

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2363**

Chapter 573, Laws of 2009

61st Legislature  
2009 Regular Session

EDUCATIONAL EMPLOYEES--COST-OF-LIVING

EFFECTIVE DATE: 07/01/09

Passed by the House April 21, 2009  
Yeas 84 Nays 12

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 26, 2009  
Yeas 28 Nays 20

BRAD OWEN

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**President of the Senate**

Approved May 19, 2009, 4:05 p.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2363** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

May 20, 2009

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2363**

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Passed Legislature - 2009 Regular Session

**State of Washington                      61st Legislature                      2009 Regular Session**

**By House Ways & Means (originally sponsored by Representative Linville)**

READ FIRST TIME 04/20/09.

1            AN ACT Relating to temporary suspension of cost-of-living increases  
2 for educational employees; amending RCW 28A.400.205, 28B.50.465, and  
3 28B.50.468; providing an effective date; and declaring an emergency.

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

5            **Sec. 1.** RCW 28A.400.205 and 2003 1st sp.s. c 20 s 1 are each  
6 amended to read as follows:

7            (1) School district employees shall be provided an annual salary  
8 cost-of-living increase in accordance with this section.

9            (a) The cost-of-living increase shall be calculated by applying the  
10 rate of the yearly increase in the cost-of-living index to any state-  
11 funded salary base used in state funding formulas for teachers and  
12 other school district employees. Beginning with the 2001-02 school  
13 year, and for each subsequent school year, except for the ((2003-04))  
14 2009-10 and ((2004-05)) 2010-11 school years, each school district  
15 shall be provided a cost-of-living allocation sufficient to grant this  
16 cost-of-living increase.

17            (b) A school district shall distribute its cost-of-living  
18 allocation for salaries and salary-related benefits in accordance with  
19 the district's salary schedules, collective bargaining agreements, and

1 compensation policies. No later than the end of the school year, each  
2 school district shall certify to the superintendent of public  
3 instruction that it has spent funds provided for cost-of-living  
4 increases on salaries and salary-related benefits.

5 (c) Any funded cost-of-living increase shall be included in the  
6 salary base used to determine cost-of-living increases for school  
7 employees in subsequent years. For teachers and other certificated  
8 instructional staff, the rate of the annual cost-of-living increase  
9 funded for certificated instructional staff shall be applied to the  
10 base salary used with the statewide salary allocation schedule  
11 established under RCW 28A.150.410 and to any other salary models used  
12 to recognize school district personnel costs.

13 (d) During the 2011-2013 and 2013-2015 fiscal biennia, in addition  
14 to cost-of-living allocations required by (a) of this subsection,  
15 school districts shall receive additional cost-of-living allocations in  
16 equal increments such that by the end of the 2014-15 school year school  
17 district employee base salaries used with the statewide salary  
18 allocation schedule established under RCW 28A.150.410 and any other  
19 state salary models used to recognize school district personnel costs  
20 are, at a minimum, equal to what they would have been if cost-of-living  
21 allocations had not been suspended during the 2009-10 or 2010-11 school  
22 years.

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

32 **Sec. 2.** RCW 28B.50.465 and 2003 1st sp.s. c 20 s 3 are each  
33 amended to read as follows:

34 (1) Academic employees of community and technical college districts  
35 shall be provided an annual salary cost-of-living increase in  
36 accordance with this section. For purposes of this section, "academic  
37 employee" has the same meaning as defined in RCW 28B.52.020.

1 (a) Beginning with the 2001-2002 fiscal year, and for each  
2 subsequent fiscal year, except as provided in (d) of this subsection,  
3 each college district shall receive a cost-of-living allocation  
4 sufficient to increase academic employee salaries, including mandatory  
5 salary-related benefits, by the rate of the yearly increase in the  
6 cost-of-living index.

7 (b) A college district shall distribute its cost-of-living  
8 allocation for salaries and salary-related benefits in accordance with  
9 the district's salary schedules, collective bargaining agreements, and  
10 other compensation policies. No later than the end of the fiscal year,  
11 each college district shall certify to the college board that it has  
12 spent funds provided for cost-of-living increases on salaries and  
13 salary-related benefits.

14 (c) The college board shall include any funded cost-of-living  
15 increase in the salary base used to determine cost-of-living increases  
16 for academic employees in subsequent years.

