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HOUSE BILL 1614

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State of Washington

64th Legislature

2015 Regular Session

By Representatives Reykdal, Santos, Dunshee, Sells, Moscoso, Pollet, S. Hunt, Ormsby, and Goodman

Read first time 01/23/15. Referred to Committee on Appropriations.

1 AN ACT Relating to establishing comparable and professional wages  
2 for K-12 employees; amending RCW 28A.150.410; adding a new section to  
3 chapter 28A.150 RCW; adding a new section to chapter 28A.300 RCW; and  
4 creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that the  
7 Washington supreme court in *McCleary v. State of Washington* found  
8 that the state allocation for salaries fell short of the actual cost  
9 of recruiting and retaining high quality educators.

10 (2) The legislature finds that Engrossed Substitute House Bill  
11 No. 2261 (chapter 548, Laws of 2009) created a compensation technical  
12 working group to recommend the details of an enhanced salary  
13 allocation model that aligns with state expectations for educator  
14 development and certification and to conduct a comparative labor  
15 market analysis of salaries and other compensation for school  
16 district employees. The legislature further finds that the working  
17 group issued its final report June 30, 2012.

18 (3) The legislature finds that the supreme court's *McCleary* order  
19 filed January 9, 2014, reaffirmed that "Quality educators and  
20 administrators are the heart of Washington's education system" and

1 found that "the inescapable fact is that salaries for educators in  
2 Washington are no better now than when this case went to trial."

3 (4) The legislature intends to comply with its constitutional  
4 mandate to provide for the actual cost of educator salaries through a  
5 phase-in of the compensation technical working group's  
6 recommendations for comparable, market-based salaries for all K-12  
7 staff and a revised compensation system for certificated  
8 instructional staff in order to attract and retain high quality  
9 educators to Washington schools. The legislature intends to continue  
10 to recognize the achievement of national board certification through  
11 the salary bonuses provided in RCW 28A.405.415, with additional bonus  
12 amounts for national board certified teachers choosing to teach in  
13 high poverty schools. The legislature further intends that the  
14 revised compensation system will link salary increases to movement  
15 within the certification system. The legislature intends to complete  
16 the phase-in to the new salary allocation schedule for certificated  
17 instructional staff and new salary allocations for classified and  
18 administrative staff by the 2017-18 school year.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.150  
20 RCW to read as follows:

21 (1) By the 2017-18 school year, the legislature shall provide  
22 state allocations for K-12 salaries at levels that provide  
23 competitive, professional wages for all staff based on the comparable  
24 wages included in the final report of the compensation technical  
25 working group created by Engrossed Substitute House Bill No. 2261,  
26 chapter 548, Laws of 2009.

27 (2) Consistent with the compensation technical working group's  
28 final report, the legislature intends to transition to a new salary  
29 allocation schedule for certificated instructional staff, as  
30 specified in RCW 28A.150.410, which is aligned with the state  
31 expectations for educator development and certification.

32 (3) For the 2015-16 school year through the 2017-18 school year,  
33 the legislature shall increase state salary allocations for  
34 classified and certificated administrative staff by job category to  
35 reach comparable wages as recommended in the final report of the  
36 compensation technical working group created by Engrossed Substitute  
37 House Bill No. 2261, chapter 548, Laws of 2009. The phase-in shall be  
38 made in generally equal annual increments necessary to achieve the

1 full phase-in of comparable wages adjusted for inflation since the  
2 release of the report as provided in subsection (4) of this section.

3 (4) Beginning in the 2017-18 school year and thereafter, state  
4 salary allocations for classified staff and certificated  
5 administrative staff shall reflect the compensation technical working  
6 group's recommended salary allocations by job category as adjusted by  
7 the cost-of-living index since the release of the report. The 2017-18  
8 school year state salary allocations shall be an amount equal to the  
9 salaries from the compensation technical working group's report  
10 adjusted for annual cost-of-living increases from the 2011-12 school  
11 year to the 2017-18 school year using the cost-of-living index.

12 (5) Beginning in the 2018-19 school year and thereafter, the  
13 state salary allocations shall be based on the 2017-18 school year  
14 salary allocations with periodic updates to the comparable wage  
15 analysis pursuant to section 4 of this act and annual cost-of-living  
16 increases pursuant to RCW 28A.400.205.

17 (6) For the purposes of this section and RCW 28A.150.410, "cost-  
18 of-living index" means, for any school year, the previous calendar  
19 year's annual average consumer price index, using the official  
20 current base, compiled by the bureau of labor statistics, United  
21 States department of labor for the state of Washington. If the bureau  
22 of labor statistics develops more than one consumer price index for  
23 areas within the state, the index covering the greatest number of  
24 people, covering areas exclusively within the boundaries of the  
25 state, and including all items shall be used for the cost-of-living  
26 index in this section.

27 **Sec. 3.** RCW 28A.150.410 and 2010 c 236 s 10 are each amended to  
28 read as follows:

29 (1) The legislature shall establish for each school year in the  
30 appropriations act a statewide salary allocation schedule, for  
31 allocation purposes only(~~(, to be)~~) and used to distribute funds for  
32 basic education certificated instructional staff salaries under RCW  
33 28A.150.260. For the purposes of this section, the staff allocations  
34 for classroom teachers, teacher librarians, guidance counselors, and  
35 student health services staff under RCW 28A.150.260 are considered  
36 allocations for certificated instructional staff.

