

AMENDATORY SECTION (Amending WSR 24-14-074, filed 6/28/24, effective 7/29/24)

**WAC 392-122-440 Physical, social, and emotional support (PSES)—Staff.** (1) The superintendent of public instruction will include in the calculation of PSES compliance of those staff that are coded in programs 01, 09, or 97 to one of the following duty root and activity code combinations:

- Duty root 39 - All activities - Orientation and mobility specialist;
- Duty root 42 - All activities - Counselor;
- Duty root 43 - All activities - Occupational therapist;
- Duty root 44 - All activities - Social worker;
- Duty root 45 - All activities - Speech, language pathology/audio;
- Duty root 46 - All activities - Psychologists;
- Duty root 47 - All activities - Nurse;
- Duty root 48 - All activities - Physical therapist;
- Duty root 49 - All activities - Behavior therapist;
- Duty root 64 - All activities - Contractor ESA;
- Duty root 96 - Activity 24 - Family engagement coordinator;
- Duty roots 91 - 99 - Activity 25 - Pupil management (~~and safety~~);
- Duty roots 91 - 99 - Activity 26 - Health/related services;
- Duty roots 91 - 99 - Activity 35 - Pupil safety.

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

(3) Districts must prioritize funding allocated for PSES staff to staff who hold a valid ESA certificate appropriate for that role.

(4) Staff coded to the above duty roots and activity codes in program 21 will be multiplied by the annual percentage of students receiving special education instruction (~~used in the determination of 3121 revenue for inclusion in the compliance calculation~~) not in the general education classroom as reported from the November special education federal child count.

AMENDATORY SECTION (Amending WSR 24-14-074, filed 6/28/24, effective 7/29/24)

**WAC 392-122-510 K-3 class size—Teachers.** (1) The superintendent of public instruction will include in the calculation of K-3 class size compliance those teachers reported on the S-275 that are coded in programs 01 to grade group K, 1, 2, or 3, and program 09 for transition to kindergarten (grade T), 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.

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

(3) Program 21 special education teachers coded to grade K, 1, 2, or 3, and grade T multiplied by the annual percentage of students receiving special education instruction (~~((used in determination of a district's, tribal compact school's, or charter school's 3121 revenue will be included))~~) not in the general education classroom as reported from the November special education federal child count.

(4) Teachers coded to program 02 alternative learning experience will be excluded.

**WAC 392-127-045 FTE basic education certificated instructional employee—Definition.** As used in this chapter, "full-time equivalent basic education certificated instructional employee" means the full-time equivalent calculated pursuant to WAC 392-121-215 for:

(1) A basic education certificated instructional employee as defined in WAC 392-121-210; and

(2) A special education certificated instructional employee, in program 21, as determined by the following:

(a) The total special education, program 21, certificated instructional staff assigned to grades kindergarten through ~~((twelve))~~ 12;

(b) ~~((Times))~~ Multiplied by the annual percentage ((used in de-termination of a district's 3121 revenue the special education cost accounting method required pursuant to section 507 (2) (b) of the 2007 supplemental operating budget)) of students receiving special education instruction not in the general education classroom as reported from the November special education federal child count.