

TRANSMITTAL OF RULES ADOPTED

FROM: State Board for Community College Education
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG. (Southwest Corner, Ground Floor)
OLYMPIA 98504

The enclosed rules Permanent rules, being Order No. 49
 Emergency rules

relating to (Name of rules or description of subject matter)

the granting of salary increases to faculty and exempt professional staff personnel employed in community college districts.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 5424 ^① filed with the code reviser on 8-21-75 ^② were regularly adopted as permanent rules of this agency at Centralia, Washington on 9-10-75 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be _____ ^③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding in the attached administrative order, that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at _____ on _____ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

The undersigned hereby certifies that the requirements of chapter 34.04 RCW and of the Open Public Meetings Act of 1971, chapter 42.30 RCW have been fulfilled.

Dated this 11th day of September 1975.

STATE OF WASHINGTON
FILED
SEP 12 1975
CODE REVISER'S OFFICE
DOCKET # 4766 FILE # 1

State Board for Community College Education
(AGENCY)

By [Signature]

Assistant Director
Title

- ① Notice number as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use no. of last notice)
 - ② Stamped date as appears on the copy of notice returned to you by reviser's office (if proceedings were continued, use date of last notice)
 - ③ Unless a later date is specified in this order or is prescribed in another statute, rules are effective 30 days after filing: RCW 34.04.040. Leave this space blank except in such special cases.
- [Order 9, filed 9/25/74, eff. 10/25/74] [Form CR-2: Rev. 9/21/74]

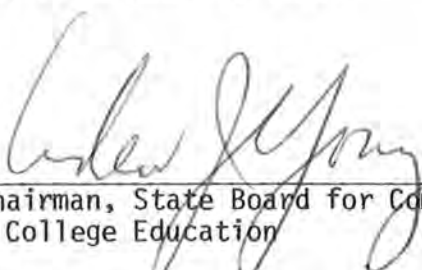
STATE OF WASHINGTON
STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
ADMINISTRATIVE ORDER NO. 49
SBCCE ORDER REGISTER

A resolution relating to the granting of salary increases to faculty and exempt staff personnel employed by community college districts.

BE IT RESOLVED by the State Board for Community College Education that it adopt Administrative Order No. 49 and the regulations annexed hereto and made a part hereof by this reference, identified as WAC 131-16-310 through WAC 131-16-340.

This resolution and the annexed regulations after being first recorded as an Administrative Order in the Order Register of the State Board for Community College Education shall be forwarded to the Code Reviser for codification in the Washington Administrative Code pursuant to Chapter 34.04 RCW.

Approved and adopted this 10th day of September, 1975.


Chairman, State Board for Community
College Education

WAC 131-16-310 PREAMBLE. The State Board clearly recognizes and supports the rights of faculty and exempt staff personnel to bargain collectively with district boards of trustees under the provisions of the Academic Employees Negotiations Act (Chapter 28B.52 RCW); however, it is the responsibility of the State Board pursuant to RCW 28B.50.090 to control the use of funds through the budget review process when such action is deemed necessary in order to conform to applicable statutes and administrative rules.

WAC 131-16-315 SPECIFIC LEGISLATIVE APPROPRIATIONS FOR SALARY INCREASES. It is the judgment of the State Board that district boards of trustees should refrain from granting any salary increases except those authorized by legislative act appropriating funds specifically for the purpose of granting salary increases.

WAC 131-16-320 STANDARDS RELATED TO SALARY INCREASES. District boards of trustees are hereby prohibited from granting salary increases to faculty and exempt staff personnel in excess of the 12% average increase authorized effective March 1, 1975, by Chapter 9, Laws of 1975, until such time as the Legislature has made additional appropriations specifically for salary increases. All salary increases granted by district boards of trustees shall conform to the provisions of WAC 131-16-310 through WAC 131-16-340.

For the purposes of WAC 131-16-310 through WAC 131-16-340, the term "salary increase" is intended to include increments or their equivalent that may be granted by college districts for reason of longevity, merit, or other similar advancement on the applicable salary schedule or plan.

WAC 131-16-325 LEGAL AUTHORIZATION FOR REVIEW OF DISTRICT BUDGETS. If salary adjustments are granted by any college district in excess of the specific legislative appropriations for that purpose, the State Board will require corrective adjustments in the budget of such district pursuant to the authority to review and revise district budgets contained in RCW 28B.50.090 (1) and (2).

