receive a minimum allocation of $214.84 for each full-time equivalent student in grades nine through 12 for materials, supplies, and operating costs, to be adjusted annually for inflation beginning in the 2026-27 school year. For purposes of this subsection, "inflation" means the implicit price deflator for the previous calendar year as of the beginning of the school year, using the official current base, compiled by the bureau of economic analysis, United States department of commerce.

(c) The increased allocation amounts of $35.27 per full-time equivalent student provided under (a) of this subsection and $4.69 per full-time equivalent student in grades nine through 12 provided under (b) of this subsection are intended to address growing materials, supplies, and operating costs and may not be expended for any other purpose.

(d)(i) Beginning in the 2026-27 school year, each school district shall annually report all expenditures for materials, supplies, and operating costs including, but not limited to, expenditures in the following disaggregated categories, to the office of the superintendent of public instruction:

(A) Technology, including further disaggregation within this category for technology devices, technology support staff, software licensing, and technology or software maintenance and repair;

(B) Election fees associated with school district board of directors elections;

(C) Utilities;

(D) Insurance;

(E) Curriculum and textbooks not included under the technology category;

(F) Library materials not included under the technology category;

(G) Other supplies not included under other categories;

(H) Nontechnology-related contracted instructional professional development for certificated and classified staff;

(I) Facilities maintenance materials, supplies, and operating costs not funded by transfers from other funds;

(J) Security and central office administration;

(K) Dues and fees; and

(L) Property and equipment not funded by transfers from other funds.

(ii) The office of the superintendent of public instruction shall report additional categories as determined necessary to meet other state and federal reporting requirements.

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

(a) Exploratory career and technical education courses for students in grades seven through 12;

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

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

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

(a)(i) To provide supplemental instruction and services for students who are not meeting academic standards through the learning

assistance program under RCW 28A.165.005 through 28A.165.065, allocations shall be based on the greater of either: The district percentage of students in kindergarten through grade 12 who were eligible for free or reduced-price meals for the school year immediately preceding the district's participation, in whole or part, in the United States department of agriculture's community eligibility provision, or the district percentage of students in grades K-12 who were eligible for free or reduced-price meals in the prior school year. The minimum allocation for the program shall, except as provided in (a)(iii) of this subsection, provide for each level of prototypical school resources to provide, on a statewide average, 2.3975 hours per week in extra instruction with a class size of 15 learning assistance program students per teacher.

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

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

(iv) For the 2024-25 and 2025-26 school years, a school providing meals at no charge to students under RCW 28A.235.135 that is not participating in the department of agriculture's community eligibility provision continues to meet the definition of a qualifying school under (a)(ii) of this subsection if the school met the definition during one year of the 2019-20 through 2022-23 school years, or in the prior school year.

(b)(i) To provide supplemental instruction and services for students whose primary language is other than English, allocations shall be based on the head count number of students in each school who are eligible for and enrolled in the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080. The minimum allocation for each level of prototypical school shall provide resources to provide, on a statewide average, 4.7780 hours per week in extra instruction for students in grades kindergarten through six and 6.7780 hours per week in extra instruction for students in grades seven through 12, with 15 transitional bilingual instruction program students per teacher. Notwithstanding other provisions of this

subsection (10), the actual per-student allocation may be scaled to provide a larger allocation for students needing more intensive intervention and a commensurate reduced allocation for students needing less intensive intervention, as detailed in the omnibus appropriations act.

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

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

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

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

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

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

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

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

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

(d) The office of financial management shall make a monthly review of the superintendent's reported full-time equivalent students in the common schools in conjunction with RCW 43.62.050. [2025 c 334 s 1. Prior: 2024 c 262 s 2; 2024 c 191 s 2; 2023 c 379 s 6; (2023 c 379 s 5 expired September 1, 2024); 2022 c 109 s 4; (2022 c 109 s 3 expired September 1, 2024); prior: 2020 c 288 s 4; 2020 c 61 s 4; 2018 c 266 s 101; 2017 3rd sp.s. c 13 s 402; (2015 c 2 s 2 repealed by 2017 3rd sp.s. c 13 s 906); 2014 c 217 s 206; (2011 1st sp.s. c 34 s 9 expired July 1, 2013); 2011 1st sp.s. c 27 s 2; 2010 c 236 s 2; 2009 c 548 s 106; 2006 c 263 s 322; 1997 c 13 s 2; (1997 c 13 s 1 and 1995 c 77 s 2 expired September 1, 2000); 1995 c 77 s 3; 1992 c 141 s 507; 1992 c 141 s 303; 1991 c 116 s 10; 1990 c 33 s 108; 1987 1st ex.s. c 2 s 202; 1985 c 349 s 5; 1983 c 229 s 1; 1979 ex.s. c 250 s 3; 1979 c 151 s 12; 1977 ex.s. c 359 s 5; 1969 ex.s. c 244 s 14; prior: 1969 ex.s. c 223 s 28A.41.140; 1969 ex.s. c 217 s 3; 1969 c 130 s 7; prior: 1965 ex.s. c 154 s 3. Formerly RCW 28A.41.140, 28.41.140.]

Effective date—2025 c 334 s 1: "Section 1 of this act takes effect September 1, 2025." [2025 c 334 s 2.]

Finding—Intent—2024 c 262: "The legislature finds that schools are facing increased operating costs to serve students and staff. Some of these increases are beyond inflationary adjustments and reflect the evolving needs and requirements of schools. Therefore, the legislature intends to increase funding for materials, supplies, and operating costs in schools to address evolving operational needs." [2024 c 262 s 1.]

Intent—2024 c 191: "Youth mental and behavioral health has been a rising crisis for a decade. As youth grapple with new pressures from social media and impacts of a pandemic, their needs can manifest as disruptive behaviors in the school environment. Teachers, counselors, administrators, and education support professionals have identified the need to have more caring and committed education staff in schools to meet the needs of students.

Education support professionals are vital team members in a school and often directly support students. Educational staff professionals drive students safely to school, provide one-on-one individualized instruction for special education students, run small group instruction for English language learners and for students struggling with certain academic concepts, supervise and monitor students before and after school, at lunch, and during recess, provide physical and behavioral health services in schools, serve lunches, keep buildings clean and maintained, and many other support services that are essential to school operations and student learning.

Therefore, to improve the individualized support for student learning and behavioral needs, the legislature intends to increase staffing allocations for paraprofessionals in instructional and noninstructional roles. The intent of this additional funding is to assist school districts in hiring additional support staff or providing the staff they already employ with better wages." [2024 c 191 s 1.]

Effective date—2023 c 379 s 6: "Section 6 of this act takes effect September 1, 2024." [2023 c 379 s 12.]

Expiration date—2023 c 379 s 5: "Section 5 of this act expires September 1, 2024." [2023 c 379 s 11.]

Intent—2023 c 379: See note following RCW 28A.235.135.

Effective date—2022 c 109 ss 4 and 5: "Sections 4 and 5 of this act take effect September 1, 2024." [2022 c 109 s 10.]

Effective date—2022 c 109 ss 3, 6, and 7: "Sections 3, 6, and 7 of this act take effect September 1, 2022." [2022 c 109 s 8.]

Expiration date—2022 c 109 s 3: "Section 3 of this act expires September 1, 2024." [2022 c 109 s 9.]

Intent—2022 c 109: See note following RCW 28A.300.476.

Short title—2020 c 288: See note following RCW 28A.235.300.

Effective date—2017 3rd sp.s. c 13 ss 401-413: See note following RCW 28A.150.200.

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

Effective date—2014 c 217 s 206: "Section 206 of this act takes effect September 1, 2014." [2014 c 217 s 209.]

Finding—Intent—2014 c 217: See note following RCW 28A.150.220.

Effective date—2011 1st sp.s. c 34 ss 9 and 10: "Sections 9 and 10 of this act take effect September 1, 2011." [2011 1st sp.s. c 34 s 12.]

Expiration date—2011 1st sp.s. c 34 s 9: "Section 9 of this act expires July 1, 2013." [2011 1st sp.s. c 34 s 13.]

Finding—Intent—2011 1st sp.s. c 34: See RCW 28A.232.005.

Effective date—2011 1st sp.s. c 27 ss 1-3: See note following RCW 28A.150.220.

Effective date—2010 c 236 ss 2, 3, 4, 8, 10, 13, and 14: "Sections 2, 3, 4, 8, 10, 13, and 14 of this act take effect September 1, 2011." [2010 c 236 s 19.]

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Findings—Purpose—Part headings not law—2006 c 263: See notes following RCW 28A.150.230.

Contingent effective date—1997 c 13 s 2: "Section 2 of this act shall take effect September 1, 2000. However, section 2 of this act shall not take effect if, by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1997 c 13 s 15.] That law was not enacted by September 1, 2000.

