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**SUBSTITUTE HOUSE BILL 2269**

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**State of Washington                      56th Legislature                      1999 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives H. Sommers and Huff)

Read first time 04/05/1999.

1            AN ACT Relating to the professional development program; amending  
2 RCW 28A.400.200; creating a new section; providing an effective date;  
3 and declaring an emergency.

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

5            **Sec. 1.** RCW 28A.400.200 and 1997 c 141 s 2 are each amended to  
6 read as follows:

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

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

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

18           (3)(a) The actual average salary paid to basic education and  
19 special education certificated instructional staff shall not exceed the

1 district's average basic education and special education program  
2 certificated instructional staff salary used for the state basic  
3 education allocations for that school year as determined pursuant to  
4 RCW 28A.150.410.

5 (b) Fringe benefit contributions for basic education and special  
6 education certificated instructional staff shall be included as salary  
7 under (a) of this subsection only to the extent that the district's  
8 actual average benefit contribution exceeds the amount 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. For purposes of this section, fringe benefits  
12 shall not include payment for unused leave for illness or injury under  
13 RCW 28A.400.210; employer contributions for old age survivors  
14 insurance, workers' compensation, unemployment compensation, and  
15 retirement benefits under the Washington state retirement system; or  
16 employer contributions for health benefits in excess of the insurance  
17 benefits allocation provided per certificated instructional staff unit  
18 in the state operating appropriations act in effect at the time the  
19 compensation is payable. A school district may not use state funds to  
20 provide employer contributions for such excess health benefits.

21 (c) Salary and benefits for certificated instructional staff in  
22 programs other than basic education and special education shall be  
23 consistent with the salary and benefits paid to certificated  
24 instructional staff in the basic education and special education  
25 programs.

26 (4) Salaries and benefits for certificated instructional staff may  
27 exceed the limitations in subsection (3) of this section only by  
28 separate contract for additional time, additional responsibilities, or  
29 incentives, or as specified in section 2 of this act. Supplemental  
30 contracts shall not cause the state to incur any present or future  
31 funding obligation. Supplemental contracts shall be subject to the  
32 collective bargaining provisions of chapter 41.59 RCW and the  
33 provisions of RCW 28A.405.240, shall not exceed one year, and if not  
34 renewed shall not constitute adverse change in accordance with RCW  
35 28A.405.300 through 28A.405.380. No district may enter into a  
36 supplemental contract under this subsection for the provision of  
37 services which are a part of the basic education program required by  
38 Article IX, section 3 of the state Constitution.

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

3 NEW SECTION. **Sec. 2.** (1) The professional development program is  
4 established. The professional development program shall provide  
5 certificated instructional staff opportunities to: Develop and update  
6 student learning improvement plans; implement curriculum materials and  
7 instructional strategies; implement the selected curricula and  
8 instruction; and develop and implement assessment strategies and  
9 training in assessment scoring. The professional development program  
10 may also fund other activities intended to improve student learning for  
11 all students, including students with diverse needs. Activities  
12 undertaken with funding provided for the professional development  
13 program shall be: Consistent with the school or district improvement  
14 plan; designed to improve the ability of teachers, and other  
15 instructional certificated and classified staff, to assist students in  
16 meeting the essential academic learning requirements; and designed to  
17 achieve state and local accountability goals. School districts shall  
18 conduct professional development program training on days other than  
19 student in-class days as designated by the school calendar.

20 (2) The professional development program established by this  
21 section is not within the program of basic education. Stipends  
22 provided through the professional development program are not basic  
23 education program salaries under RCW 28A.400.200.

24 (3) If the legislature revokes any benefits granted under this  
25 section, no affected employee is entitled to receive the benefits as a  
26 matter of contractual right.

27 (4) The professional development program terminates at the end of  
28 the 2000-01 school year.

29 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
30 preservation of the public peace, health, or safety, or support of the  
31 state government and its existing public institutions, and takes effect  
32 July 1, 1999.

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