WAC 131-16-330 RATIFICATION OF ADMINISTRATIVE MEMORANDUM. It is the intent of the State Board that WAC 131-16-310 through WAC 131-16-340 be construed to affirm and ratify the directions regarding the prohibition against the granting of salary increases for 1975-76 contained in the August 15, 1975, administrative memorandum from the State Board chairman and the

State Director to college district boards of trustees and, therefore, no salary increases shall be granted in excess of the level specifically funded by the Legislature in continuing the March 1, 1975, 12% average increase, including increments or their equivalent.

WAC 131-16-335 DELEGATION OF AUTHORITY TO REVIEW AND REVISE BUDGETS. The State Director is hereby delegated the authority and is directed to review the budget items and expenditures for salaries for faculty and exempt staff personnel of each college district to identify instances wherein districts have departed from the provisions of WAC 131-16-310 through WAC 131-16-340. The State Director shall, where necessary, revise such districts' budgets in a manner consistent with the criteria for calculating allowable salary increase funds contained in WAC 131-16-340. Such budget revision shall constitute a recovery of funds from the district in an amount equal to the salary increases paid in excess of the level established by WAC 131-16-310 through WAC 131-16-340 and shall further result in a recommendation to OPP&FM for a roll-back of salary increases to the allowable level by allotment revision. Any district feeling aggrieved by the Director's action may request that the matter be reviewed by the State Board.

WAC 131-16-340 CRITERIA FOR CALCULATING ALLOWABLE SALARY INCREASE FUNDS. The following procedures have been designed for use by the community college districts and the State Board to determine the amount of funds that may be committed to continue salary increases in fiscal year 1976, which were granted effective March 1, 1975, pursuant to section 2, chapter 9, Laws of 1975. This act granted average salary increases of 12% effective March 1, 1975, for faculty and exempt employees of the four-year institutions and the community colleges, with the proviso that the 12% average salary increase would include increments or their equivalent. In addition, these procedures are designed to provide a method of measuring the salary change resulting from salary negotiations in each district. The steps are as follows:

(I) Establishing the 1973-74 base level salaries of 1975-76 staff.

(a) Full-time faculty and exempt staff:

(i) List the full-time faculty and exempt staff to be employed for 1975-76 including budgeted positions where appointments are not yet final.

(ii) Determine the 1973-74 equivalent salary for each individual position. In making this translation, report each individual at the 1973-74 rate that corresponds to the terms of his 1975-76 employment. This will take account of promotions, sabbatical leave, varying contract lengths, etc. (For these purposes, promotions are defined as those increases in salary due to increased workload and/or responsibility. Step increases, lane changes or merit increases are not considered promotions for this calculation.)

In making the conversion to the 1973-74 salary base, individuals must be placed in terms of their 1973-74 criteria of experience and educational attainment.

(b) Part-time faculty and other part-time employees:

(i) Establish the budget provision for part-time faculty and other part-time employees for 1975-76.

(ii) Compute the 1973-74 equivalent cost by eliminating wage adjustments made in 1974-75.

Example: 1975-76 Budget - \$100,000
1974-75 Increase - 5%
1973-74 Base Level - $\frac{\$100,000}{1.05} = \$95,238$

(c) Sum the 1973-74 full-time and part-time figures to arrive at a total 1973-74 base level salary amount.

(2) Add 12 percent to the 1973-74 base ((1)(c) above) to establish the maximum 1975-76 salary level.

(3) Determine the total 1975-76 salary commitment based upon rates in effect on June 30, 1975.

(a) Full-time faculty and exempt staff:

(i) Using the listing of 1975-76 staff previously established, ((1)(a)(i) above) determine the equivalent salary rate in effect on June 30, 1975. This rate should include all increments and other increases granted during 1974-75. In making this conversion, report each individual at the 1974-75 rate that corresponds to the terms of his 1975-76 employment.

(b) Part-time faculty and other part-time employees:

(i) For part-time faculty and other part-time employees, use the budget provision established in (1)(b)(i) above (\$100,000 in the example given).

(c) Sum the June 30, 1975, full-time and part-time salary figures to arrive at a total 1975-76 salary commitment based on rates in effect on June 30, 1975.

(4) Subtract the 1975-76 salary commitment (subsection (3)(c)) from the maximum 1975-76 salary level ((subsection (2)) to determine the amount of money available for additional increases in 1975-76.

(5) Determine if increases granted are within 12 percent authorization.

(a) Determine the total 1975-76 salary commitment based on new salary rates in effect after completion of negotiations.

(b) Subtract the 1975-76 commitment from the maximum 1975-76 salary level. If the answer is positive, the increases given are within the 12 percent limitation. If the answer is negative, the increases have exceeded the 12 percent limitation in the amount indicated by the negative difference.