Contingent effective date—1995 c 77 s 3: "Section 3 of this act shall take effect September 1, 2000. However, section 3 of this act shall not take effect if, by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1995 c 77 s 33.] That law was not enacted by September 1, 2000.

Contingent effective date—1992 c 141 ss 502-504, 506, and 507: See note following RCW 28A.150.205.

Findings—Part headings—Severability—1992 c 141: See notes following RCW 28A.410.040.

Intent—Severability—Effective date—1987 1st ex.s. c 2: See notes following RCW 84.52.0531.

Severability—1985 c 349: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1985 c 349 s 9.]

Effective date—Severability—1979 ex.s. c 250: See notes following RCW 28A.150.220.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

Distribution of forest reserve funds—As affects basic education allocation: RCW 28A.520.020.

Program of basic education, RCW 28A.150.260 as part of: RCW 28A.150.200.

Staffing enrichments to the program of basic education: See RCW 28A.400.007.

RCW 28A.150.265 Career and technical education funding allocations. (1) To the extent that career and technical education funding allocations under RCW 28A.150.260 (4)(c) and (9) exceed general education funding allocations under RCW 28A.150.260, school

districts may use the difference only for the career and technical education purposes, defined as follows:

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

(b) Materials, supplies, and operating costs;

(c) Smaller class sizes;

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

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

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

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

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

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

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

(3) The middle school and high school career and technical education programs funded through RCW 28A.150.260(4)(c) must be treated as a single program when accounting for and calculating minimum expenditures, carryover amounts, and recovery amounts. This treatment is exclusively for accounting purposes and must not result in disparate program quality across grade levels. [2025 c 134 s 2; 2017 3rd sp.s. c 13 s 409.]

Effective date—2017 3rd sp.s. c 13 ss 401-413: See note following RCW 28A.150.200.

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

RCW 28A.150.270 Annual basic education allocation of funds according to average FTE student enrollment—Procedure for crediting portion for school building purposes. The board of directors of a school district may, by properly executed resolution, request that the superintendent of public instruction direct a portion of the district's basic education allocation be credited to the district's capital projects fund and/or bond redemption fund. Moneys so credited

shall be used solely for school building purposes. [1985 c 7 s 89; 1980 c 154 s 13. Formerly RCW 28A.41.143.]

Purpose—Effective dates—Savings—Disposition of certain funds—Severability—1980 c 154: See notes following chapter 82.45 RCW digest.

School district funds: RCW 28A.320.330.

RCW 28A.150.275 Annual basic education allocation for students in technical colleges. The basic education allocation, including applicable vocational entitlements and special education program money, generated under this chapter and under state appropriation acts by school districts for students enrolled in a technical college program established by an interlocal agreement under RCW 28B.50.533 shall be allocated in amounts as determined by the superintendent of public instruction to the serving college rather than to the school district, unless the college chooses to continue to receive the allocations through the school districts. This section does not apply to students enrolled in the running start program established in RCW 28A.600.310. [1995 c 77 s 4; 1993 c 223 s 1.]

RCW 28A.150.276 Local revenues—Enrichment of program of basic education—"Local revenues" defined. (1)(a) Beginning September 1, 2018, school districts may use local revenues only for documented and demonstrated enrichment of the state's statutory program of basic education as authorized in subsection (2) of this section.

(b) Nothing in this section revises the definition or the state funding of the program of basic education under RCW 28A.150.220 and 28A.150.260.

(c) For purposes of this section, "local revenues" means enrichment levies collected under RCW 84.52.053, local effort assistance funding received under chapter 28A.500 RCW, and other school district local revenues including, but not limited to, grants, donations, and state and federal payments in lieu of taxes, except that "local revenues" does not include other federal revenues, or local revenues that operate as an offset to the district's basic education allocation under RCW 28A.150.250.

(2)(a) Enrichment activities are permitted under this section if they provide supplementation beyond the state:

(i) Minimum instructional offerings of RCW 28A.150.220 or 28A.150.260;

(ii) Staffing ratios or program components of RCW 28A.150.260, including providing additional staff for class size reduction beyond class sizes allocated in the prototypical school model and additional staff beyond the staffing ratios allocated in the prototypical school formula;

(iii) Program components of RCW 28A.150.200, 28A.150.220, or 28A.150.260; or

(iv) Program of professional learning as defined by RCW 28A.415.430 beyond that allocated pursuant to RCW 28A.150.415.

(b) Permitted enrichment activities consist of:

(i) Extracurricular activities, extended school days, or an extended school year;

(ii) Additional course offerings beyond the minimum instructional program established in the state's statutory program of basic education;

(iii) Activities associated with early learning programs;

(iv) Any additional salary costs attributable to the provision or administration of the enrichment activities allowed under this subsection; and

(v) Additional activities or enhancements that the office of the superintendent of public instruction determines to be a documented and demonstrated enrichment of the state's statutory program of basic education under (a) of this subsection and for which the superintendent approves proposed expenditures during the preballot approval process required by RCW 84.52.053 and 28A.505.240.

(3) In addition to the limitations of subsections (1) and (2) of this section and of RCW 28A.400.200, permitted enrichment activities are subject to the following conditions and limitations:

(a) If a school district spends local revenues for salary costs attributable to the administration of enrichment programs, the portion of administrator salaries attributable to that purpose may not exceed twenty-five percent of the total district expenditures for administrator salaries; and

(b) Supplemental contracts under RCW 28A.400.200 are subject to the limitations of this section.

(4) The superintendent of public instruction must adopt rules to implement this section. [2018 c 266 s 301; 2017 3rd sp.s. c 13 s 501.]

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

RCW 28A.150.280 Reimbursement for acquisition of approved transportation equipment—Method. Costs of acquisition of approved transportation equipment purchased prior to September 1, 1982, shall be reimbursed up to one hundred percent of the cost to be reimbursed over the anticipated life of the vehicle, as determined by the state superintendent: PROVIDED, That commencing with the 1980-81 school year, reimbursement shall be at one hundred percent or as close thereto as reasonably possible: PROVIDED FURTHER, That reimbursements for the acquisition of approved transportation equipment received by school districts shall be placed in the transportation vehicle fund for the current or future purchase of approved transportation equipment and for major transportation equipment repairs consistent with rules and regulations authorized in RCW 28A.160.130. [1993 c 111 s 1. Prior: 1990 c 33 s 110; 1990 c 33 s 109; 1981 c 343 s 1; 1981 c 265 s 9; 1981 c 265 s 8; 1977 ex.s. c 359 s 6; 1977 c 80 s 3; 1975 1st ex.s. c 275 s 60; 1972 ex.s. c 85 s 1; 1971 c 48 s 14; 1969 ex.s. c 223 s 28A.41.160; prior: 1965 ex.s. c 154 s 5. Formerly RCW 28A.41.160, 28.41.160.]

Effective date—Severability—1981 c 265: See notes following RCW 28A.160.150.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

Severability—1977 c 80: See note following RCW 28A.160.030.

Severability—1971 c 48: See note following RCW 28A.310.250.

Program of basic education, RCW 28A.150.280 as part of: RCW 28A.150.200.

Transportation vehicle fund—Deposits in—Use—Petition to transfer moneys—Rules for establishment and use: RCW 28A.160.130.

RCW 28A.150.290 State superintendent to make rules and regulations—Unforeseen conditions or actions to be recognized—Paperwork limited. (1) The superintendent of public instruction shall have the power and duty to make such rules and regulations as are necessary for the proper administration of this chapter and RCW 28A.160.150 through *28A.160.220, 28A.300.170, and 28A.500.010 not inconsistent with the provisions thereof, and in addition to require such reports as may be necessary to carry out his or her duties under this chapter and RCW 28A.160.150 through *28A.160.220, 28A.300.170, and 28A.500.010.

(2) The superintendent of public instruction shall have the authority to make rules and regulations which establish the terms and conditions for allowing school districts to receive state basic education moneys as provided in RCW 28A.150.250 when said districts are unable to fulfill for one or more schools as officially scheduled the requirement of a full school year of one hundred eighty days or the annual average total instructional hour offering imposed by RCW 28A.150.220 and 28A.150.260 due to one or more of the following conditions:

(a) An unforeseen natural event, including, but not necessarily limited to, a fire, flood, explosion, storm, earthquake, epidemic, or volcanic eruption that has the direct or indirect effect of rendering one or more school district facilities unsafe, unhealthy, inaccessible, or inoperable; and

(b) An unforeseen mechanical failure or an unforeseen action or inaction by one or more persons, including negligence and threats, that (i) is beyond the control of both a school district board of directors and its employees and (ii) has the direct or indirect effect of rendering one or more school district facilities unsafe, unhealthy, inaccessible, or inoperable. Such actions, inactions or mechanical failures may include, but are not necessarily limited to, arson, vandalism, riots, insurrections, bomb threats, bombings, delays in the scheduled completion of construction projects, and the discontinuance or disruption of utilities such as heating, lighting and water: PROVIDED, That an unforeseen action or inaction shall not include any labor dispute between a school district board of directors and any employee of the school district.

