

CERTIFICATION OF ENROLLMENT

SENATE BILL 5395

Chapter 141, Laws of 1997

55th Legislature
1997 Regular Session

DETERMINATION OF SALARIES OF CERTIFICATED INSTRUCTIONAL STAFF IN
BASIC EDUCATION AND SPECIAL EDUCATION PROGRAMS

EFFECTIVE DATE: 7/27/97

Passed by the Senate March 11, 1997
YEAS 30 NAYS 18

BOB MORTON

President of the Senate

Passed by the House April 10, 1997
YEAS 61 NAYS 37

CLYDE BALLARD

**Speaker of the
House of Representatives**

Approved April 22, 1997

CERTIFICATE

I, Mike O Connell, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5395** as passed by the Senate and the House of Representatives on the dates hereon set forth.

MIKE O'CONNELL

Secretary

FILED

April 22, 1997 - 4:40 p.m.

GARY LOCKE
Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5395

Passed Legislature - 1997 Regular Session

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.

Passed the Senate March 11, 1997.

Passed the House April 10, 1997.

Approved by the Governor April 22, 1997.

Filed in Office of Secretary of State April 22, 1997.