17 (d) Beginning with the 2001-2002 fiscal year, and for each  
18 subsequent fiscal year except for the ((2003-04)) 2009-2010 and ((2004-  
19 05)) 2010-2011 fiscal years, the state shall fully fund the cost-of-  
20 living increase set forth in this section.

21 (e) During the 2011-2013 and 2013-2015 fiscal biennia, in addition  
22 to cost-of-living allocations required by (a) of this subsection,  
23 community and technical college districts shall receive additional  
24 cost-of-living allocations in equal increments such that, by the end of  
25 the 2014-15 academic year, average salaries of academic employees of  
26 community and technical college districts will be, at a minimum, equal  
27 to what salaries would have been if cost-of-living allocations had not  
28 been suspended during the 2009-10 or 2010-11 school years.

29 (2) For the purposes of this section, "cost-of-living index" means,  
30 for any fiscal year, the previous calendar year's annual average  
31 consumer price index, using the official current base, compiled by the  
32 bureau of labor statistics, United States department of labor for the  
33 state of Washington. If the bureau of labor statistics develops more  
34 than one consumer price index for areas within the state, the index  
35 covering the greatest number of people, covering areas exclusively  
36 within the boundaries of the state, and including all items shall be  
37 used for the cost-of-living index in this section.

1       **Sec. 3.** RCW 28B.50.468 and 2003 1st sp.s. c 20 s 4 are each  
2 amended to read as follows:

3       (1) Classified employees of technical colleges shall be provided an  
4 annual salary cost-of-living increase in accordance with this section.  
5 For purposes of this section, "technical college" has the same meaning  
6 as defined in RCW 28B.50.030. This section applies to only those  
7 classified employees under the jurisdiction of chapter 41.56 RCW.

8       (a) Beginning with the 2001-2002 fiscal year, and for each  
9 subsequent fiscal year, except as provided in (d) of this subsection,  
10 each technical college board of trustees shall receive a cost-of-living  
11 allocation sufficient to increase classified employee salaries,  
12 including mandatory salary-related benefits, by the rate of the yearly  
13 increase in the cost-of-living index.

14       (b) A technical college board of trustees shall distribute its  
15 cost-of-living allocation for salaries and salary-related benefits in  
16 accordance with the technical college's salary schedules, collective  
17 bargaining agreements, and other compensation policies. No later than  
18 the end of the fiscal year, each technical college shall certify to the  
19 college board that it has spent funds provided for cost-of-living  
20 increases on salaries and salary-related benefits.

21       (c) The college board shall include any funded cost-of-living  
22 increase in the salary base used to determine cost-of-living increases  
23 for technical college classified employees in subsequent years.

24       (d) Beginning with the 2001-2002 fiscal year, and for each  
25 subsequent fiscal year except for the ((2003-2004)) 2009-2010 and  
26 ((2004-2005)) 2010-2011 fiscal years, the state shall fully fund the  
27 cost-of-living increase set forth in this section.

28       (e) During the 2011-2013 and 2013-2015 fiscal biennia, in addition  
29 to cost-of-living allocations required by (a) of this subsection,  
30 technical college districts shall receive additional cost-of-living  
31 allocations in equal increments such that, by the end of the 2014-15  
32 academic year, average salaries of classified employees of technical  
33 college districts will be, at a minimum, equal to what salaries would  
34 have been if cost-of-living allocations had not been suspended during  
35 the 2009-10 or 2010-11 school years.

36       (2) For the purposes of this section, "cost-of-living index" means,  
37 for any fiscal year, the previous calendar year's annual average  
38 consumer price index, using the official current base, compiled by the

1 bureau of labor statistics, United States department of labor for the  
2 state of Washington. If the bureau of labor statistics develops more  
3 than one consumer price index for areas within the state, the index  
4 covering the greatest number of people, covering areas exclusively  
5 within the boundaries of the state, and including all items shall be  
6 used for the cost-of-living index in this section.

7 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
8 preservation of the public peace, health, or safety, or support of the  
9 state government and its existing public institutions, and takes effect  
10 July 1, 2009.

Passed by the House April 21, 2009.

Passed by the Senate April 26, 2009.

Approved by the Governor May 19, 2009.

Filed in Office of Secretary of State May 20, 2009.