A condition is foreseeable for the purposes of this subsection to the extent a reasonably prudent person would have anticipated prior to August first of the preceding school year that the condition probably would occur during the ensuing school year because of the occurrence of an event or a circumstance which existed during such preceding

school year or a prior school year. A board of directors of a school district is deemed for the purposes of this subsection to have knowledge of events and circumstances which are a matter of common knowledge within the school district and of those events and circumstances which can be discovered upon prudent inquiry or inspection.

(3) The superintendent of public instruction shall make every effort to reduce the amount of paperwork required in administration of this chapter and RCW 28A.160.150 through *28A.160.220, 28A.300.170, and 28A.500.010; to simplify the application, monitoring and evaluation processes used; to eliminate all duplicative requests for information from local school districts; and to make every effort to integrate and standardize information requests for other state education acts and federal aid to education acts administered by the superintendent of public instruction so as to reduce paperwork requirements and duplicative information requests. [1992 c 141 s 504; 1990 c 33 s 111; 1981 c 285 s 1; 1979 ex.s. c 250 s 6; 1973 1st ex.s. c 78 s 1; 1972 ex.s. c 105 s 4; 1971 c 46 s 1; 1969 ex.s. c 3 s 2; 1969 ex.s. c 223 s 28A.41.170. Prior: 1965 ex.s. c 154 s 6. Formerly RCW 28A.41.170, 28.41.170.]

*__Reviser's note:__ RCW 28A.160.220 was recodified as RCW 28A.300.035 pursuant to 1994 c 113 s 2.

__Contingent effective date—1992 c 141 ss 502-504, 506, and 507:__ See note following RCW 28A.150.205.

__Findings—Part headings—Severability—1992 c 141:__ See notes following RCW 28A.410.040.

__Effective date—Severability—1979 ex.s. c 250:__ See notes following RCW 28A.150.220.

__Effective date—Severability—1972 ex.s. c 105:__ See notes following RCW 28A.150.250.

__RCW 28A.150.295 General public school system—Maintained.__ A general and uniform system of public schools embracing the common schools shall be maintained throughout the state of Washington in accordance with Article IX of the state Constitution. [1969 ex.s. c 223 s 28A.02.010. Prior: 1909 c 97 p 230 s 1; RRS s 4518; prior: 1897 c 118 s 1; 1890 p 348 s 1. Formerly RCW 28A.02.010, 28.02.010.]

__RCW 28A.150.300 Corporal punishment prohibited—Adoption of policy.__ The use of corporal punishment in the common schools is prohibited. The superintendent of public instruction shall develop and adopt a policy prohibiting the use of corporal punishment in the common schools. The policy shall be adopted and implemented in all school districts. [2006 c 263 s 702; 1993 c 68 s 1.]

__Findings—Purpose—Part headings not law—2006 c 263:__ See notes following RCW 28A.150.230.

RCW 28A.150.305 Alternative educational service providers—Student eligibility. (1) The board of directors of school districts may contract with alternative educational service providers for eligible students. Alternative educational service providers that the school district may contract with include, but are not limited to:

(a) Other schools;

(b) Alternative education programs not operated by the school district;

(c) Education centers;

(d) Skills [Skill] centers;

(e) The Washington national guard youth challenge program;

(f) Dropout prevention programs; or

(g) Other public or private organizations, excluding sectarian or religious organizations.

(2) Eligible students include students who are likely to be expelled or who are enrolled in the school district but have been suspended, are academically at risk, or who have been subject to repeated disciplinary actions due to behavioral problems.

(3) If a school district board of directors chooses to initiate specialized programs for students at risk of expulsion or who are failing academically by contracting out with alternative educational service providers identified in subsection (1) of this section, the school district board of directors and the organization must specify the specific learning standards that students are expected to achieve. Placement of the student shall be jointly determined by the school district, the student's parent or legal guardian, and the alternative educational service provider.

(4) For the purpose of this section, the superintendent of public instruction shall adopt rules for reporting and documenting enrollment. Students may reenter at the grade level appropriate to the student's ability. Students who are sixteen years of age or older may take a test to earn a high school equivalency certificate as provided in RCW 28B.50.536 in accordance with rules adopted under RCW 28A.305.190.

(5) The board of directors of school districts may require that students who would otherwise be suspended or expelled attend schools or programs listed in subsection (1) of this section as a condition of continued enrollment in the school district. [2013 c 39 s 3; 2002 c 291 s 1; 1997 c 265 s 6.]

Severability—1997 c 265: See note following RCW 13.40.160.

RCW 28A.150.310 National guard youth challenge program—Allocation of funding—Rules. Basic and nonbasic education funding, including applicable vocational entitlements and special education program money, generated under this chapter and under state appropriations acts shall be allocated directly to the military department for a national guard youth challenge program for students earning high school graduation credit under *RCW 28A.305.170. Funding shall be provided based on statewide average rates for basic education, special education, categorical, and block grant programs as determined by the office of the superintendent of public instruction. The monthly full-time equivalent enrollment reported for students enrolled in the national guard youth challenge program shall be based on one full-time equivalent for every one hundred student hours of

scheduled instruction eligible for high school graduation credit. The office of the superintendent of public instruction, in consultation with the military department, shall adopt such rules as are necessary to implement this section. [2002 c 291 s 2.]

***Reviser's note:** RCW 28A.305.170 was recodified as RCW 28A.300.165 pursuant to 2006 c 263 s 419.

RCW 28A.150.315 All-day kindergarten programs—Funding—Identification of skills, knowledge, and characteristics—Assessments. (1) Beginning with the 2007-08 school year, funding for voluntary all-day kindergarten programs shall be phased-in beginning with schools with the highest poverty levels, defined as those schools with the highest percentages of students qualifying for free and reduced-price lunch support in the prior school year. During the 2011-2013 biennium, funding shall continue to be phased-in each year until full statewide implementation of all-day kindergarten is achieved in the 2017-18 school year. Once a school receives funding for the all-day kindergarten program, that school shall remain eligible for funding in subsequent school years regardless of changes in the school's percentage of students eligible for free and reduced-price lunches as long as other program requirements are fulfilled. Additionally, schools receiving all-day kindergarten program support shall agree to the following conditions:

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

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

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

(ii) Developing a variety of communication skills;

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

(iv) Acquiring large and small motor skills;

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

(vi) Learning through hands-on experiences;

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

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

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

(2)(a) It is the intent of the legislature that administration of the Washington kindergarten inventory of developing skills as required in this subsection (2) and RCW 28A.655.080 replace administration of other assessments being required by school districts or that other assessments only be administered if they seek to obtain information not covered by the Washington kindergarten inventory of developing skills.

(b) In addition to the requirements in subsection (1) of this section and to the extent funds are available, beginning with the 2011-12 school year on a voluntary basis, schools must identify the skills, knowledge, and characteristics of kindergarten students at the beginning of the school year in order to support social-emotional,

physical, and cognitive growth and development of individual children; support early learning provider and parent involvement; and inform instruction. Kindergarten teachers shall administer the Washington kindergarten inventory of developing skills, as directed by the superintendent of public instruction in consultation with the department of children, youth, and families and in collaboration with the nongovernmental private-public partnership designated in RCW 43.216.065, and report the results to the superintendent. The superintendent shall share the results with the secretary of the department of children, youth, and families.

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

(3) Subject to funds appropriated for this purpose, the superintendent of public instruction shall designate one or more school districts to serve as resources and examples of best practices in designing and operating a high quality all-day kindergarten program. Designated school districts shall serve as lighthouse programs and provide technical assistance to other school districts in the initial stages of implementing an all-day kindergarten program. Examples of topics addressed by the technical assistance include strategic planning, developing the instructional program and curriculum, working with early learning providers to identify students and communicate with parents, and developing kindergarten program readiness activities. [2017 3rd sp.s. c 6 s 215; 2012 c 51 s 1; 2011 c 340 s 1; 2010 c 236 s 4; 2009 c 548 s 107; 2007 c 400 s 2.]

Effective date—2017 3rd sp.s. c 6 ss 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Effective date—2011 c 340 s 1: "Section 1 of this act takes effect September 1, 2011." [2011 c 340 s 3.]

Effective date—2010 c 236 ss 2, 3, 4, 8, 10, 13, and 14: See note following RCW 28A.150.260.

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Captions not law—2007 c 400: See note following RCW 28A.150.210.

