
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: S-0724.2/13 2nd draft

ATTY/TYPIST: SCG:bbp

BRIEF DESCRIPTION: Regarding supplemental contracts for
certificated educational employees.

1 AN ACT Relating to supplemental contracts for certificated
2 educational employees; amending RCW 28A.400.200; and adding a new
3 section to chapter 28A.400 RCW.

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

5 **Sec. 1.** RCW 28A.400.200 and 2010 c 235 s 401 are each amended to
6 read as follows:

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

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

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

18 (3)(a) The actual average salary paid to certificated instructional
19 staff shall not exceed the district's average certificated

1 instructional staff salary used for the state basic education
2 allocations for that school year as determined pursuant to RCW
3 28A.150.410.

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

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

24 (4)(a) Salaries and benefits for certificated instructional staff
25 may exceed the limitations in subsection (3) of this section only by
26 separate contract for ~~((additional time, for additional~~
27 ~~responsibilities, for incentives, or for implementing specific~~
28 ~~measurable innovative activities, including professional development,~~
29 ~~specified by the school district to: (a) Close one or more achievement~~
30 ~~gaps, (b) focus on development of science, technology, engineering, and~~
31 ~~mathematics (STEM) learning opportunities, or (c) provide arts~~
32 ~~education. Beginning September 1, 2011, school districts shall~~
33 ~~annually provide a brief description of the innovative activities~~
34 ~~included in any supplemental contract to the office of the~~
35 ~~superintendent of public instruction. The office of the superintendent~~
36 ~~of public instruction shall summarize the district information and~~
37 ~~submit an annual report to the education committees of the house of~~
38 ~~representatives and the senate))):~~

1 (i) Interschool extracurricular student activities of an athletic,
2 cultural, social, or recreational nature that are recognized by the
3 Washington interscholastic activities association; and

4 (ii) School principal-determined annual stipends based on the
5 teacher evaluations established in RCW 28A.405.100. Principals shall
6 award stipends to those teachers who receive a level 4 summative
7 performance rating.

8 (b) Supplemental contracts shall not cause the state to incur any
9 present or future funding obligation. Supplemental contracts shall be
10 subject to the collective bargaining provisions of chapter 41.59 RCW
11 and the provisions of RCW 28A.405.240, shall not exceed one year, and
12 if not renewed shall not constitute adverse change in accordance with
13 RCW 28A.405.300 through 28A.405.380. No district may enter into a
14 supplemental contract under this subsection (4) for the provision of
15 services which are a part of the basic education program required by
16 Article IX, section 3 of the state Constitution.

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

19 NEW SECTION. Sec. 2. A new section is added to chapter 28A.400
20 RCW to read as follows:

21 The office of the superintendent of public instruction shall adopt
22 rules to implement the requirements for the supplemental contracts as
23 provided in RCW 28A.400.200 that ensure that the school principal is
24 the final authority on awarding the stipends.

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