

2 E2SHB 1477 - S AMD - 316  
3 By Senator T. Sheldon

4 RULED BEYOND SCOPE 4/12/99

5 On page 12, after line 12, insert the following:

6 "Sec. 404. RCW 28A.400.300 and 1997 c 13 s 10 are each amended to  
7 read as follows:

8 Every board of directors, unless otherwise specially provided by  
9 law, shall:

10 (1) Employ for not more than one year, and for sufficient cause  
11 discharge all certificated and classified employees;

12 (2) Adopt written policies granting leaves to persons under  
13 contracts of employment with the school district(s) in positions  
14 requiring either certification or classified qualifications, including  
15 but not limited to leaves for attendance at official or private  
16 institutes and conferences and sabbatical leaves for employees in  
17 positions requiring certification qualification, and leaves for  
18 illness, injury, bereavement and, emergencies for both certificated and  
19 classified employees, and with such compensation as the board of  
20 directors prescribe: PROVIDED, That the board of directors shall adopt  
21 written policies granting to such persons annual leave with  
22 compensation for illness, injury and emergencies as follows:

23 (a) For such persons under contract with the school district for a  
24 full year, at least ten days;

25 (b) For such persons under contract with the school district as  
26 part time employees, at least that portion of ten days as the total  
27 number of days contracted for bears to one hundred eighty days;

28 (c) For certificated and classified employees, annual leave with  
29 compensation for illness, injury, and emergencies shall be granted and  
30 accrue at a rate not to exceed twelve days per year; provisions of any  
31 contract in force on June 12, 1980, which conflict with requirements of  
32 this subsection shall continue in effect until contract expiration;  
33 after expiration, any new contract executed between the parties shall  
34 be consistent with this subsection;

1 (d) Compensation for leave for illness or injury actually taken  
2 shall be the same as the compensation such person would have received  
3 had such person not taken the leave provided in this proviso;

4 (e) Leave provided in this proviso not taken shall accumulate from  
5 year to year up to a maximum of one hundred eighty days for the  
6 purposes of RCW 28A.400.210 and 28A.400.220, and for leave purposes up  
7 to a maximum of the number of contract days agreed to in a given  
8 contract, but not greater than one year. Such accumulated time may be  
9 taken at any time during the school year or up to twelve days per year  
10 may be used for the purpose of payments for unused sick leave((-))i

11 (f) Sick leave heretofore accumulated under section 1, chapter 195,  
12 Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under  
13 administrative practice of school districts prior to the effective date  
14 of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is  
15 hereby declared valid, and shall be added to leave for illness or  
16 injury accumulated under this proviso;

17 (g) Any leave for injury or illness accumulated up to a maximum of  
18 forty-five days shall be creditable as service rendered for the purpose  
19 of determining the time at which an employee is eligible to retire, if  
20 such leave is taken it may not be compensated under the provisions of  
21 RCW 28A.400.210 and 28A.310.490;

22 (h) Accumulated leave under this proviso shall be transferred to  
23 and from one district to another, the office of superintendent of  
24 public instruction and offices of educational service district  
25 superintendents and boards, to and from such districts and such  
26 offices;

27 (i) Leave accumulated by a person in a district prior to leaving  
28 said district may, under rules and regulations of the board, be granted  
29 to such person when the person returns to the employment of the  
30 district; and

31 (j) For sick leave the board of directors may require a signed  
32 statement from a licensed health care provider that any absence was due  
33 to illness or injury. If an employee uses sick leave to engage in a  
34 strike or work stoppage, the employee may not receive sick leave  
35 benefits during the time the employee engages in the strike or work  
36 stoppage.

37 When any certificated or classified employee leaves one school  
38 district within the state and commences employment with another school  
39 district within the state, the employee shall retain the same

1 seniority, leave benefits and other benefits that the employee had in  
2 his or her previous position: PROVIDED, That classified employees who  
3 transfer between districts after July 28, 1985, shall not retain any  
4 seniority rights other than longevity when leaving one school district  
5 and beginning employment with another. If the school district to which  
6 the person transfers has a different system for computing seniority,  
7 leave benefits, and other benefits, then the employee shall be granted  
8 the same seniority, leave benefits and other benefits as a person in  
9 that district who has similar occupational status and total years of  
10 service."

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13  
14 On page 1, line 1 of the title, after "RCW" insert "28A.400.300  
15 and"

EFFECT: Requires a school board to adopt a written policy that allows school officials to require a signed statement by a health care provider that an employee's sick leave was used for an illness or injury. If an employee uses sick leave to engage in a strike or work stoppage, the employee may not receive sick leave benefits during the time the employee engages in the strike or work stoppage.

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