RCW 28A.150.320 Month of the kindergartner. September is the month of the kindergartner. Each September elementary schools are encouraged to determine a method to celebrate new kindergartners as they begin their life in K-12 education. [2019 c 179 s 1.]

RCW 28A.150.350 Part time students—Defined—Enrollment authorized—Reimbursement for costs—Funding authority recognition—Rules, regulations. (1) For purposes of this section, the following definitions shall apply:

(a) "Private school student" shall mean any student enrolled full time in a private school;

(b) "School" shall mean any primary, secondary or vocational school;

(c) "School funding authority" shall mean any nonfederal governmental authority which provides moneys to common schools;

(d) "Part time student" shall mean and include: Any student enrolled in a course of instruction in a private school and taking courses at and/or receiving ancillary services offered by any public school not available in such private school; or any student who is not enrolled in a private school and is receiving home-based instruction under RCW 28A.225.010 which instruction includes taking courses at or receiving ancillary services from the local school district or both; or any student involved in any work training program and taking courses in any public school, which work training program is approved by the school board of the district in which such school is located.

(2) The board of directors of any school district is authorized and, in the same manner as for other public school students, shall permit the enrollment of and provide ancillary services for part time students: PROVIDED, That this section shall only apply to part time students who would be otherwise eligible for full time enrollment in the school district.

(3) The superintendent of public instruction shall recognize the costs to each school district occasioned by enrollment of and/or ancillary services provided for part time students authorized by subsection (2) of this section and shall include such costs in the distribution of funds to school districts pursuant to RCW 28A.150.260. Each school district shall be reimbursed for the costs or a portion thereof, occasioned by attendance of and/or ancillary services provided for part time students on a part time basis, by the superintendent of public instruction, according to law.

(4) Each school funding authority shall recognize the costs occasioned to each school district by enrollment of and ancillary services provided for part time students authorized by subsection (2) of this section, and shall include said costs in funding the activities of said school districts.

(5) The superintendent of public instruction is authorized to adopt rules and regulations to carry out the purposes of RCW 28A.150.260 and 28A.150.350. [1990 c 33 s 112; 1985 c 441 s 5; 1977 ex.s. c 359 s 8; 1972 ex.s. c 14 s 1; 1969 ex.s. c 217 s 4. Formerly RCW 28A.41.145.]

Severability—1985 c 441: See note following RCW 28A.225.010.

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.

Nonseverability—1972 ex.s. c 14: "If any provision of this 1972 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is held invalid." [1972 ex.s. c 14 s 2.]

Program of basic education, RCW 28A.150.350 as part of: RCW 28A.150.200.

RCW 28A.150.360 Adjustments to meet emergencies. In the event of an unforeseen emergency, in the nature of either an unavoidable cost to a district or unexpected variation in anticipated revenues to a district, the state superintendent is authorized, for not to exceed two years, to make such an adjustment in the allocation of funds as is consistent with the intent of this chapter, RCW 28A.160.150 through 28A.160.210, 28A.300.170, and 28A.500.010 in providing an equal educational opportunity for the children of such district or districts. [1995 c 335 s 101; 1990 c 33 s 113; 1969 ex.s. c 223 s 28A.41.150. Prior: 1965 ex.s. c 154 s 4. Formerly RCW 28A.41.150, 28.41.150.]

Part headings, table of contents not law—1995 c 335: "Part headings and the table of contents as used in this act do not constitute any part of the law." [1995 c 335 s 805.]

RCW 28A.150.380 Appropriations by legislature. (1) The state legislature shall, at each regular session in an odd-numbered year, appropriate for the current use of the common schools such amounts as needed for state support to school districts during the ensuing biennium for the program of basic education under RCW 28A.150.200.

(2) In addition to those state funds provided to school districts for basic education, the legislature may appropriate funds to be distributed to school districts for other factors and for other special programs to enhance or enrich the program of basic education. [2012 1st sp.s. c 10 s 3. Prior: 2009 c 548 s 110; 2009 c 479 s 16; 2001 c 3 s 10 (Initiative Measure No. 728, approved November 7, 2000); 1995 c 335 s 103; 1990 c 33 s 115; 1980 c 6 s 3; 1969 ex.s. c 223 s 28A.41.050; prior: 1945 c 141 s 2; Rem. Supp. 1945 s 4940-2. Formerly RCW 28A.41.050, 28.41.050.]

Purpose—Construction—2012 1st sp.s. c 10: See note following RCW 84.52.0531.

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Effective date—2009 c 479: See note following RCW 2.56.030.

Short title—Purpose—Intent—Construction—Effective dates—2001 c 3 (Initiative Measure No. 728): See notes following RCW 67.70.240.

Part headings, table of contents not law—1995 c 335: See note following RCW 28A.150.360.

Severability—1980 c 6: See note following RCW 28A.515.320.

RCW 28A.150.390 Appropriations for special education programs. (1) The superintendent of public instruction shall submit to each regular session of the legislature during an odd-numbered year a programmed budget request for special education programs for students with disabilities. Funding for programs operated by local school districts shall be on an excess cost basis from appropriations provided by the legislature for special education programs for students with disabilities and shall take account of state funds accruing through RCW 28A.150.260 (4)(a), (5), (6), and (8) and 28A.150.415.

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

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

(b) A district's annual average enrollment of resident students who are eligible for and receiving special education, excluding students ages three and four and those five year olds not yet enrolled in kindergarten, multiplied by the district's base allocation per full-time equivalent student, multiplied by the special education cost multiplier rate of 1.16.

(3) The superintendent of public instruction may reserve amounts up to 0.006 of the funding generated under subsection (2) of this section for statewide special education activities under RCW 28A.155.270.

(4) As used in this section, "base allocation" means the total state allocation to all schools in the district generated by the distribution formula under RCW 28A.150.260 (4)(a), (5), (6), and (8) and the allocation under RCW 28A.150.415, to be divided by the district's full-time equivalent enrollment. [2025 c 368 s 1; 2024 c 229 s 1; 2023 c 417 s 3; 2020 c 90 s 3; 2019 c 387 s 4; 2018 c 266 s 102; 2017 3rd sp.s. c 13 s 406; 2010 c 236 s 3; 2009 c 548 s 108; 1995 c 77 s 6; 1994 c 180 s 8; 1993 c 149 s 9; 1990 c 33 s 116; 1989 c 400 s 2; 1980 c 87 s 5; 1971 ex.s. c 66 s 11. Formerly RCW 28A.41.053.]

Effective date—2025 c 368 ss 1 and 5: "Sections 1 and 5 of this act takes [take] effect September 1, 2025." [2025 c 368 s 8.]

Effective date—2020 c 90: See note following RCW 43.216.580.

Intent—Findings—2019 c 387: See note following RCW 28A.150.392.

Effective date—2017 3rd sp.s. c 13 ss 401-413: See note following RCW 28A.150.200.

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

Effective date—2010 c 236 ss 2, 3, 4, 8, 10, 13, and 14: See note following RCW 28A.150.260.

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Conflict with federal requirements—1994 c 180: "If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements that are a necessary condition to the receipt of federal funds by the state." [1994 c 180 s 10.]

Severability—1994 c 180: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1994 c 180 s 11.]

Conflict with federal requirements—1993 c 149: "If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements that are a necessary condition to the receipt of federal funds by the state." [1993 c 149 s 12.]

Severability—1993 c 149: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1993 c 149 s 13.]

Effective dates—1993 c 149: "(1) Sections 1 through 10 and 12 through 14 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately [April 30, 1993].

(2) Section 11 of this act takes effect September 1, 1993." [1993 c 149 s 15.]

Intent—1989 c 400: "The legislature finds that there is increasing demand for school districts' special education programs to include medical services necessary for handicapped children's participation and educational progress. In some cases, these services

could qualify for federal funding under Title XIX of the social security act. The legislature intends to establish a process for school districts to obtain reimbursement for eligible services from medical assistance funds. In this way, state dollars for handicapped education can be leveraged to generate federal matching funds, thereby increasing the overall level of resources available for school districts' special education programs." [1989 c 400 s 1.]

Severability—Effective date—1971 ex.s. c 66: See notes following RCW 28A.155.010.

RCW 28A.150.392 Special education funding—Safety net awards—Rules—District surveys and legislative report—Safety net oversight committee—High-need students. (1)(a) To the extent necessary, funds shall be made available for safety net awards for districts with demonstrated needs for special education funding beyond the amounts provided through the special education funding formula under RCW 28A.150.390.

(b) If the federal safety net awards based on the federal eligibility threshold exceed the federal appropriation in any fiscal year, then the superintendent shall expend all available federal discretionary funds necessary to meet this need.

