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SENATE BILL 6530

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State of Washington                      63rd Legislature                      2014 Regular Session

By Senators Chase, McAuliffe, Rolfes, Kline, Conway, and Kohl-Welles

Read first time 02/03/14. Referred to Committee on Ways & Means.

1            AN ACT Relating to restoring cost-of-living increases for  
2 educational employees; amending RCW 28A.400.205, 28B.50.465,  
3 28B.50.468, and 28A.405.415; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.** The legislature finds that, in *McCleary v.*  
6 *State of Washington*, the Washington state supreme court requires that  
7 the state must make real and measurable progress on meeting its  
8 obligation to provide ample funding for K-12 education, including  
9 increasing state allocations for salaries for teachers and other K-12  
10 school employees. In addition, while voters approved Initiative  
11 Measure No. 732 by sixty-three percent in 2000, the legislature has  
12 suspended the salary cost-of-living adjustments for public school and  
13 community and technical college employees since 2008. Due to this  
14 suspension, educator salaries are thousands less than they should be to  
15 keep pace with inflation and state allocations are even further away  
16 from setting competitive wages as required by the *McCleary* decision.  
17 Unless legislative action is taken, educators will continue to lose  
18 that salary throughout their careers and retirement.

1 The legislature finds that cost-of-living increases are the best  
2 way to ensure that the salaries and wages of all educational employees  
3 maintain pace with inflation. It is the intent of the legislature  
4 that, over four years, salaries for public school employees and  
5 community and technical college faculty and staff be increased to  
6 levels that will meet the inflation adjustments that were originally  
7 required under Initiative Measure No. 732 for the 2009-10 school year  
8 through the 2014-15 school year.

9 **Sec. 2.** RCW 28A.400.205 and 2013 2nd sp.s. c 5 s 1 are each  
10 amended to read as follows:

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

13 (a) The cost-of-living increase shall be calculated by applying the  
14 rate of the yearly increase in the cost-of-living index to any state-  
15 funded salary base used in state funding formulas for teachers and  
16 other school district employees. Beginning with the 2001-02 school  
17 year, and for each subsequent school year, except for the 2013-14 and  
18 2014-15 school years, each school district shall be provided a cost-of-  
19 living allocation sufficient to grant this cost-of-living increase.

20 (b) A school district shall distribute its cost-of-living  
21 allocation for salaries and salary-related benefits in accordance with  
22 the district's salary schedules, collective bargaining agreements, and  
23 compensation policies. No later than the end of the school year, each  
24 school district shall certify to the superintendent of public  
25 instruction that it has spent funds provided for cost-of-living  
26 increases on salaries and salary-related benefits.

27 (c) Any funded cost-of-living increase shall be included in the  
28 salary base used to determine cost-of-living increases for school  
29 employees in subsequent years. For teachers and other certificated  
30 instructional staff, the rate of the annual cost-of-living increase  
31 funded for certificated instructional staff shall be applied to the  
32 base salary used with the statewide salary allocation schedule  
33 established under RCW 28A.150.410 and to any other salary models used  
34 to recognize school district personnel costs.

35 (2)(a) Beginning with the 2014-15 school year, school districts  
36 shall be provided an incremental increase to base salary allocations  
37 for school employees in addition to the cost-of-living adjustments

1 required in subsection (1) of this section. The incremental increase  
2 shall be calculated by using the cumulative rate of the increase in the  
3 cost-of-living index for the six-year period beginning with the 2009-10  
4 school year through the 2014-15 school year and applying that  
5 cumulative rate of increase to any state-funded salary base used in  
6 state funding formulas for teachers and other school district  
7 employees.

8 (b) The full adjustment outlined in this subsection (2) shall be  
9 phased-in over four years, starting with the 2014-15 school year. The  
10 total increase to salary allocations shall be phased-in at a rate of  
11 twenty-five percent per year over four years until it is fully provided  
12 in the 2017-18 school year.

13 (c) A school district shall distribute the increased allocation for  
14 salaries and salary-related benefits in this subsection (2) in  
15 accordance with the district's salary schedules, collective bargaining  
16 agreements, and compensation policies. No later than the end of the  
17 school year, each school district shall certify to the superintendent  
18 of public instruction that it has spent the allocated funds on salaries  
19 and salary-related benefits.

20 (d) The increased salary allocations under this subsection (2)  
21 shall be included in the salary base used to determine cost-of-living  
22 adjustments as provided in subsection (1) of this section.

23 (3) 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. 3.** RCW 28B.50.465 and 2013 2nd sp.s. c 5 s 2 are each amended  
33 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 2013-2014 and 2014-2015 fiscal  
19 years, the state shall fully fund the cost-of-living increase set forth  
20 in this section.

21 (2)(a) Beginning with the 2014-2015 fiscal year, each college  
22 district shall receive an incremental allocation to increase academic  
23 employee salaries, including mandatory salary-related benefits, in  
24 addition to the cost-of-living adjustments required in subsection (1)  
25 of this section. The incremental allocation shall be calculated by  
26 using the cumulative rate of the increase in the cost-of-living index  
27 for the six-year period beginning with the 2009-2010 fiscal year  
28 through the 2014-2015 fiscal year and applying that cumulative rate of  
29 increase to academic employee salary allocations.

30 (b) The full adjustment outlined in this subsection (2) shall be  
31 phased-in over four years, starting with the 2014-2015 fiscal year.  
32 The total increase to salaries shall be phased-in at a rate of twenty-  
33 five percent per year over four years until it is fully provided in the  
34 2017-2018 fiscal year.

35 (c) A college district shall distribute the increased allocation  
36 for salaries and salary-related benefits in accordance with the  
37 district's salary schedules, collective bargaining agreements, and

1 other compensation policies. No later than the end of the fiscal year,  
2 each college district shall certify to the college board that it has  
3 spent the funds provided on salaries and salary-related benefits.

