S-0464.2

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SENATE BILL 5546**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Liias, Hasegawa, Chase, Conway, Rolfes, McAuliffe, Kohl-Welles, and Keiser

AN ACT Relating to establishing competitive wages for beginning teacher salaries; amending RCW 28A.400.200; and creating a new section.

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

NEW SECTION. **Sec.**  The Washington Constitution establishes "the paramount duty of the state to make ample provision for the education of all children ... ." Providing quality education for all children in Washington requires well-qualified and dedicated school employees. In *McCleary v. State of Washington*, the supreme court found that the state allocation for salaries fell short of the actual cost of recruiting and retaining high quality educators. The number one priority identified by the state's compensation technical work group was the need to increase starting salaries for educators in order to attract a wider pool of the highest quality candidates. A comparable wage analysis indicated that beginning salaries allocated by the state were more than fifteen thousand dollars below what was needed for competitive salaries among comparable professions. In the supreme court's *McCleary* order from January 9, 2014, which was filed after the work of the compensation technical working group, the supreme court found that "the inescapable fact is that salaries for educators in Washington are no better now than when this case went to trial." The legislature intends to ensure that beginning teacher salaries are amply funded to attract and retain the highest quality educators by increasing state allocations and districts' minimum pay requirements for beginning educators to the comparable wage established by the compensation technical work group as adjusted for inflation.

**Sec.**  RCW 28A.400.200 and 2010 c 235 s 401 are each amended to read as follows:

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

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

(b) Salaries for certificated instructional staff with a master's degree shall not be less than the salary provided in the appropriations act in the statewide salary allocation schedule for an employee with a master's degree and zero years of service.

(c)(i) In the 2017-18 school year, the minimum salary for any level of experience and education provided in any salary allocation model used in state funding formulas for certificated instructional staff allocations shall not be less than the beginning educator pay recommendations from the compensation technical working group report from 2012 adjusted for inflation since the release of the report.

(ii) For the 2015-16 school year through the 2017-18 school year, the phase in of the new minimum salary allocation shall be made in generally equal annual increments necessary to achieve the full phase in of beginning educator pay recommendations adjusted for inflation by the 2017-18 school year.

(iii) The compensation technical working group's salary allocation recommendations were based on comparable wage analyses from the time of the report. When fully enacted in the 2017-18 school year, the minimum salary allocation for any level of experience and education shall adjust the forty-eight thousand six hundred eighty-seven dollars beginning educator allocation recommended in the report for annual cost-of-living increases from the 2011-12 school year to the 2017-18 school year using the cost-of-living index.

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

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

(b) Fringe benefit contributions for certificated instructional staff shall be included as salary under (a) of this subsection only to the extent that the district's actual average benefit contribution exceeds the amount of the insurance benefits allocation provided per certificated instructional staff unit in the state operating appropriations act in effect at the time the compensation is payable. For purposes of this section, fringe benefits shall not include payment for unused leave for illness or injury under RCW 28A.400.210; employer contributions for old age survivors insurance, workers' compensation, unemployment compensation, and retirement benefits under the Washington state retirement system; or employer contributions for health benefits in excess of the insurance benefits allocation provided per certificated instructional staff unit in the state operating appropriations act in effect at the time the compensation is payable. A school district may not use state funds to provide employer contributions for such excess health benefits.

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

(4) Salaries and benefits for certificated instructional staff may exceed the limitations in subsection (3) of this section only by separate contract for additional time, for additional responsibilities, for incentives, or for implementing specific measurable innovative activities, including professional development, specified by the school district to: (a) Close one or more achievement gaps, (b) focus on development of science, technology, engineering, and mathematics (STEM) learning opportunities, or (c) provide arts education. Beginning September 1, 2011, school districts shall annually provide a brief description of the innovative activities included in any supplemental contract to the office of the superintendent of public instruction. The office of the superintendent of public instruction shall summarize the district information and submit an annual report to the education committees of the house of representatives and the senate. Supplemental contracts shall not cause the state to incur any present or future funding obligation. Supplemental contracts shall be subject to the collective bargaining provisions of chapter 41.59 RCW and the provisions of RCW 28A.405.240, shall not exceed one year, and if not renewed shall not constitute adverse change in accordance with RCW 28A.405.300 through 28A.405.380. No district may enter into a supplemental contract under this subsection for the provision of services which are a part of the basic education program required by Article IX, section 3 of the state Constitution.

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

**--- END ---**