(2) Safety net funds shall be awarded by the state safety net oversight committee subject to the following conditions and limitations:

(a) The committee shall award additional funds for districts that can convincingly demonstrate that all legitimate expenditures for special education exceed all available revenues from state funding formulas. When determining award eligibility and amounts, the committee shall limit its review to relevant documentation that illustrates adherence to award criteria. The committee shall not make determinations regarding the content of individualized education programs beyond confirming documented and quantified services and evidence of corresponding expenditures for which a school district seeks reimbursement.

(b) In the determination of need, the committee shall consider additional available revenues from federal sources.

(c) Differences in program costs attributable to district philosophy, service delivery choice, or accounting practices are not a legitimate basis for safety net awards.

(d) In the determination of need, the committee shall require that districts demonstrate that they are maximizing their eligibility for all state revenues related to services for students eligible for special education and all federal revenues from federal impact aid, medicaid, and the individuals with disabilities education act-Part B and appropriate special projects. Awards associated with (e) of this subsection shall not exceed the total of a district's specific determination of need.

(e) The committee shall then consider the extraordinary high cost needs of one or more individual students eligible for and receiving special education. Differences in costs attributable to district philosophy, service delivery choice, or accounting practices are not a legitimate basis for safety net awards.

(f) The committee shall then consider the extraordinary high cost needs of one or more individual students eligible for and receiving

special education served in residential schools, programs for juveniles under the department of corrections, and programs for juveniles operated by city and county jails to the extent they are providing a secondary program of education.

(g) The maximum allowable indirect cost for calculating safety net eligibility may not exceed the federal restricted indirect cost rate for the district plus one percent.

(h) Safety net awards shall be adjusted based on the percent of potential medicaid eligible students billed as calculated by the superintendent of public instruction in accordance with chapter 318, Laws of 1999.

(i) Safety net awards must be adjusted for any unresolved audit findings or exceptions related to special education funding. Safety net awards may only be adjusted for errors in safety net applications or individualized education programs that materially affect the demonstration of need.

(3) The superintendent of public instruction shall adopt such rules and procedures as are necessary to administer the special education funding and safety net award process. By December 1, 2018, the superintendent shall review and revise the rules to achieve full and complete implementation of the requirements of this subsection and subsection (4) of this section including revisions to rules that provide additional flexibility to access community impact awards. Before revising any standards, procedures, or rules, the superintendent shall consult with the office of financial management and the fiscal committees of the legislature. In adopting and revising the rules, the superintendent shall ensure the application process to access safety net funding is streamlined, timelines for submission are not in conflict, feedback to school districts is timely and provides sufficient information to allow school districts to understand how to correct any deficiencies in a safety net application, and that there is consistency between awards approved by school district and by application period. The office of the superintendent of public instruction shall also provide technical assistance to school districts in preparing and submitting special education safety net applications.

(4)(a) On an annual basis, the superintendent shall survey districts regarding their satisfaction with the safety net process and consider feedback from districts to improve the safety net process. Each year by December 1st, the superintendent shall prepare and submit a report to the office of financial management and the appropriate policy and fiscal committees of the legislature that summarizes the survey results and those changes made to the safety net process as a result of the school district feedback.

(b) By December 1, 2024, the office of the superintendent of public instruction must develop a survey requesting specific feedback on the safety net application process from school districts with 3,000 or fewer students. The survey must include, at a minimum, questions regarding the average amount of time school district staff spend gathering safety net application data, filling out application forms, and correcting application deficiencies. The survey must also include questions to help identify which application components are the most challenging and time-consuming for school districts to complete. By December 1, 2025, the office of the superintendent of public instruction must use this feedback to implement a simplified, standardized safety net application for all school districts that reduces barriers to safety net funding.

(5) The safety net oversight committee appointed by the superintendent of public instruction shall consist of:

(a) One staff member from the office of the superintendent of public instruction;

(b) Staff of the office of the state auditor who shall be nonvoting members of the committee; and

(c) One or more representatives from school districts or educational service districts knowledgeable of special education programs and funding.

(6) Beginning in the 2026-27 school year, the office of the superintendent of public instruction must distribute safety net awards to school districts on a quarterly basis if the following criteria are met:

(a) The safety net award is provided for a high cost student who receives special education services from an authorized entity, as defined under RCW 28A.300.690, located outside of the state of Washington;

(b) The school district successfully applied for and received a safety net award for the high cost student in a prior school year and the student's placement has not changed since that safety net award was granted; and

(c) The school district meets all other safety net award eligibility requirements as determined by the safety net oversight committee.

(7) Beginning in the 2026-27 school year, the office of the superintendent of public instruction must distribute safety net awards to second-class school districts on a quarterly basis.

(8) Beginning in the 2025-26 school year, a high-need student is eligible for safety net awards from state funding under subsection (2)(e) and (f) of this section if the student's individualized education program costs exceed:

(a) 1.8 times the average per-pupil expenditure for school districts that meet any of the following criteria:

(i) The school district has fewer than 1,000 full-time equivalent students;

(ii) The school district has a percentage of identified students as defined in RCW 28A.235.300 of at least 60 percent; or

(iii) The school district has at least 60 percent of students enrolled in the transitional bilingual instructional program under chapter 28A.180 RCW.

(b) 2 [2.0] times the average per-pupil expenditure for school districts that meet none of the criteria listed in (a) of this subsection.

(c) For purposes of this subsection, "average per-pupil expenditure" has the same meaning as in 20 U.S.C. Sec. 7801, the every student succeeds act of 2015, and excludes safety net funding provided in this section. [2025 c 368 s 6; 2024 c 127 s 2; 2023 c 417 s 4; 2019 c 387 s 2; 2018 c 266 s 106; 2017 3rd sp.s. c 13 s 407; 2009 c 548 s 109.]

Finding—Intent—2024 c 127: "The legislature recognizes that the special education safety net is an important funding resource for school districts that serve high-need students requiring extraordinary high-cost services. However, the legislature finds that the current safety net application requirements are burdensome to school districts, especially those with limited staff, and may discourage

school districts from applying for funding. School districts have reported that, as part of the application process, individualized education programs are rigorously analyzed beyond what is necessary to confirm a legitimate demonstration of need, and safety net awards are reduced by up to 45 percent for errors. This practice undermines the expertise of the individualized education program team members, creates barriers to funding for school districts with limited resources, and fails to accurately reimburse school districts for legitimate expenditures. Therefore, the legislature intends to clarify the responsibilities of the safety net oversight committee in reviewing applications and prohibit award reductions for nonmaterial errors. The legislature also intends to simplify the application process to reduce administrative barriers and increase funding accessibility." [2024 c 127 s 1.]

Intent—Findings—2019 c 387: "The legislature intends to provide the funding necessary to support a comprehensive and responsive education system that fully addresses the needs of students with disabilities eligible for special education. Under the current funding model, students with disabilities eligible for special education are funded as basic education students first, with additional funding provided through a statewide multiplier intended to meet the additional needs of each student as established in the student's individualized education program. Additionally, a safety net administered by the office of the superintendent of public instruction is available for school districts that demonstrate significant extra need beyond what they receive from the base funding formula.

The legislature notes that school districts across the state have identified the need for additional resources to create the educational environment necessary to give every student with an individualized education program the opportunity to succeed. It is the legislature's intent to provide immediate relief to school district special education programs by enhancing the supplemental funding school districts receive for every student in the program of special education and to provide easier access to the safety net when those base funds are not adequate." [2019 c 387 s 1.]

Effective date—2017 3rd sp.s. c 13 ss 401-413: See note following RCW 28A.150.200.

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

Effective date—2009 c 548 ss 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

RCW 28A.150.400 Apportionment factors to be based on current figures—Rules and regulations. State and county funds which may become due and apportionable to school districts shall be apportioned in such a manner that any apportionment factors used shall utilize data and statistics derived in the school year that such funds are paid: PROVIDED, That the superintendent of public instruction may make necessary administrative provision for the use of estimates, and corresponding adjustments to the extent necessary: PROVIDED FURTHER, That as to those revenues used in determining the amount of state funds to be apportioned to school districts pursuant to RCW 28A.150.250, any apportionment factors shall utilize data and statistics derived in an annual period established pursuant to rules and regulations promulgated by the superintendent of public instruction in cooperation with the department of revenue. [1990 c 33 s 117; 1972 ex.s. c 26 s 3; 1969 ex.s. c 223 s 28A.41.055. Prior: 1955 c 350 s 1. Formerly RCW 28A.41.055, 28.41.055.]

Severability—1972 ex.s. c 26: "If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1972 ex.s. c 26 s 4.]