4 (d) The college board shall include any funded salary allocation  
5 under this subsection (2) in the salary base used to determine cost-of-  
6 living increases for academic employees as provided in subsection (1)  
7 of this section.

8 (3) For the purposes of this section, "cost-of-living index" means,  
9 for any fiscal year, the previous calendar year's annual average  
10 consumer price index, using the official current base, compiled by the  
11 bureau of labor statistics, United States department of labor for the  
12 state of Washington. If the bureau of labor statistics develops more  
13 than one consumer price index for areas within the state, the index  
14 covering the greatest number of people, covering areas exclusively  
15 within the boundaries of the state, and including all items shall be  
16 used for the cost-of-living index in this section.

17 **Sec. 4.** RCW 28B.50.468 and 2013 2nd sp.s. c 5 s 3 are each amended  
18 to read as follows:

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

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

30 (b) A technical college board of trustees shall distribute its  
31 cost-of-living allocation for salaries and salary-related benefits in  
32 accordance with the technical college's salary schedules, collective  
33 bargaining agreements, and other compensation policies. No later than  
34 the end of the fiscal year, each technical college shall certify to the  
35 college board that it has spent funds provided for cost-of-living  
36 increases on salaries and salary-related benefits.

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

4 (d) Beginning with the 2001-2002 fiscal year, and for each  
5 subsequent fiscal year except for the 2013-2014 and 2014-2015 fiscal  
6 years, the state shall fully fund the cost-of-living increase set forth  
7 in this section.

8 (2)(a) Beginning with the 2014-2015 fiscal year, each technical  
9 college board of trustees shall receive an incremental allocation to  
10 increase classified employee salaries, including mandatory salary-  
11 related benefits, in addition to the cost-of-living adjustments  
12 required in subsection (1) of this section. The incremental allocation  
13 shall be calculated by using the cumulative rate of the increase in the  
14 cost-of-living index for the six-year period beginning with the 2009-  
15 2010 fiscal year through the 2014-2015 fiscal year and applying that  
16 cumulative rate of increase to classified employee salary allocations.

17 (b) The full adjustment outlined in this subsection (2) shall be  
18 phased-in over four years, starting with the 2014-2015 fiscal year.  
19 The total increase to salaries shall be phased-in at a rate of twenty-  
20 five percent per year over four years until it is fully provided in the  
21 2017-2018 fiscal year.

22 (c) A technical college board of trustees shall distribute the  
23 increased allocation for salaries and salary-related benefits in  
24 accordance with the technical college's salary schedules, collective  
25 bargaining agreements, and other compensation policies. No later than  
26 the end of the fiscal year, each technical college shall certify to the  
27 college board that it has spent the funds provided on salaries and  
28 salary-related benefits.

29 (d) The college board of trustees shall include any funded salary  
30 allocation under this subsection (2) in the salary base used to  
31 determine cost-of-living increases for classified employees as provided  
32 in subsection (1) of this section.

33 (3) For the purposes of this section, "cost-of-living index" means,  
34 for any fiscal year, the previous calendar year's annual average  
35 consumer price index, using the official current base, compiled by the  
36 bureau of labor statistics, United States department of labor for the  
37 state of Washington. If the bureau of labor statistics develops more  
38 than one consumer price index for areas within the state, the index

1 covering the greatest number of people, covering areas exclusively  
2 within the boundaries of the state, and including all items shall be  
3 used for the cost-of-living index in this section.

4 **Sec. 5.** RCW 28A.405.415 and 2013 2nd sp.s. c 5 s 4 are each  
5 amended to read as follows:

6 (1) Certificated instructional staff who have attained  
7 certification from the national board for professional teaching  
8 standards shall receive a bonus each year in which they maintain the  
9 certification. The bonus shall be calculated as ~~((follows+))~~ provided  
10 in this subsection (1).

11 (a) The annual bonus shall be five thousand dollars in the 2007-08  
12 school year. Thereafter, the annual bonus shall increase by inflation,  
13 except that the bonus shall not be increased during the 2013-14 ~~((and~~  
14 ~~2014-15))~~ school year~~((s))~~.

15 (b) For the 2014-15 through 2017-18 school years, the bonus shall  
16 be inflated using the cumulative rate of the increase in the cost-of-  
17 living index as defined in RCW 28B.50.465(3) for the six-year period  
18 beginning with the 2009-10 school year through the 2014-15 school year  
19 and applying that cumulative rate of increase to the bonus amount from  
20 the 2013-14 school year. The cost-of-living adjustment in this  
21 subsection (1)(b) shall be phased-in over four years, starting with the  
22 2014-15 school year. The total increase to salary allocations shall be  
23 phased-in at a rate of twenty-five percent per year over four years  
24 until it is fully provided in the 2017-18 school year.

25 (2) Certificated instructional staff who have attained  
26 certification from the national board for professional teaching  
27 standards shall be eligible for bonuses in addition to that provided by  
28 subsection (1) of this section if the individual is in an instructional  
29 assignment in a school in which at least seventy percent of the  
30 students qualify for the free and reduced-price lunch program.

31 (3) The amount of the additional bonus under subsection (2) of this  
32 section for those meeting the qualifications of subsection (2) of this  
33 section is five thousand dollars.

34 (4) The bonuses provided under this section are in addition to  
35 compensation received under a district's salary schedule adopted in  
36 accordance with RCW 28A.405.200 and shall not be included in

1 calculations of a district's average salary and associated salary  
2 limitations under RCW 28A.400.200.

3 (5) The bonuses provided under this section shall be paid in a lump  
4 sum amount.

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