
HOUSE BILL 1700

State of Washington 58th Legislature 2003 Regular Session

By Representatives Anderson, Pflug and Jarrett

Read first time 02/05/2003. Referred to Committee on Education.

1 AN ACT Relating to cost-of-living adjustments in basic education
2 salary allocations for certificated instructional staff; amending RCW
3 28A.400.200 and 28A.400.205; 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 large and growing
6 disparities in the cost-of-living among regions of the state have
7 resulted in widely disparate purchasing power of salaries for
8 certificated instructional staff supported by basic education
9 allocations. The legislature declares that in the interest of
10 recruiting and retaining qualified instructional staff in all regions
11 of the state, and of ensuring continuous compliance with Article IX,
12 section 2 of the state Constitution, that basic education salary
13 allocations should be adjusted on an ongoing basis for differences in
14 the cost-of-living among regions of the state, as determined through a
15 rigorous method of economic analysis.

16 **Sec. 2.** RCW 28A.400.200 and 2002 c 353 s 2 are each amended to
17 read as follows:

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

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

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

12 (3) The legislative evaluation and accountability program, in
13 consultation with the state office of the forecast council, shall
14 establish and maintain a set of economic indicators for the purpose of
15 adjusting the statewide salary allocation schedule by a statewide cost-
16 of-living index. The economic indicators shall include but not
17 necessarily be limited to the median cost of housing.

18 (a) Not later than July 1, 2004, the legislative evaluation and
19 accountability program shall submit the statewide cost-of-living index
20 to an advisory committee for its review. The advisory panel shall be
21 appointed by the governor, and shall consist of one member representing
22 the office of financial management, one member representing the
23 employment security department, one member representing the office of
24 the superintendent of public instruction, and three representatives of
25 the private sector having demonstrated expertise in regional economics.
26 The advisory committee shall not receive compensation for performance
27 of its duties but may be reimbursed for travel expenses in accordance
28 with RCW 43.03.050 and 43.03.060.

29 (b) Not later than October 1, 2004, the advisory committee created
30 under this section shall submit to the director of the legislative
31 evaluation and accountability program written comment on the proposed
32 statewide cost-of-living index. The written comment shall include but
33 shall not be limited to an evaluation of the extent to which the
34 proposed cost-of-living index. The written comment shall include but
35 shall not be limited to an evaluation of the extent to which the
36 proposed cost-of-living index meets the intent of chapter ..., Laws of
37 2003 (this act), and any recommendations for revision to the index or
38 its components.

1 (c) Not later than January 15, 2005, the director of the
2 legislative evaluation and accountability program shall submit the
3 statewide cost-of-living index to the governor, the chairs and ranking
4 minority members of the senate committees on ways and means and
5 education, and the chairs and ranking minority members of the house of
6 representatives committees on appropriations and education. The
7 statewide cost-of-living index shall be deemed approved unless rejected
8 by resolution of both houses of the legislature.

9 (d) The legislative evaluation and accountability program shall
10 collect and maintain data on the economic activity comprising the
11 statewide cost-of-living index for geographic areas of the state
12 coterminous with the boundaries of the nine educational service
13 districts established under RCW 28A.310.010. The legislative
14 evaluation and accountability program shall, on a semiannual basis,
15 provide a report to the office of financial management, the office of
16 the superintendent of public instruction, and the chairs and ranking
17 members of the senate committees on ways and means and education and
18 the house of representatives committees on appropriations and education
19 summarizing the data by educational service district and identifying
20 significant changes in its findings from previous reports.

21 (e) Beginning with appropriations for the school year beginning
22 September 1, 2005, and for each subsequent school year, the legislative
23 evaluation and accountability program shall adjust the statewide salary
24 allocation schedule provided in RCW 28A.400.200(2), for each
25 educational service district, on the basis of the cost-of-living index
26 established under (c) of this subsection. The index shall be applied
27 in each educational service district as a fraction of the statewide
28 average cost-of-living index.

29 (f) The legislative evaluation and accountability program, in
30 consultation with the office of financial management and the office of
31 the superintendent of public instruction, shall on a biennial basis
32 identify the changes in the cost-of-living index from the previous two-
33 year period for each educational service district of the state. The
34 legislative evaluation and accountability program shall also, on a
35 biennial basis, report on any changes it deems necessary and
36 appropriate in the manner in which the cost-of-living index is
37 calculated and applied.

1 (4)(a) The actual average salary paid to certificated instructional
2 staff shall not exceed the district's average certificated
3 instructional staff salary used for the state basic education
4 allocations for that school year as determined pursuant to RCW
5 28A.150.410.

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

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

26 (~~(4)~~) (5) Salaries and benefits for certificated instructional
27 staff may exceed the limitations in subsection (~~(3)~~) (4) of this
28 section only by separate contract for additional time, additional
29 responsibilities, or incentives. Supplemental contracts shall not
30 cause the state to incur any present or future funding obligation.
31 Supplemental contracts shall be subject to the collective bargaining
32 provisions of chapter 41.59 RCW and the provisions of RCW 28A.405.240,
33 shall not exceed one year, and if not renewed shall not constitute
34 adverse change in accordance with RCW 28A.405.300 through 28A.405.380.
35 No district may enter into a supplemental contract under this
36 subsection for the provision of services which are a part of the basic
37 education program required by Article IX, section 3 of the state
38 Constitution.

1 (~~(5)~~) (6) Employee benefit plans offered by any district shall
2 comply with RCW 28A.400.350 and 28A.400.275 and 28A.400.280.

3 **Sec. 3.** RCW 28A.400.205 and 2001 c 4 s 2 are each amended to read
4 as follows:

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

7 (a) The cost-of-living increase shall be calculated by applying the
8 rate of the yearly increase in the cost-of-living index to any state-
9 funded salary base used in state funding formulas for teachers and
10 other school district employees. Beginning with the 2001-02 school
11 year, and for each subsequent school year, each school district shall
12 be provided a cost-of-living allocation sufficient to grant this cost-
13 of-living increase for the salaries, including mandatory salary-related
14 benefits, of all employees of the district.

15 (b) A school district shall distribute its cost-of-living
16 allocation for salaries and salary-related benefits in accordance with
17 the district's salary schedules, collective bargaining agreements, and
18 compensation policies. No later than the end of the school year, each
19 school district shall certify to the superintendent of public
20 instruction that it has spent funds provided for cost-of-living
21 increases on salaries and salary-related benefits. Beginning with the
22 2005-06 school year and each subsequent school year, the cost-of-living
23 allocation to each district for certificated instructional staff shall
24 be adjusted by the cost-of-living index established for each
25 educational service district of the state under RCW 28A.400.200. In no
26 case may adjustment by the cost-of-living index cause the base contract
27 salary of any individual certificated instructional staff to be lower
28 than the base contract salary for the previous school year.

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

1 (d) Beginning with the 2001-02 school year, the state shall fully
2 fund the cost-of-living increase in this section as part of its
3 obligation to meet the basic education requirements under Article IX of
4 the Washington Constitution.

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

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