

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6823**

57th Legislature  
2002 Regular Session

Passed by the Senate March 12, 2002  
YEAS 48 NAYS 0

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**President of the Senate**

Passed by the House March 13, 2002  
YEAS 50 NAYS 47

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**Speaker of the  
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6823** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

Approved

FILED

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Governor of the State of Washington

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6823**

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Passed Legislature - 2002 Regular Session

**State of Washington**

**57th Legislature**

**2002 Regular Session**

**By** Senate Committee on Ways & Means (originally sponsored by Senators Finkbeiner and McAuliffe)

READ FIRST TIME 03/04/2002.

1       AN ACT Relating to the formula for determining certificated  
2 instructional staff salaries for state-funded basic education  
3 certificated instructional staff; amending RCW 28A.150.410 and  
4 28A.400.200; and providing an effective date.

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

6       **Sec. 1.** RCW 28A.150.410 and 1997 c 141 s 1 are each amended to  
7 read as follows:

8       (1) The legislature shall establish for each school year in the  
9 appropriations act a state-wide salary allocation schedule, for  
10 allocation purposes only, to be used to distribute funds for basic  
11 education certificated instructional staff salaries under RCW  
12 28A.150.260.

13       (2) (~~The superintendent of public instruction shall calculate~~  
14 ~~salary allocations for state funded basic education certificated~~  
15 ~~instructional staff by determining the district average salary for~~  
16 ~~basic education and special education instructional staff using the~~  
17 ~~salary allocation schedule established pursuant to this section.))  
18 Salary allocations for state-funded basic education certificated  
19 instructional staff shall be calculated by the superintendent of public~~

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

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

11 (a) The employee has a masters degree; or

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

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

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

19 (2)(a) Salaries for certificated instructional staff shall not be  
20 less than the salary provided in the appropriations act in the  
21 statewide salary allocation schedule for an employee with a  
22 baccalaureate degree and zero years of service; and

23 (b) Salaries for certificated instructional staff with a masters  
24 degree shall not be less than the salary provided in the appropriations  
25 act in the statewide salary allocation schedule for an employee with a  
26 masters degree and zero years of service;

27 (3)(a) The actual average salary paid to (~~basic education and~~  
28 ~~special education~~) certificated instructional staff shall not exceed  
29 the district's average (~~basic education and special education~~  
30 ~~program~~) certificated instructional staff salary used for the state  
31 basic education allocations for that school year as determined pursuant  
32 to RCW 28A.150.410.

33 (b) Fringe benefit contributions for (~~basic education and special~~  
34 ~~education~~) certificated instructional staff shall be included as  
35 salary under (a) of this subsection only to the extent that the  
36 district's actual average benefit contribution exceeds the amount of  
37 the insurance benefits allocation provided per certificated  
38 instructional staff unit in the state operating appropriations act in

1 effect at the time the compensation is payable. For purposes of this  
2 section, fringe benefits shall not include payment for unused leave for  
3 illness or injury under RCW 28A.400.210; employer contributions for old  
4 age survivors insurance, workers' compensation, unemployment  
5 compensation, and retirement benefits under the Washington state  
6 retirement system; or employer contributions for health benefits in  
7 excess of the insurance benefits allocation provided per certificated  
8 instructional staff unit in the state operating appropriations act in  
9 effect at the time the compensation is payable. A school district may  
10 not use state funds to provide employer contributions for such excess  
11 health benefits.

12 (c) Salary and benefits for certificated instructional staff in  
13 programs other than basic education (~~((and special education))~~) shall be  
14 consistent with the salary and benefits paid to certificated  
15 instructional staff in the basic education (~~((and special education))~~)  
16 program(~~(s)~~).

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

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

31 NEW SECTION. **Sec. 3.** This act takes effect September 1, 2002.

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