

# Physical, Social, and Emotional Support (PSES) Staff Compliance Q&A

Compliance language as passed in [2SHB 1664](#) is as follows:

*"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 ratios of: Full-time physical, social, and emotional staff to full-time equivalent students."*

## Section 1: General Questions

### When does compliance take effect?

Compliance will be in effect for the 2022–23 school year, per [2SHB 1664 Section 3](#).

### Where will the PSES compliance rules be found in WAC?

PSES compliance rules can be found in [WAC chapter 392-122](#) in 430-455.

### Is there a floor funding level for PSES staff?

No, there is no floor funding. Districts will receive an allocation up to the extent of and in proportionate to their actual demonstrated ratio up to the maximum allowable.

### How will compliance impact the F-203 revenue estimate system?

The F-203 formulas will initially calculate assuming full compliance, thus generating the maximum possible allocation. Local Education Agencies will be provided a tool available in the current school year [Budget Preparations | OSPI](#) to determine an estimated reduction if not in compliance. There will be a space in the F-203 added to insert a reduction for compliance if needed.

### What will be the basis of funding in the months of September through December?

Districts will be given a tool to calculate compliance outside of the system and will be paid based on F-203 inputs put into the system.



## Section 2: Calculation Inputs

**What staff will be pooled into the calculation as defined by program, duty root, and activity code?**

The calculation will include staff coded to program 01 — Basic Education, program 09 – Transition to Kindergarten and program 97 — Districtwide Support to the following accounting codes:

Duty Root	Activity Code	Title	Staff Type*
39	ALL	Orientation & Mobility Specialist	Certificated ESA
42	ALL	Counselor	Certificated ESA
43	ALL	Occupational Therapist	Certificated ESA
44	ALL	Social Worker	Certificated ESA
45	ALL	Speech, Language Pathway / Audio	Certificated ESA
46	ALL	Psychologist	Certificated ESA
47	ALL	Nurse	Certificated ESA
48	ALL	Physical Therapist	Certificated ESA
49	ALL	Behavior Analyst	Certificated ESA
64	ALL	Contractor ESA	Certificated ESA
96	24	Family Engagement Coordinator	Classified
91-99	25	Pupil Management	Classified
91-99	26	Health/Related Services	Classified
91-99	35	Pupil Safety	Classified

\*Note: According to the compliance language in 2SHB 1664, districts must prioritize funding allocated to staff who hold a valid ESA certificate appropriate for the staff's role.

**How will staff coded to program 21 be included in the calculation?**

The calculation will include staff assigned to the activities and duty roots identified in the prior question coded in program 21 and will be multiplied by the annual percentage of students receiving special education instruction used in the determination of 3121 revenue.

**How will PSES staff with an incorrect or blank grade span identifier in the S275 be included in the calculation?**

These staffing units will be grouped with the high school funding formula calculation.

**Will the high poverty counselor allocation be subject to compliance calculation?**

No, they will not be included. Compliance applies to staff allocated in [subsection 5\(a\) of section 3 of 2SHB 1664](#). High poverty counselors are not included in that section of the bill.

### **Will staff coded to Alternative Learning Experience (ALE) or Open Doors programs be included? (Answer Expanded 03/24)**

No, staff coded to ALE program 02 or Open Doors/Dropout Re-engagement program 03 will not be included. These programs will continue to receive an allocation based on the running start rate regardless of compliance results. These are public education programs and students should be able to access and receive comparable services as provided in the prototypically funded programs. To best serve the students in these programs, funding beyond that which is provided through the running start rate may be used to help meet those students' needs.

### **Will ESSER funded staff be included in the calculation?**

No.

### **How will contracted staff be reported/included in the calculation?**

Per existing S-275 guidance, any ESA CIS staff working under contract at an amount greater than 0.25 FTE for the school year must be reported in the S-275 under duty root 64.

A supplemental SmartSheet tool will be provided for PSES contracted staff that districts are unable to report in the S-275. For contractors to be counted, districts will be expected to report the supplemental contracting staff by the enrollment reporting due date in January, March, or June prior to the compliance calculation.

### **What is the basis for converting contracted staff to full-time equivalency for the purposes of PSES reporting?**

Full time equivalency should either be determined in the contracting agreement or defined at the local school district level.

### **What enrollment totals will be included in the calculation?**

Enrollment will be taken from the P-223 reporting and will match the 1191ED Apportionment Report, utilizing annual average FTE for grades TK–12 as of the P-223 enrollment reporting deadline date for that month's calculation. Enrollment in CTE, Skill Center, ALE, Open Doors, and Running Start programs will be excluded from the calculation.

## **Section 3: Calculation Methodology**

### **How often will the compliance calculation be performed?**

Preliminary calculations will be performed in January and March. Final calculations will be performed in June.

## Do districts have to comply at the district level or at each prototypical school level (elementary, middle, and high)?

The compliance language specifically states that districts are allocated up to the **combined** ratios of PSES staff. A district can comply and receive full allocations even if they hire less than the prototypical school allocation at one school level and more than the prototypical school allocation at another.

## Section 4: Penalty for Non-Compliance

### How will total penalty units be split between CIS and CLS?

The full allocation combined for PSES staff subject to compliance for the 2023–24 school year provides 94% CIS and 6% CLS. Penalty units identified by compliance calculations will be split based on that percentage. For example, if a district has 5.0 FTE penalty units, the reduction will assume 4.7 FTE CIS and 0.3 FTE CLS.

### If penalty units are assessed, when will they impact apportionment payments?

Fiscal penalties associated with non-compliance will be assessed as part of the January apportionment payment process, and any necessary adjustments will be made with March apportionment and the final calculation in June apportionment prior to the end of that state fiscal year.

## Questions

If you have questions that were not addressed in this document, please email T.J. Kelly, Chief Financial Officer, at [thomas.kelly@k12.wa.us](mailto:thomas.kelly@k12.wa.us) or Michelle Matakas, Director of School Apportionment and Financial Services, at [michelle.matakas@k12.wa.us](mailto:michelle.matakas@k12.wa.us).