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SENATE BILL 5480

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State of Washington                      58th Legislature                      2003 Regular Session

By Senators McAuliffe, Eide, Keiser, Kohl-Welles, Franklin, B. Sheldon, Doumit, Regala, Reardon, Rasmussen, Shin and Kastama

Read first time 01/27/2003. Referred to Committee on Ways & Means.

1            AN ACT Relating to school district employees' cost-of-living  
2 increases; amending RCW 28A.400.205; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.** The legislature finds that providing a cost-  
5 of-living increase to school district employees funded by the state is  
6 part of the state's duty to fund basic education under Article IX of  
7 the Washington state Constitution. The legislature also recognizes  
8 that the cost-of-living increase is part of meeting the state's duty to  
9 provide compensation sufficient to attract and retain qualified  
10 educational staff. The legislature intends to provide funds to pay for  
11 cost-of-living increases for nonstate-funded school employees. The  
12 legislature finds that this fulfills the intent of the voters in  
13 passing Initiative No. 732 and meets the requirements established by  
14 the Washington State Supreme Court in *McGowan v. State of Washington*,  
15 Docket # 71947-1 (2002).

16            **Sec. 2.** RCW 28A.400.205 and 2001 c 4 s 2 (Initiative Measure No.  
17 732) are each amended to read as follows:

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

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

11 (b) A school district shall distribute its cost-of-living  
12 allocation for salaries and salary-related benefits in accordance with  
13 the district's salary schedules, collective bargaining agreements, and  
14 compensation policies. No later than the end of the school year, each  
15 school district shall certify to the superintendent of public  
16 instruction that it has spent funds provided for cost-of-living  
17 increases on salaries and salary-related benefits.

18 (c) Any funded cost-of-living increase shall be included in the  
19 salary base used to determine cost-of-living increases for all school  
20 employees in subsequent years. For teachers and other certificated  
21 instructional staff, the rate of the annual cost-of-living increase  
22 funded for certificated instructional staff shall be applied to the  
23 base salary used with the statewide salary allocation schedule  
24 established under RCW 28A.150.410 and to any other salary models used  
25 to recognize school district personnel costs.

26 (d) Beginning with the 2001-02 school year, the state shall fully  
27 fund the cost-of-living increase in this section as part of its  
28 obligation to meet the basic education requirements under Article IX of  
29 the Washington Constitution for state-funded employees. Beginning with  
30 the 2001-02 school year, the state shall fully fund the cost-of-living  
31 increase in this section for school employees who are funded with  
32 nonbasic education funds.

33 (2) For the purposes of this section, "cost-of-living index" means,  
34 for any school 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.

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