
SENATE BILL 5959

State of Washington 62nd Legislature 2011 1st Special Session

By Senators Tom and Zarelli

Read first time 05/17/11. Referred to Committee on Ways & Means.

1 AN ACT Relating to K-12 educator employment, including compensation
2 and building assignment; amending RCW 28A.400.201; adding new sections
3 to chapter 28A.405 RCW; and declaring an emergency.

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

5 **Sec. 1.** RCW 28A.400.201 and 2010 c 236 s 7 are each amended to
6 read as follows:

7 (1) The legislature recognizes that providing students with the
8 opportunity to access a world-class educational system depends on our
9 continuing ability to provide students with access to world-class
10 educators. The legislature also understands that continuing to attract
11 and retain the highest quality educators will require increased
12 investments. The legislature intends to enhance the current salary
13 allocation model and recognizes that changes to the current model
14 cannot be imposed without great deliberation and input from teachers,
15 administrators, and classified employees. Therefore, it is the intent
16 of the legislature to begin the process of developing an enhanced
17 salary allocation model that is collaboratively designed to ensure the
18 rationality of any conclusions regarding what constitutes adequate
19 compensation.

1 (2) Beginning July 1, 2011, the office of the superintendent of
2 public instruction, in collaboration with the office of financial
3 management, shall convene a technical working group to recommend the
4 details of an enhanced salary allocation model that aligns state
5 expectations for educator development and certification with the
6 compensation system and establishes recommendations for a concurrent
7 implementation schedule. In addition to any other details the
8 technical working group deems necessary, the technical working group
9 shall consider how a new compensation system should reward educational
10 attainment, years of service, multiple measures of performance
11 including those described in RCW 28A.405.100, service in high-demand
12 fields, and national board for professional teaching standards
13 certification. The working group shall also make recommendations on
14 the following:

15 (a) How to reduce the number of tiers within the existing salary
16 allocation model;

17 (b) How to account for labor market adjustments;

18 (c) How to account for different geographic regions of the state
19 where districts may encounter difficulty recruiting and retaining
20 teachers;

21 (d) The role of and types of bonuses available;

22 (e) Ways to eliminate or phase out grandfathered salaries for
23 certificated, classified, and administrative employees to accomplish
24 salary equalization over a set number of years; ~~((and))~~

25 (f) Initial fiscal estimates for implementing the recommendations
26 including a recognition that staff on the existing salary allocation
27 model would have the option to grandfather in permanently to the
28 existing schedule; and

29 (g) How to use school-based incentives to encourage and reward
30 school-wide improvements.

31 (3) As part of its work, the technical working group shall conduct
32 or contract for a preliminary comparative labor market analysis of
33 salaries and other compensation for school district employees to be
34 conducted and shall include the results in any reports to the
35 legislature. For the purposes of this subsection, "salaries and other
36 compensation" includes average base salaries, average total salaries,
37 average employee basic benefits, and retirement benefits.

1 (4) The analysis required under subsection (1) of this section
2 must:

3 (a) Examine salaries and other compensation for teachers, other
4 certificated instructional staff, principals, and other building-level
5 certificated administrators, and the types of classified employees for
6 whom salaries are allocated;

7 (b) Be calculated at a statewide level that identifies labor
8 markets in Washington through the use of data from the United States
9 bureau of the census and the bureau of labor statistics; and

10 (c) Include a comparison of salaries and other compensation to the
11 appropriate labor market for at least the following subgroups of
12 educators: Beginning teachers and types of educational staff
13 associates.

14 (5) The working group shall include four legislators, with one
15 member from each of the major caucuses in the house of representatives
16 appointed by the speaker of the house of representatives; and one
17 member from each of the major caucuses in the senate appointed by the
18 president of the senate. Additional members shall include
19 representatives of the department of personnel, the professional
20 educator standards board, the office of the superintendent of public
21 instruction, the Washington education association, the Washington
22 association of school administrators, the association of Washington
23 school principals, the Washington state school directors' association,
24 the public school employees of Washington, and other interested
25 stakeholders with appropriate expertise in compensation related
26 matters. The working group may convene advisory subgroups on specific
27 topics as necessary to assure participation and input from a broad
28 array of diverse stakeholders.

29 (6) The working group shall be monitored and overseen by the
30 legislature and the quality education council created in RCW
31 28A.290.010. The working group shall make an initial report to the
32 legislature by June 30, 2012, and shall include in its report
33 recommendations for whether additional further work of the group is
34 necessary.

35 NEW SECTION. Sec. 2. A new section is added to chapter 28A.405
36 RCW to read as follows:

37 (1) When reductions in the workforce occur due to enrollment

1 decline or revenue loss, the employment contracts of any
2 postprobationary certificated classroom teachers who received the
3 lowest evaluation rating, as described in RCW 28A.405.100, must have
4 their contracts nonrenewed first and be recalled last if a recall
5 occurs.

6 (2) The board of directors of each school district shall adopt a
7 written policy governing procedures for the nonrenewal of employment
8 contracts for certificated classroom teachers as provided for in
9 subsection (1) of this section.

10 (3) All collective bargaining agreements and other contracts
11 entered into between a school district and an employee bargaining unit
12 or an employee after the effective date of this section, as well as
13 bargaining agreements existing on the effective date of this section,
14 but renewed or extended after the effective date of this section, must
15 be consistent with this section.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.405
17 RCW to read as follows:

18 Any policy adopted by a school district board of directors after
19 the effective date of this section under RCW 28A.150.230 or in a
20 locally bargained agreement must contain provisions that prohibit
21 assignment of a certificated classroom teacher to a school in the
22 lowest tier of the state board of education's accountability index,
23 unless agreed to by the building principal.

24 NEW SECTION. **Sec. 4.** Sections 1 and 2 of this act are necessary
25 for the immediate preservation of the public peace, health, or safety,
26 or support of the state government and its existing public
27 institutions, and take effect immediately.

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