37 (2) Salary allocations for state-funded basic education  
38 certificated instructional staff shall be calculated by the  
39 superintendent of public instruction by determining the district's

1 average salary for certificated instructional staff, using the  
2 statewide salary allocation schedule and related documents,  
3 conditions, and limitations established by the omnibus appropriations  
4 act.

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

11 (a) The employee has a master's degree; or

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

14 (4) For the 2015-16 school year through the 2017-18 school year,  
15 the legislature shall phase-in a change to the salary allocation  
16 schedule for certificated instructional staff as recommended in the  
17 final report of the compensation technical working group created by  
18 Engrossed Substitute House Bill No. 2261, chapter 548, Laws of 2009.  
19 The phase-in shall be made in generally equal annual increments  
20 necessary to achieve the full phase-in as provided in subsection (5)  
21 of this section.

22 (5)(a) Beginning in the 2017-18 school year and thereafter, a  
23 beginning certificated instructional staff member with an entry-level  
24 residency certificate may remain on a residency certificate for up to  
25 nine years at the same salary allocation, although there are  
26 different levels of salary allocations for residency certificate  
27 holders who have a bachelor's degree and those who have an advanced  
28 degree. Allocations based on an advanced degree must be only for  
29 those degrees that are relevant to current or future assignments as  
30 locally determined by the relevant school district.

31 (b) For the school year immediately following a certificated  
32 instructional staff's attainment of a professional certificate, the  
33 salary allocated for that staff must increase to reflect the salaries  
34 for a professional or continuing certificate in the state salary  
35 allocation schedule. A minimum of three years of experience is  
36 required to make the progression from the residency certification to  
37 the professional certification and the corresponding step on the  
38 salary allocation model.

39 (c) For certificated instructional staff with a professional or  
40 continuing certificate, there are different levels of salary

1 allocations for those who have a bachelor's degree and those who have  
 2 an advanced degree. Allocations based on an advanced degree must be  
 3 only for those degrees that are relevant to current or future  
 4 assignments as locally determined by the relevant school district.

5 (d) After nine years of experience, inclusive of the years with  
 6 an initial or residency certificate, an additional salary increase  
 7 must be allocated for a certificated instructional staff member who  
 8 has achieved and retained the professional or continuing certificate.

9 (e) In the 2017-18 school year, the state salary allocation  
 10 schedule in the enacted omnibus appropriations act must reflect full  
 11 implementation of the compensation technical working group's  
 12 recommended salary allocation schedule from the final report as  
 13 adjusted for inflation since the release of the report. The report's  
 14 recommended salary allocations, included in the table in this  
 15 subsection (5)(e), were based on comparable wage analyses from the  
 16 time of the report. When fully enacted in the 2017-18 school year,  
 17 the state salary allocations shall adjust the salaries cited in the  
 18 table in this subsection (5)(e) for annual cost-of-living increases  
 19 from the 2011-12 school year to the 2017-18 school year using the  
 20 cost-of-living index as defined in section 2(6) of this act.

	<u>0-9 Years</u>	<u>10+ Years</u>
	<u>Experience</u>	<u>Experience</u>
<u>BA - Initial/Residency...</u>	<u>\$48,687</u>	<u>--</u>
<u>MA - Initial/Residency...</u>	<u>\$52,582</u>	<u>--</u>
<u>BA - Professional/</u>		
<u>Continuing.....</u>	<u>\$58,424</u>	<u>\$70,109</u>
<u>MA - Professional/</u>		
<u>Continuing.....</u>	<u>\$63,098</u>	<u>\$75,718</u>

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29 (6) Beginning in the 2018-19 school year and thereafter, the  
 30 actual state salary allocation schedule shall be based on the 2017-18  
 31 school year salary allocation schedule with periodic updates to the  
 32 comparable wage analysis pursuant to section 4 of this act and annual  
 33 cost-of-living increases pursuant to RCW 28A.400.205.

34 (7) The office of the superintendent of public instruction and  
 35 the professional educator standards board shall adopt rules to  
 36 implement this section.

37 (8) Beginning in the 2007-08 school year, the calculation of  
 38 years of service for occupational therapists, physical therapists,

1 speech-language pathologists, audiologists, nurses, social workers,  
2 counselors, and psychologists regulated under Title 18 RCW may  
3 include experience in schools and other nonschool positions as  
4 occupational therapists, physical therapists, speech-language  
5 pathologists, audiologists, nurses, social workers, counselors, or  
6 psychologists. The calculation shall be that one year of service in a  
7 nonschool position counts as one year of service for purposes of this  
8 chapter, up to a limit of two years of nonschool service, increased  
9 to a limit of three years in 2015-16, four years in 2016-17, and five  
10 years in 2017-18. Nonschool years of service included in calculations  
11 under this subsection shall not be applied to service credit totals  
12 for purposes of any retirement benefit under chapter 41.32, 41.35, or  
13 41.40 RCW, or any other state retirement system benefits.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.300  
15 RCW to read as follows:

16 (1) The legislature intends to ensure that K-12 salary  
17 allocations keep pace with the wages of comparable occupations by  
18 requiring a comparable wage analysis be conducted every four years.

19 (2) The superintendent of public instruction shall conduct or  
20 contract for a comparative labor market analysis of the salaries and  
21 other compensation for school district employees. The first analysis,  
22 including any recommendations for salary adjustments based on the  
23 analysis, must be submitted to the governor and the legislature by  
24 July 1, 2018. Subsequent reports shall be submitted every four years  
25 thereafter.

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