

AMENDATORY SECTION (Amending WSR 16-10-117, filed 5/4/16, effective 6/4/16)

**WAC 392-140-916 K-3 class size funding.** Elementary teacher allocations based on the prototypical schools formula provided in RCW 28A.150.260 and the Omnibus Appropriations Act for grades K-3 ((~~at nonhigh poverty and high poverty schools~~)) will be based upon budgeted K-3 enrollment ((~~at both nonhigh poverty and high poverty schools~~)) as stated in the ((~~district's~~)) F-203 revenue estimate from September through December for the year budgeted. Districts, charter schools, and tribal compact schools will also input their estimated K-3 ((~~and K-3 high poverty weighted average~~)) class size for purposes of funding from September through December. K-3 enrollment will not include student full-time equivalent (FTE) enrolled in alternative learning experience programs ((~~. Funding based on actual average annual FTE enrollment reported in the P-223 will begin in January and will continue through August~~)) that meet the requirements of WAC 392-121-182. Funded class size starting with January apportionment will be based on the actual average annual FTE enrollment reported in the P-223. Districts, charter schools, and tribal compact schools must meet the legislative compliance requirements of ((~~both K-3 and K-3 high poverty~~)) K-3 class size funding in order to generate the full allotment.

AMENDATORY SECTION (Amending WSR 16-10-117, filed 5/4/16, effective 6/4/16)

**WAC 392-140-923 K-3 class size compliance—Enrollment.** Grade level K-3 ((~~high poverty and nonhigh poverty enrollment from a district's P-223 reporting~~)) enrollment reported on the P-223 will be considered in the compliance calculations for the months of January, March, and June. All students in ALE programs that meet the requirements of WAC 392-121-182 will be excluded from the compliance calculation.

AMENDATORY SECTION (Amending WSR 16-10-117, filed 5/4/16, effective 6/4/16)

**WAC 392-140-932 K-3 class size compliance—Teachers.** The superintendent of public instruction shall include in the calculation of ((~~high poverty~~)) K-3 class size compliance those teachers reported on the S-275 ((~~at the eligible schools~~)) that are coded in programs 01 to grade group K, 1, 2, or 3, and are reported in one of the following duty roots:

- Duty Root 31 - Elementary homeroom teacher;
- Duty Root 33 - Other teacher;
- Duty Root 34 - Elementary specialist teacher;
- Duty Root 52 - Substitute teacher;
- Duty Root 63 - Contractor teacher.

S-275 data as of the published apportionment cutoff dates in January, March, and June will be considered in the calculation.

Program 21 special education teachers coded to grade K, 1, 2, or 3 multiplied by the annual percentage of students in special education instruction used in determination of a district's, tribal compact school's, or charter school's 3121 revenue will be included.

Teachers coded to program 02 alternative learning experience shall be excluded.

AMENDATORY SECTION (Amending WSR 16-10-117, filed 5/4/16, effective 6/4/16)

**WAC 392-140-934 K-3 class size compliance—Supplemental FTE teachers.** As used in this chapter, "supplemental full-time equivalent teachers" means the net change in full-time equivalent teachers after October 1st of the school year not reflected in report S-275. Teachers, for the purpose of this section, are defined in WAC 392-140-932. Supplemental full-time equivalent teachers are determined as follows:

(1) Determine the teacher FTE that would be reported for each employee for the school year on report S-275 if the current data were submitted for the October 1st snapshot as required in the S-275 instructions and subtract the teacher FTE as of October 1st actually reported for the employee on the (~~school district's~~) most current report S-275.

(2) Include decreases as well as increases in staff after October 1st and not reflected in report S-275. Decreases include terminations, retirements, unpaid leave, and reassignment of staff.

Supplemental teacher FTE must be reported to the office of superintendent of public instruction prior to the published S-275 apportionment cutoff dates in January, March, and June to be considered. Supplemental teacher FTE must be reported by individual grade level K, 1, 2, and 3 (~~, as well as separately for nonhigh poverty and high poverty schools~~).

AMENDATORY SECTION (Amending WSR 16-10-117, filed 5/4/16, effective 6/4/16)

**WAC 392-140-939 K-3 (~~demonstrated~~) funded class size(~~—Non-high poverty schools~~)).** (~~Demonstrated~~) Funded class size (~~across all nonhigh poverty eligible schools~~) will be calculated by dividing the total teachers and supplemental teacher FTE (~~for the individual grade levels of K, 1, 2, or 3,~~) across all grades K-3 collectively, as described in WAC 392-140-932 into the calculated combined total enrollment (~~across all nonhigh poverty schools in the individual~~) in grade levels of K, 1, 2, or 3.

REPEALER

The following sections of the Washington Administrative Code are repealed:

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| WAC 392-140-915 | High poverty funding—Process and definition of eligible schools. |
| WAC 392-140-936 | K-3 demonstrated class size—High poverty schools.                |
| WAC 392-140-942 | Weighted average class size—High poverty schools.                |
| WAC 392-140-945 | Weighted average class size—Nonhigh poverty schools.             |

**WAC 392-122-605 Apportionment of state moneys for the state learning assistance program.** (1) State learning assistance program moneys shall be allocated as provided in the state Operating Appropriations Act in effect at the time the apportionment is due. The superintendent of public instruction may withhold the monthly learning assistance program apportionment payment to a school district, public charter school, or school operated pursuant to a state-tribe education compact if the school district, charter school, or compact school fails to submit its annual report for the prior school year to the superintendent of public instruction by the established due date. The first learning assistance program apportionment payment of the school year and subsequent allocations may be withheld until the annual reports are completed in approvable form.

(2) Learning assistance program moneys include two allocations: A district learning assistance program base allocation and a learning assistance program high-poverty based school allocation for eligible schools.

(a) A school district's funded students for the learning assistance program base allocation shall be the sum of the district's annual average full-time equivalent enrollment in grades K-12 for the prior school year multiplied by the district's percentage of October headcount enrollment in grades K-12 eligible for free or reduced-price lunch in the prior school year. The prior school year's October headcount enrollment for free and reduced-price lunch shall be as reported in the comprehensive education data and research system as of March 31st of the prior school year.

(b)(i) A school is eligible for the learning assistance program high-poverty based school allocation if it is funded through the prototypical model and has at least fifty percent of its students eligible for free and reduced-price meals in the prior school year. The percentage is determined by the school's percentage of October headcount enrollment in grades K-12 for free and reduced-price lunch (~~The prior school year's October headcount enrollment for free and reduced-price lunch shall be~~) as reported in the comprehensive education data and research system as of March 31st of the prior school year.

(ii) An eligible school's funded students for the learning assistance high-poverty based allocation shall be the sum of the school's annual average full-time enrollment in grades K-12 for the prior year.