
HOUSE BILL 2125

State of Washington

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2007 Regular Session

By Representatives Miloscia, O'Brien, Sells, Skinner, Pedersen, Hankins, Goodman, Darneille, Rolfes, Ericks, Appleton, Santos and Ormsby

Read first time 02/09/2007. Referred to Committee on Education.

1 AN ACT Relating to providing rental housing for certificated and
2 classified employees of public schools; amending RCW 28A.400.200 and
3 28A.400.270; adding a new section to chapter 28A.335 RCW; and creating
4 a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that in many parts of
7 the state the cost of housing has increased substantially and many
8 public school teachers, particularly new teachers starting their
9 teaching careers, have difficulty finding housing that is affordable
10 for them. Classified school employees may also have a difficult time
11 finding housing that is located in the school district. The
12 legislature intends to allow school districts the option of renovating
13 existing surplus school district buildings to convert those buildings
14 into rental housing that is affordable for full-time employees,
15 particularly teachers, of the district.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.335
17 RCW to read as follows:

18 (1) Any school district board of directors is authorized to

1 renovate or convert existing surplus building or buildings owned by the
2 district into rental housing for full-time certificated instructional
3 staff employed by the district and other eligible persons, as provided
4 in subsection (3) of this section. Districts may use capital project
5 funds or general funds for the purposes of this section.

6 (2) School district boards of directors may contract with one or
7 more nonprofit or for-profit organizations to renovate, maintain, and
8 manage the rental housing owned by the district under this section. In
9 planning, renovating, and managing rental housing owned by the
10 district, districts are encouraged to collaborate with community-based
11 nonprofit organizations that have housing development and management
12 experience.

13 (3) A school district that offers rental housing under this section
14 shall develop a fair and objective selection process for approving
15 tenants for available housing. If demand for the rental housing
16 exceeds the supply of housing offered by the district, the district may
17 base its approval process on factors including, but not limited to,
18 applicants' total household income and the number of years of
19 employment with the district. Priority for rental housing shall be
20 given to the following eligible persons in the following order:

21 (a) Full-time certificated instructional staff employed by the
22 district;

23 (b) Full-time classified school employees employed by the district;

24 (c) Full-time certificated instructional staff employed by a
25 district other than the district that owns the housing; and

26 (d) Full-time classified school employees employed by a district
27 other than the district that owns the housing.

28 (4) The school district board of directors shall establish the
29 rental amount for each housing unit offered for rent by the district.
30 However, in no instance may the rental amount be greater than the fair
31 market rental value of the unit.

32 (5) Any district that provides housing under this section shall
33 annually report to the superintendent of public instruction and the
34 department of community, trade, and economic development regarding use
35 of the district's housing program. The information in the report shall
36 include the percentage of housing units rented to district certificated
37 and classified employees, the vacancy rate of the district-owned
38 housing, and other information requested by the superintendent of

1 public instruction or the department of community, trade, and economic
2 development. The department of community, trade, and economic
3 development shall develop performance measures that school districts
4 must include as part of their annual reports under this subsection.

5 **Sec. 3.** RCW 28A.400.200 and 2002 c 353 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
12 statewide salary allocation schedule for an employee with a
13 baccalaureate 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 statewide salary allocation schedule for an employee with a
17 masters degree and zero years of service;

18 (3)(a) The actual average salary paid to certificated instructional
19 staff shall not exceed the district's average certificated
20 instructional staff salary used for the state basic education
21 allocations for that school year as determined pursuant to RCW
22 28A.150.410.

23 (b) Fringe benefit contributions for certificated instructional
24 staff shall be included as salary under (a) of this subsection only to
25 the extent that the district's actual average benefit contribution
26 exceeds the amount of the insurance benefits allocation provided per
27 certificated instructional staff unit in the state operating
28 appropriations act in effect at the time the compensation is payable.
29 For purposes of this section, fringe benefits shall not include payment
30 for unused leave for illness or injury under RCW 28A.400.210; employer
31 contributions for old age survivors insurance, workers' compensation,
32 unemployment compensation, and retirement benefits under the Washington
33 state retirement system; rental of district-owned housing as provided
34 in section 2 of this act; or employer contributions for health benefits
35 in excess of the insurance benefits allocation provided per
36 certificated instructional staff unit in the state operating

1 appropriations act in effect at the time the compensation is payable.
2 A school district may not use state funds to provide employer
3 contributions for such excess health benefits.

4 (c) Salary and benefits for certificated instructional staff in
5 programs other than basic education shall be consistent with the salary
6 and benefits paid to certificated instructional staff in the basic
7 education program.

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

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

22 **Sec. 4.** RCW 28A.400.270 and 1990 1st ex.s. c 11 s 4 are each
23 amended to read as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout RCW 28A.400.275 and 28A.400.280.

26 (1) "School district employee benefit plan" means the overall plan
27 used by the district for distributing fringe benefit subsidies to
28 employees, including the method of determining employee coverage and
29 the amount of employer contributions, as well as the characteristics of
30 benefit providers and the specific benefits or coverage offered. It
31 shall not include coverage offered to district employees for which
32 there is no contribution from public funds.

33 (2) "Fringe benefit" does not include liability coverage, old-age
34 survivors' insurance, workers' compensation, unemployment compensation,
35 retirement benefits under the Washington state retirement system,
36 rental of district-owned housing as provided in section 2 of this act,

1 or payment for unused leave for illness or injury under RCW
2 28A.400.210.

3 (3) "Basic benefits" are determined through local bargaining and
4 are limited to medical, dental, vision, group term life, and group
5 long-term disability insurance coverage.

6 (4) "Benefit providers" include insurers, third party claims
7 administrators, direct providers of employee fringe benefits, health
8 maintenance organizations, health care service contractors, and the
9 Washington state health care authority or any plan offered by the
10 authority.

11 (5) "Group term life insurance coverage" means term life insurance
12 coverage provided for, at a minimum, all full-time employees in a
13 bargaining unit or all full-time nonbargaining group employees.

14 (6) "Group long-term disability insurance coverage" means long-term
15 disability insurance coverage provided for, at a minimum, all full-time
16 employees in a bargaining unit or all full-time nonbargaining group
17 employees.

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