

INITIATIVE 935

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 935 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to rewarding outstanding teachers with additional
2 compensation beyond that provided in the form of the annual salary that
3 is determined by the respective district's salary schedule; amending
4 RCW 82.08.020; adding new sections to chapter 28A.400 RCW; and adding
5 a new section to chapter 82.12 RCW.

6 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** Sections 1 through 7 of this act provide
8 both affirmation to outstanding public school teachers, and an
9 incentive for all teachers to strive to reach perfection in regard to
10 their teaching skills. In the past, those teachers who have performed
11 in an outstanding manner have received insufficient recognition in the
12 form of any special financial remuneration. Sections 1 through 7 of
13 this act apply only to regular classroom teachers, and not to
14 counselors, administrators, or other staff members who are not assigned
15 to work daily with a specific group of students. The determination of
16 teacher excellence shall be made by parents or guardians of the
17 students, in conjunction with the students themselves. The concept of
18 giving parents or guardians and students a voice in the awarding of
19 rewards for teacher excellence could give those parents or guardians

1 and students a feeling of involvement in education that they have not
2 had before.

3 NEW SECTION. **Sec. 2.** No later than May 15th of each year, an
4 evaluation questionnaire shall be mailed to the parent or guardian of
5 each student in the public schools, except that no questionnaires may
6 be sent regarding any teacher who elects not to participate in the
7 bonus program. In regard to the teachers who do choose to participate
8 in the bonus program, one questionnaire shall be mailed for each
9 student that the teacher has instructed during the last quarter of the
10 school year. The name of the teacher shall be printed on each
11 questionnaire. The following statement must be printed on the
12 questionnaire: "This teacher is a good teacher." Directly following
13 the statement shall be listed the following choices, from which the
14 parent or guardian shall circle one:

- 15 (4) Strongly agree
- 16 (3) Agree
- 17 (2) No opinion
- 18 (1) Disagree
- 19 (0) Strongly disagree

20 Before selecting the preferred response, the parent or guardian
21 should discuss the selection and the reasons for it with his or her
22 child. The questionnaire must contain an optional section, in which
23 the parent or guardian may state the reason for the selection. This
24 section could be helpful to the principal in counseling the teacher.
25 The child's name shall be printed on the questionnaire. The parent or
26 guardian shall print his or her name on the questionnaire, and he or
27 she must sign it for verification purposes only.

28 The parent or guardian must return the questionnaire in a stamped,
29 self-addressed envelope that has been included in the envelope
30 containing the questionnaire that was sent to the parent or guardian.
31 The return must be received by the school principal by May 25th in
32 order for the individual response to count in the computation of the
33 teacher's overall rating.

34 NEW SECTION. **Sec. 3.** On or about May 26th of each year, the
35 school principal or his or her evaluation assistant, who are both sworn
36 to secrecy in regard to the nature of the responses by parents or
37 guardians, shall open the returned questionnaire envelopes, group the

1 questionnaires according to teachers named on them, and compute the
2 average rating for each teacher. However, the lowest ten percent of
3 the ratings for each teacher shall not be used in these computations.
4 No one except the principal or his or her evaluation assistant may
5 examine the completed questionnaires, with the exception that all
6 questionnaires shall be kept on file for one year, so that an auditor
7 may examine them if such action is requested in writing by any
8 interested individual. In most cases, the principal's evaluation
9 assistant shall be his or her secretary working on paid overtime.

10 NEW SECTION. **Sec. 4.** The amount of each school year-end teacher
11 bonus shall be determined by the following method:

12 If the teacher's overall rating is 3.0, that teacher will receive
13 a bonus amounting to five percent of the average teacher's salary in
14 the state for that year, prorated to the respective teacher's full-time
15 equivalent percentage.

16 For each 0.1 increment above 3.0 that comprises the teacher's
17 overall rating, the teacher shall receive an additional 0.5 percent of
18 the average teacher's salary in the state for that year, prorated to
19 the respective teacher's full-time equivalent percentage.

20 NEW SECTION. **Sec. 5.** The year-end teacher bonuses shall be mailed
21 to the respective teachers no earlier than one day after school is out
22 at the end of the school year.

