



SUPERINTENDENT OF PUBLIC INSTRUCTION

Randy I. Dorn Old Capitol Building · PO BOX 47200 · Olympia, WA 98504-7200 · <http://www.k12.wa.us>

June 14, 2010

Representative Dan Kristiansen
PO Box 40600
Olympia, WA 98504-0600

Dear Representative Kristiansen:

Thanks for writing and for your interest.

The proposed rule change to WAC 392-127-090 is being made based on conversations with legislative staff, who raised concerns about school district compliance with the intent of the rule. Our belief is that a failure to make this clarification in WAC could cause a more significant and severe statutory change in terms of funding.

Some districts are not operating their ALE programs on a specific month, then choosing that month to report student/staff ratios. That practice goes against the intent of RCW 28A.150.100 and 392-127-090, which is to ensure that school districts have 46 certificated instructional staff for every 1000 students enrolled.

The rule, in part, reads as follows: For reporting staff ratios,

"The school district may select either one of the following:

- (1) The full-time equivalent enrollment for any one month during the current school year; or
- (2) The annual average full-time equivalent enrollment for the current school year."

The proposed change states: For reporting purposes,

"The school district may select one of the following:

- (1) Through the 2010-11 school year, the full-time equivalent for any one month during the school year; or
- (2) For the 2011-12 school year and thereafter, the full-time equivalent enrollment for any one month during the current school when all basic education instructional programs are operating."

Such a change simply clarifies the intent of the rule. The change will provide greater consistency in the reporting of staff and enrollment data for the purpose of calculating compliance with the staff ratio requirement.

Our intent is not to shut down any schools – but we do need to ensure that these compliance ratios are in place as required by the State Legislature as enacted through the State Budget and RCW 28A.150.100.

We understand that this rule change might affect your school district's calculations. That's why I'm making the effective date for the change is the 2011-12 school year. It gives the District time to plan and to budget for the change. It also gives interested parties time to request the Legislature to review this rule change and to create a new law to address the concerns raised.

Sincerely,

A handwritten signature in cursive script that reads "Randy Dorn".

Randy I. Dorn
State Superintendent of Public Instruction