RCW 28A.150.410 Basic education certificated instructional staff—Salary allocation methodology—Adjustments for regional differences—Review and rebasing of regionalization factors. (1) Through the 2017-18 school year, the legislature shall establish for each school year in the appropriations act a statewide salary allocation schedule, for allocation purposes only, to be used to distribute funds for basic education certificated instructional staff salaries under RCW 28A.150.260. For the purposes of this section, the staff allocations for classroom teachers, teacher-librarians, counselors, and student health services staff under RCW 28A.150.260 are considered allocations for certificated instructional staff.

(2) Through the 2017-18 school year, salary allocations for state-funded basic education certificated instructional staff shall be calculated by the superintendent of public instruction by determining the district's average salary for certificated instructional staff, using the statewide salary allocation schedule and related documents, conditions, and limitations established by the omnibus appropriations act.

(3) Through the 2017-18 school year, no more than 90 college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule and LEAP documents referenced in the omnibus appropriations act, or any replacement schedules and documents, unless:

(a) The employee has a master's degree; or

(b) The credits were used in generating state salary allocations before January 1, 1992.

(4) Beginning in the 2007-08 school year and through the 2017-18 school year, the calculation of years of service for occupational therapists, physical therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, and psychologists regulated under Title 18 RCW may include experience in schools and other nonschool positions as occupational therapists, physical

therapists, speech-language pathologists, audiologists, nurses, social workers, counselors, or psychologists. The calculation shall be that one year of service in a nonschool position counts as one year of service for purposes of this chapter, up to a limit of two years of nonschool service. Nonschool years of service included in calculations under this subsection shall not be applied to service credit totals for purposes of any retirement benefit under chapter 41.32, 41.35, or 41.40 RCW, or any other state retirement system benefits.

(5) By the 2018-19 school year, the minimum state allocation for salaries for certificated instructional staff in the basic education program must be increased to provide a statewide average allocation of $64,000 adjusted for inflation from the 2017-18 school year.

(6) By the 2018-19 school year, the minimum state allocation for salaries for certificated administrative staff in the basic education program must be increased to provide a statewide average allocation of $95,000 adjusted for inflation from the 2017-18 school year.

(7) By the 2018-19 school year, the minimum state allocation for salaries for classified staff in the basic education program must be increased to provide a statewide average allocation of $45,912 adjusted by inflation from the 2017-18 school year.

(8) For school year 2018-19, a district's minimum state allocation for salaries is the greater of the district's 2017-18 state salary allocation, adjusted for inflation, or the district's allocation based on the state salary level specified in subsections (5) through (7) of this section, and as further specified in the omnibus appropriations act.

(9) Beginning with the 2018-19 school year, state allocations for salaries for certificated instructional staff, certificated administrative staff, and classified staff must be adjusted for regional differences in the cost of hiring staff. Adjustments for regional differences must be specified in the omnibus appropriations act for each school year through at least school year 2022-23. For school years 2018-19 through school year 2022-23, the school district regionalization factors are based on the median single-family residential value of each school district and proximate school district median single-family residential value as described in RCW 28A.150.412.

(10) Beginning with the 2023-24 school year and every four years thereafter, the minimum state salary allocations and school district regionalization factors for certificated instructional staff, certificated administrative staff, and classified staff must be reviewed and rebased, as provided under RCW 28A.150.412, to ensure that state salary allocations continue to align with staffing costs for the state's program of basic education.

(11) For the purposes of this section, "inflation" has the meaning provided in RCW 28A.400.205 for "inflationary adjustment index." [2022 c 109 s 7; 2018 c 266 s 202; 2017 3rd sp.s. c 13 s 101; 2010 c 236 s 10; 2007 c 403 s 1; 2002 c 353 s 1; 1997 c 141 s 1; 1990 c 33 s 118; 1989 1st ex.s. c 16 s 1; 1987 3rd ex.s. c 1 s 4; 1987 1st ex.s. c 2 s 204. Formerly RCW 28A.41.112.]

Effective date—2022 c 109 ss 3, 6, and 7: See note following RCW 28A.150.260.

Intent—2022 c 109: See note following RCW 28A.300.476.

Finding—Intent—2018 c 266: "The legislature recognizes that Initiative Measure No. 1433 was approved by the voters of the state of Washington in 2016 requiring employers to provide paid sick leave to each of its employees. The legislature acknowledges that the enactment of this initiative contributes to the costs of operations of the state's public schools and intends to provide funding in the omnibus appropriations act to support school districts with these additional costs." [2018 c 266 s 201.]

Intent—2017 3rd sp.s. c 13: "The state must provide education funding that corresponds to the cost of providing all students with the opportunity to learn through the state's statutory program of basic education. In chapter 548, Laws of 2009 (Engrossed Substitute House Bill No. 2261) and chapter 236, Laws of 2010 (Substitute House Bill No. 2776), the state established a comprehensive plan for enhancing the state's program of basic education. With this act, the legislature intends to realize the promise of these reforms and to improve student outcomes by increasing state allocations for school staff salaries, by revising state and local education funding contributions, and by improving transparency and accountability of education funding." [2017 3rd sp.s. c 13 s 1.]

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

Effective date—2010 c 236 ss 2, 3, 4, 8, 10, 13, and 14: See note following RCW 28A.150.260.

Effective date—2002 c 353: "This act takes effect September 1, 2002." [2002 c 353 s 3.]

Intent—Severability—Effective date—1987 1st ex.s. c 2: See notes following RCW 84.52.0531.

RCW 28A.150.412 Basic education compensation allocations—Rebase and review—Revision of minimum allocations and regionalization factors—Regionalization factors—Definitions. (1) Beginning with the 2023 regular legislative session, and every four years thereafter, the legislature shall review and rebase state basic education compensation allocations compared to school district compensation data, regionalization factors, what inflationary measure is the most representative of actual market experience for school districts, and other economic information. The legislature shall revise the minimum allocations, regionalization factors, and inflationary measure if necessary to ensure that state basic education allocations continue to provide market-rate salaries and that regionalization adjustments reflect actual economic differences between school districts.

(2)(a) For school districts with single-family residential values above the statewide median residential value, regionalization factors for school years 2018-19 through school year 2022-23 are as follows:

(i) For school districts in tercile 1, state salary allocations for school district employees are regionalized by six percent;

(ii) For school districts in tercile 2, state salary allocations for school district employees are regionalized by 12 percent; and

(iii) For school districts in tercile 3, state salary allocations for school district employees are regionalized by 18 percent.

(b) In addition to the regionalization factors specified in (a) of this subsection, school districts located west of the crest of the Cascade mountains and sharing a boundary with any school district with a regionalization factor more than one tercile higher, are regionalized by six additional percentage points.

(c) In addition to the regionalization factors specified in this subsection, for school districts that have certificated instructional staff median years of experience that exceed the statewide average certificated instructional staff years of experience and a ratio of certificated instructional staff advanced degrees to bachelor degrees above the statewide ratio, an experience factor of four percentage points is added to the regionalization factor, beginning in the 2019-20 school year.

(d) Additional school district adjustments are identified in the omnibus appropriations act, and these adjustments are partially reduced or eliminated by the 2022-23 school year as follows:

(i) Adjustments that increase the regionalization factor to a value that is greater than the tercile 3 regionalization factor must be reduced by two percentage points each school year beginning with school year 2020-21, through 2022-23.

(ii) Adjustments that increase the regionalization factor to a value that is less than or equal to the tercile 3 regionalization factor must be reduced by one percentage point each school year beginning with school year 2020-21, through 2022-23.

(3) To aid the legislature in reviewing and rebasing regionalization factors, the department of revenue shall, by November 1, 2022, and by November 1st every four years thereafter, determine the median single-family residential value of each school district and the median single-family residential value of each school district including any other school district that is proximate to the school district for which the median residential value is being calculated.

(4) No district may receive less state funding for the minimum state salary allocation as compared to its prior school year salary allocation as a result of adjustments that reflect updated regionalized salaries.

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

(a) "Median residential value of each school district" means the median value of all single-family residential parcels included within a school district.

(b) "Proximate to the school district" means within 15 miles of the boundary of the school district for which the median residential value is being calculated.

(c) "School district employees" means state-funded certificated instructional staff, certificated administrative staff, and classified staff.

(d) "School districts in tercile 1" means school districts with median single-family residential values in the first tercile of districts with single-family residential values above the statewide median residential value.

(e) "School districts in tercile 2" means school districts with median single-family residential values in the second tercile of districts with single-family residential values above the statewide median residential value.

(f) "School districts in tercile 3" means school districts with median single-family residential values in the third tercile of districts with single-family residential values above the statewide median residential value.

(g) "Statewide median residential value" means the median value of single-family residential parcels located within all school districts, reduced by five percent. [2024 c 252 s 1; 2018 c 266 s 203; 2017 3rd sp.s. c 13 s 104.]

Finding—Intent—2018 c 266: See note following RCW 28A.150.410.

