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SENATE BILL 5395

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State of Washington

55th Legislature

1997 Regular Session

By Senators West, Hochstatter and Spanel; by request of Office of Financial Management

Read first time 01/24/97. Referred to Committee on Ways & Means.

1 AN ACT Relating to the formula for determining certificated  
2 instructional staff salaries in basic education and special education  
3 programs; and amending RCW 28A.150.410 and 28A.400.200.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.150.410 and 1990 c 33 s 118 are each amended to  
6 read as follows:

7 (1) The legislature shall establish for each school year in the  
8 appropriations act a state-wide salary allocation schedule, for  
9 allocation purposes only, to be used to distribute funds for basic  
10 education certificated instructional staff salaries under RCW  
11 28A.150.260.

12 (2) The superintendent of public instruction shall calculate salary  
13 allocations for state funded basic education certificated instructional  
14 staff by determining the district average salary for basic education  
15 and special education instructional staff using the salary allocation  
16 schedule established pursuant to this section. (~~However, no district~~  
17 ~~shall receive an allocation based upon an average basic education~~  
18 ~~certificated instructional staff salary which is less than the average~~  
19 ~~of the district's 1986-87 actual basic education certificated~~

1 ~~instructional staff salaries, as reported to the superintendent of~~  
2 ~~public instruction prior to June 1, 1987, and the legislature may grant~~  
3 ~~minimum salary increases on that base: PROVIDED, That the~~  
4 ~~superintendent of public instruction may adjust this allocation based~~  
5 ~~upon the education and experience of the district's certificated~~  
6 ~~instructional staff.))~~

7 (3) Beginning January 1, 1992, no more than ninety college quarter-  
8 hour credits received by any employee after the baccalaureate degree  
9 may be used to determine compensation allocations under the state  
10 salary allocation schedule and LEAP documents referenced in the  
11 biennial appropriations act, or any replacement schedules and  
12 documents, unless:

13 (a) The employee has a masters degree; or

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

16 **Sec. 2.** RCW 28A.400.200 and 1993 c 492 s 225 are each amended to  
17 read as follows:

18 (1) Every school district board of directors shall fix, alter,  
19 allow, and order paid salaries and compensation for all district  
20 employees in conformance with this section.

21 (2)(a) Salaries for certificated instructional staff shall not be  
22 less than the salary provided in the appropriations act in the state-  
23 wide salary allocation schedule for an employee with a baccalaureate  
24 degree and zero years of service; and

25 (b) Salaries for certificated instructional staff with a masters  
26 degree shall not be less than the salary provided in the appropriations  
27 act in the state-wide salary allocation schedule for an employee with  
28 a masters degree and zero years of service;

29 (3)(a) The actual average salary paid to basic education and  
30 special education certificated instructional staff shall not exceed the  
31 district's average basic education and special education program  
32 certificated instructional staff salary used for the state basic  
33 education allocations for that school year as determined pursuant to  
34 RCW 28A.150.410.

35 (b) Fringe benefit contributions for basic education and special  
36 education certificated instructional staff shall be included as salary  
37 under (a) of this subsection only to the extent that the district's  
38 actual average benefit contribution exceeds the amount of the insurance

1 benefits allocation provided per certificated instructional staff unit  
2 in the state operating appropriations act in effect at the time the  
3 compensation is payable. For purposes of this section, fringe benefits  
4 shall not include payment for unused leave for illness or injury under  
5 RCW 28A.400.210; employer contributions for old age survivors  
6 insurance, workers' compensation, unemployment compensation, and  
7 retirement benefits under the Washington state retirement system; or  
8 employer contributions for health benefits in excess of the insurance  
9 benefits allocation provided per certificated instructional staff unit  
10 in the state operating appropriations act in effect at the time the  
11 compensation is payable. A school district may not use state funds to  
12 provide employer contributions for such excess health benefits.

13 (c) Salary and benefits for certificated instructional staff in  
14 programs other than basic education and special education shall be  
15 consistent with the salary and benefits paid to certificated  
16 instructional staff in the basic education and special education  
17 programs.

18 (4) Salaries and benefits for certificated instructional staff may  
19 exceed the limitations in subsection (3) of this section only by  
20 separate contract for additional time, additional responsibilities, or  
21 incentives. Supplemental contracts shall not cause the state to incur  
22 any present or future funding obligation. Supplemental contracts shall  
23 be subject to the collective bargaining provisions of chapter 41.59 RCW  
24 and the provisions of RCW 28A.405.240, shall not exceed one year, and  
25 if not renewed shall not constitute adverse change in accordance with  
26 RCW 28A.405.300 through 28A.405.380. No district may enter into a  
27 supplemental contract under this subsection for the provision of  
28 services which are a part of the basic education program required by  
29 Article IX, section 3 of the state Constitution.

30 (5) Employee benefit plans offered by any district shall comply  
31 with RCW 28A.400.350 and 28A.400.275 and 28A.400.280.

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