23 NEW SECTION. **Sec. 6.** No person other than the principal, or his
24 or her evaluation assistant, and the respective teacher may be informed
25 of the individual teacher's overall rating for the year.

26 NEW SECTION. **Sec. 7.** No later than May 30th of each year, each
27 school district shall submit to the state treasurer an invoice for the
28 total amount of the year-end bonuses to be paid to the teachers in that
29 district. The invoice will be accompanied by a list of the respective
30 year-end bonuses for all of the teachers in that district. The state
31 treasurer's office may audit all evaluation questionnaires and
32 associated bonus calculations in order to confirm the legitimacy of
33 each bonus.

34 No later than May 30th of each year, each school district shall
35 submit to the state treasurer an invoice for the cost of printing,

1 mailing, and processing the evaluation questionnaires regarding the
2 teachers who participate in the bonus program, and for the estimated
3 cost of preparing and mailing the bonus checks.

4 Upon the processing and approval of the invoices in this section,
5 the state treasurer shall transfer those funds to the respective school
6 districts.

7 NEW SECTION. **Sec. 8.** The additional teacher compensation account
8 is created in the custody of the state treasurer. All receipts from
9 RCW 82.08.020(6) and section 10 of this act must be deposited into the
10 account. Expenditures from the account may be used only for additional
11 teacher compensation under sections 1 through 7 of this act. Only the
12 state treasurer or the state treasurer's designee may authorize
13 expenditures from the account as provided in sections 1 through 7 of
14 this act. The account is subject to allotment procedures under chapter
15 43.88 RCW, but an appropriation is not required for expenditures.

16 **Sec. 9.** RCW 82.08.020 and 2006 c 1 s 3 (Initiative Measure No.
17 900) are each amended to read as follows:

18 (1) There is levied and there shall be collected a tax on each
19 retail sale in this state equal to six and five-tenths percent of the
20 selling price.

21 (2) There is levied and there shall be collected an additional tax
22 on each retail car rental, regardless of whether the vehicle is
23 licensed in this state, equal to five and nine-tenths percent of the
24 selling price. The revenue collected under this subsection shall be
25 deposited in the multimodal transportation account created in RCW
26 47.66.070.

27 (3) Beginning July 1, 2003, there is levied and collected an
28 additional tax of three-tenths of one percent of the selling price on
29 each retail sale of a motor vehicle in this state, other than retail
30 car rentals taxed under subsection (2) of this section. The revenue
31 collected under this subsection shall be deposited in the multimodal
32 transportation account created in RCW 47.66.070.

33 (4) For purposes of subsection (3) of this section, "motor vehicle"
34 has the meaning provided in RCW 46.04.320, but does not include farm
35 tractors or farm vehicles as defined in RCW 46.04.180 and 46.04.181,
36 off-road and nonhighway vehicles as defined in RCW 46.09.020, and
37 snowmobiles as defined in RCW 46.10.010.

1 (5) Beginning on December 8, 2005, 0.16 percent of the taxes
2 collected under subsection (1) of this section shall be dedicated to
3 funding comprehensive performance audits required under RCW 43.09.470.
4 The revenue identified in this subsection shall be deposited in the
5 performance audits of government account created in RCW 43.09.475.

6 (6) There is levied and there shall be collected an additional tax
7 on each retail sale in this state equal to fifteen one-hundredths of
8 one percent. The revenue collected under this subsection shall be used
9 only for additional teacher compensation as provided under sections 1
10 through 7 of this act and shall be deposited in the additional teacher
11 compensation account created in section 8 of this act.

12 (7) The taxes imposed under this chapter shall apply to successive
13 retail sales of the same property.

14 ~~((+7))~~ (8) The rates provided in this section apply to taxes
15 imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

16 NEW SECTION. Sec. 10. A new section is added to chapter 82.12 RCW
17 to read as follows:

18 The taxes collected under RCW 82.12.020 based on the rate in RCW
19 82.08.020(6) shall be used only for additional teacher compensation as
20 provided under sections 1 through 7 of this act and shall be deposited
21 in the additional teacher compensation account created in section 8 of
22 this act.

23 NEW SECTION. Sec. 11. Sections 1 through 8 of this act are each
24 added to chapter 28A.400 RCW.

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