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

RCW 28A.150.413 Finding—Local levy authority—Local effort assistance—Value—Restriction. (1) The legislature finds that while the state has the responsibility to provide for a general and uniform system of public schools, there is also a need for some diversity in the public school system. A successful system of public education must permit some variation among school districts outside the basic education provided for by the state to respond to and reflect the unique desires of local communities. The opportunity for local communities to invest in enriched education programs promotes support for local public schools. Further, the ability of local school districts to experiment with enriched programs can inform the legislature's long-term evolution of the definition of basic education. Therefore, local levy authority remains an important component of the overall finance system in support of the public schools even though it is outside the state's obligation for basic education and, after September 1, 2019, is restricted to enrichment purposes under RCW 28A.150.276.

(2) However, the value of permitting local levies must be balanced with the value of equity and fairness to students and to taxpayers, neither of whom should be unduly disadvantaged due to differences in the tax bases used to support local levies. Equity and fairness require both an equitable basis for supplemental funding outside basic education and a mechanism for property tax-poor school districts to fairly access supplemental funding. As such, local effort assistance, while also outside the state's obligation for basic education, is another important component of school finance. [2017 3rd sp.s. c 13 s 208; 2009 c 548 s 301. Formerly RCW 28A.500.050.]

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

RCW 28A.150.414 Locally determined compensation plans for certificated instructional staff—Model salary grid—Stakeholder technical working group. (1) The superintendent of public instruction must convene and facilitate a stakeholder technical working group to develop a model salary grid for school district use in developing locally determined compensation plans for certificated instructional staff.

(2) The grid is intended to be used as a resource by school districts in determining local salaries in the collective bargaining process, and it is intended to provide guidance to districts in hiring staff based on the allocation methodology, regionalization adjustments, and compensation restrictions in chapter 13, Laws of 2017 3rd sp. sess. However, districts are not required to use this grid in bargaining or determining actual salaries.

(3) Membership of the technical working group convened by the superintendent of public instruction may include, but is not limited to, one school district administrator each from an urban and a rural district east of the crest of the Cascade mountains and from an urban and a rural district west of the crest of the Cascade mountains, a representative of an organization representing school district certificated instructional staff, and a representative of an educational service district.

(4) The superintendent of public instruction must provide the initial model grid to the governor and the appropriate policy and fiscal committees of the legislature for their review by December 1, 2017. The superintendent of public instruction must post the model grid on the website for the office of the superintendent of public instruction.

(5) The superintendent of public instruction may reconvene the technical working group to update the model grid based on future legislative changes to methodologies for allocating and regionalizing salaries for certificated instructional staff. [2017 3rd sp.s. c 13 s 107.]

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

RCW 28A.150.415 Professional learning days—Funding. (1) Beginning with the 2018-19 school year, the legislature shall begin phasing in funding for professional learning days for certificated instructional staff. At a minimum, the state must allocate funding for:

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

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

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

(2) The office of the superintendent of public instruction shall calculate each school district's professional learning allocation as provided in subsection (1) of this section separate from the minimum state allocation for salaries as specified in RCW 28A.150.410 and associated fringe benefits on the apportionment reports provided to each school district. The professional learning allocation shall be equal to the proportional increase resulting from adding the

professional learning days provided in subsection (1) of this section to the required minimum number of school days in RCW 28A.150.220(5)(a) applied to the school district's minimum state allocation for salaries and associated fringe benefits for certificated instructional staff as specified in the omnibus operating appropriations act. Professional learning allocations shall be included in per-pupil calculations, such as special education, for programs funded on a per-pupil basis.

(3) Nothing in this section entitles an individual certificated instructional staff to any particular number of professional learning days.

(4) The professional learning days must meet the definitions and standards provided in RCW 28A.415.430, 28A.415.432, and 28A.415.434. [2019 c 387 s 3; 2017 3rd sp.s. c 13 s 105.]

Intent—Findings—2019 c 387: See note following RCW 28A.150.392.

Intent—2017 3rd sp.s. c 13: See note following RCW 28A.150.410.

Collective bargaining agreements not impaired—2017 3rd sp.s. c 13: See note following RCW 41.56.139.

RCW 28A.150.420 Reimbursement for classes provided outside regular school year. The superintendent of public instruction shall establish procedures to allow school districts to claim basic education allocation funds for students attending classes that are provided outside the regular school year to the extent such attendance is in lieu of attendance during the regular school year: PROVIDED, That nothing in this section shall be construed to alter the basic education allocation for which the district is otherwise eligible. [1989 c 233 s 10. Formerly RCW 28A.41.172.]

RCW 28A.150.500 Educational agencies offering vocational education programs—Local advisory committees—Advice on current job needs. (1) Each local education agency or college district offering vocational educational programs shall establish local advisory committees to provide that agency or district with advice on current job needs and on the courses necessary to meet these needs.

(2) The local program committees shall:

(a) Participate in the determination of program goals;

(b) Review and evaluate program curricula, equipment, and effectiveness;

(c) Include representatives of business and labor who reflect the local industry, and the community; and

(d) Actively consult with other representatives of business, industry, labor, and agriculture. [1991 c 238 s 76.]

RCW 28A.150.510 Transmittal of education records—Disclosure of education records—Data-sharing agreements. (1) In order to effectively serve students who are the subject of a dependency proceeding, education records shall be transmitted to the department of children, youth, and families, the appropriate federally recognized Indian tribe, or the state agency responsible for the implementation of the unaccompanied refugee minors program within two school days

after receiving the request from the department, federally recognized Indian tribe, or state agency provided that the department, the appropriate federally recognized Indian tribe, or the state agency responsible for the implementation of the unaccompanied refugee minors program certifies that it will not disclose to any other party the education records without prior written consent of the parent or student unless authorized to disclose the records under state law. The department of children, youth, and families is authorized to disclose education records it obtains pursuant to this section to a foster parent, guardian, or other entity authorized by the department to provide residential care to the student. The department is also authorized to disclose educational [education] records it obtains pursuant to this section to those entities with which it has contracted, or with which it is formally collaborating, having responsibility for educational support services and educational outcomes of students who are the subject of a dependency proceeding pursuant to chapter 13.34 RCW. The department is encouraged to put in place data-sharing agreements to assure accountability.

(2) For the purposes of this section, "students who are the subject of a dependency proceeding" means a child or youth who is located in Washington state, and who is:

(a) The subject of a shelter care or dependency order issued pursuant to chapter 13.34 RCW or an equivalent order of a tribal court of a federally recognized Indian tribe; or

(b) Eligible for benefits under the federal foster care system as defined in RCW 28B.117.020. [2022 c 78 s 1; 2017 3rd sp.s. c 6 s 336; 2012 c 163 s 9; 2008 c 297 s 5; 2000 c 88 s 1.]

Effective date—2017 3rd sp.s. c 6 ss 102, 104-115, 201-227, 301-337, 401-419, 501-513, 801-803, and 805-822: See note following RCW 43.216.025.

Conflict with federal requirements—2017 3rd sp.s. c 6: See RCW 43.216.908.

Findings—Effective date—2012 c 163: See notes following RCW 28B.117.010.

RCW 28A.150.515 High school directory information—Transmittal to the office of the superintendent of public instruction. (1) Beginning in 2024, each school district that operates a high school shall annually transmit directory information for all enrolled high school students to the office of the superintendent of public instruction by November 1st.

(2) The office of the superintendent of public instruction must hold the high school student directory information collected under this section and make the information available for the Washington student achievement council and institutions of higher education in accordance with RCW 28B.10.041.

(3) By no later than the beginning of the 2025-26 school year, the office of the superintendent of public instruction shall identify a process for making information provided in accordance with RCW 28B.10.041(2) on a student's enrollment in an institution of higher education available to the student's school district. The process identified under this subsection (3) must require that information

provided to school districts include the statewide student identifier for each student.

(4) In transmitting student information under this section, school districts must comply with the consent procedures under RCW 28A.605.030, the federal family educational and privacy rights act of 1974 (20 U.S.C. Sec. 1232g), and all applicable rules and regulations.

(5) The student directory information data collected under this section is solely for the following purposes:

(a) Providing information related to college awareness and admissions at institutions of higher education in accordance with RCW 28B.10.041;

(b) Providing information related to postsecondary financial aid and educational opportunities in accordance with RCW 28B.10.041; and

(c) Providing enrollment and outcome information to the office of the superintendent of public instruction and to school districts related to students from their respective school district under subsection (3) of this section.

(6) For the purposes of this section:

(a) "Directory information" means the names, addresses, email addresses, and telephone numbers of students and their parents or legal guardians; and

(b) "Statewide student identifier" has the same meaning as in RCW 28B.10.041. [2024 c 324 s 2; 2023 c 406 s 2.]

RCW 28A.150.520 High-performance public buildings—Compliance with requirements. Public school districts must comply with high-performance public building[s] requirements under RCW 39.35D.010, 39.35D.020, 39.35D.040, 39.35D.060, and 28A.150.530. [2005 c 12 s 9.]

RCW 28A.150.530 High-performance public buildings—Implementation rules—Energy conservation report review. (1) In adopting implementation rules, the superintendent of public instruction, in consultation with the department of enterprise services, shall review and modify the current requirement for an energy conservation report review by the department of enterprise services.

(2) In adopting implementation rules, the superintendent of public instruction shall:

(a) Review and modify the current requirements for value engineering, constructibility review, and building commissioning;

(b) Review private and public utility providers' capacity and financial/technical assistance programs for affected public school districts to monitor and report utility consumption for purposes of reporting to the superintendent of public instruction as provided in RCW 39.35D.040;

(c) Coordinate with the department of enterprise services, the state board of health, the department of ecology, federal agencies, and other affected agencies as appropriate in their consideration of rules to implement this section. [2015 c 225 s 26; 2006 c 263 s 326; 2005 c 12 s 7.]

Findings—Purpose—Part headings not law—2006 c 263: See notes following RCW 28A.150.230.

RCW 28A.150.540 Condensed compliance reports—Second-class districts. Any compliance reporting requirements as a result of laws in this chapter that apply to second-class districts may be submitted in accordance with RCW 28A.330.250. [2011 c 45 s 3.]

Conflict with federal requirements—2011 c 45: See note following RCW 28A.330.250.

RCW 28A.150.550 Statewide indicators of educational system health—Disaggregation—Use of indicators—Status reports. (1) The following statewide indicators of educational system health are established:

(a) The percentage of students demonstrating the characteristics of entering kindergartners in all six areas identified by the Washington kindergarten inventory of developing skills administered in accordance with RCW 28A.655.080;

(b) The percentage of students meeting the standard on the fourth grade statewide reading assessment administered in accordance with RCW 28A.655.070;

(c) The percentage of students meeting the standard on the eighth grade statewide mathematics assessment administered in accordance with RCW 28A.655.070;

(d) The four-year cohort high school graduation rate;

(e) The percentage of high school graduates who during the second quarter after graduation are either enrolled in postsecondary education or training or are employed, and the percentage during the fourth quarter after graduation who are either enrolled in postsecondary education or training or are employed; and

(f) The percentage of students enrolled in precollege or remedial courses in college.

(2) The statewide indicators established in subsection (1) of this section shall be disaggregated as provided under RCW 28A.300.042.

(3) The state board of education, with assistance from the office of the superintendent of public instruction, the workforce training and education coordinating board, the educational opportunity gap oversight and accountability committee, and the student achievement council, shall establish a process for identifying realistic but challenging systemwide performance goals and measurements, if necessary, for each of the indicators established in subsection (1) of this section, including for subcategories of students as provided under subsection (2) of this section. The performance goal for each indicator must be set on a biennial basis, and may only be adjusted upward.

(4) The state board of education, the office of the superintendent of public instruction, and the student achievement council shall each align their strategic planning and education reform efforts with the statewide indicators and performance goals established under this section.

(5)(a) The state board of education, with assistance from the office of the superintendent of public instruction, the workforce training and education coordinating board, the educational opportunity gap oversight and accountability committee, and the student achievement council, shall submit a report on the status of each indicator in subsection (1) of this section and recommend revised performance goals and measurements, if necessary, by December 1st of

each even-numbered year, except that the initial report establishing baseline values and initial goals shall be delivered to the education committees of the legislature by December 1, 2013.

(b) If the educational system is not on target to meet the performance goals on any individual indicator, the report must recommend evidence-based reforms intended to improve student achievement in that area.

(c) To the extent data is available, the performance goals for each indicator must be compared with national data in order to identify whether Washington student achievement results are within the top ten percent nationally or are comparable to results in peer states with similar characteristics as Washington. If comparison data show that Washington students are falling behind national peers on any indicator, the report must recommend evidence-based reforms targeted at addressing the indicator in question. [2013 c 282 s 2.]

Intent—2013 c 282: "(1) The legislature acknowledges that multiple entities, including the state board of education, the office of the superintendent of public instruction, the workforce training and education coordinating board, the quality education council, and the student achievement council, are actively working on efforts to identify measurable goals and priorities, road maps, and strategic plans for the entire educational system. It is not the legislature's intent to undermine or curtail the ongoing work of these groups. However, the legislature believes that a coordinated single set of statewide goals would help focus these efforts.

(2) It is, therefore, the intent of the legislature to establish a discrete set of statewide data points that will serve as snapshots of the overall health of the educational system and as a means for evaluating progress in achieving the outcomes set for the system and the students it serves. By monitoring these statewide indicators over time, it is the intent of the legislature to understand whether reform efforts and investments are making positive progress in the overall education of students and whether adjustments are necessary. Finally, it is the intent of the legislature to align the education reform efforts of each state education agency in order to hold each part of the system – statewide leaders, school personnel, and students – accountable to the same definitions of success." [2013 c 282 s 1.]

RCW 28A.150.560 Special education—Allocation and cost accounting methodology—Annual accounting to legislature. (1) It is the policy of the state that for purposes of state funding allocations, students eligible for and receiving special education generate the full basic education allocation under RCW 28A.150.260 and, as a class, are to receive the benefits of this allocation for the entire school day, as defined in RCW 28A.150.203, whether the student is placed in the general education setting or another setting.

(2) The superintendent of public instruction shall develop an allocation and cost accounting methodology to account for expenditures beyond amounts provided through the special education funding formula under RCW 28A.150.390. This method of accounting must shift 25 percent of a school district's base allocation as defined in RCW 28A.150.390 for students eligible for and receiving special education to the school district's special education program for expenditure.

(3) To the extent that a school district's special education program expenditures exceed state funding in a school year provided under RCW 28A.150.390 and 28A.150.392, and redirected general apportionment revenue under subsection (2) of this section, the school district must use the remaining portion of the school district's base allocation as defined in RCW 28A.150.390 for students eligible for and receiving special education for the expenditures prior to using other funding sources.

(4) Unless otherwise prohibited by law, nothing in this section prohibits school districts from using other funding and state allocations above the amounts provided under RCW 28A.150.390 and subsections (2) and (3) of this section to serve students eligible for and receiving special education.

(5) Nothing in this section requires districts to provide services in a manner inconsistent with the student's individualized education program or other than in the least restrictive environment as determined by the individualized education program team.

(6) The superintendent of public instruction shall provide the legislature with an accounting of prorated general apportionment allocations provided to special education programs broken down by school district by January 1, 2024, and then every January 1st of odd-numbered years thereafter. [2025 c 368 s 7; 2023 c 417 s 6.]

RCW 28A.150.570 Special education—Pilot grants in support of inclusionary practices—Annual report. (1) Subject to availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must award grants to up to 20 pilot schools to support school-wide centers of excellence for inclusionary practices. School districts may apply for grant funding on behalf of a school within their district. The selected schools will generate a grant equivalent to the amount needed to bring the school to a multiplier of 1.5 for all students eligible for, and receiving special education in, the school in each school year over a four-year period. Grant amounts provided in this section must be spent on qualifying expenses for special education programs for students with disabilities.

(2) The superintendent of public instruction must select grant recipients based on the criteria in this subsection (2). Selected pilot schools must be diverse geographically and in size of enrollment. Successful school applicants must:

(a) Demonstrate engaged and committed school leadership and faculty in support of inclusionary practices, which may include, but are not limited to, the following practices:

(i) A willingness to make master schedule changes to allow for common collaboration time;

(ii) A plan for transformational change in building practices in support of inclusion;

(iii) Broadly communicating a commitment to the shift in practices; and

(iv) A commitment to, and understanding of, universal design for learning;

(b) Demonstrate that all school staff, including classified staff, are appropriately trained in inclusionary practices or submit a plan for all staff to obtain the appropriate training by the end of the following school year;

(c) Provide data demonstrating the school's existing success in inclusionary practices or recent improvements in inclusionary practices; and

(d) Describe how staff training and support in inclusionary practices will be sustained after initial training is provided.

(3) Beginning December 1, 2026, and annually thereafter, the office of the superintendent of public instruction shall submit a report to the appropriate committees of the legislature on the grant program. The report must include, at a minimum:

(a) A list of the grant recipients from the previous school year;

(b) The additional funding provided to each grant recipient as required in subsection (1) of this section; and

(c) The effectiveness of the grant funds in increasing staff training in inclusionary practices and improving student outcomes.

(4) The funding provided under this section is not part of the state's statutory program of basic education. [2025 c 368 s 4.]