

**RCW 28A.400.280 Employee benefits—Employer contributions—**

**Optional benefits—Annual report.** (1) Except as provided in subsection (2) of this section, school districts may provide employer fringe benefit contributions after October 1, 1990, only for basic benefits. However, school districts may continue payments under contracts with employees or benefit providers in effect on April 13, 1990, until the contract expires.

(2) (a) School districts may provide employer contributions after October 1, 1990, for optional benefit plans, in addition to basic benefits. Beginning January 1, 2020, school district optional benefits must not compete with any form of the basic or optional benefits offered in the school employees' benefits board program either under the school employees' benefits board's authority in RCW 41.05.740 or offered under the authority of the health care authority in the salary reduction plan authorized in RCW 41.05.300 and 41.05.310.

(b) Beginning December 1, 2019, and each December 1st thereafter, school district optional benefits must be reported to the school employees' benefits board and health care authority.

(c) School districts, and the applicable carrier, must work with the health care authority to either modify and remove competing components of the district-based benefit or end any district-based benefit offering in competition with either the health care authority's or the school employees' benefits board offered benefits.

(d) Unless the school employees' benefits board offers such benefits, school districts may offer only the following optional benefits to school employees:

(i) Benefits listed in RCW 41.05.745(1) (a) through (i), offered as employee-paid, voluntary benefits that may be administered by using payroll deductions; and

(ii) Voluntary employees' beneficiary association accounts, including benefit plans authorized in RCW 28A.400.210(3).

(3) School districts are not intended to divert state basic benefit allocations for other purposes. Beginning January 1, 2020, school districts must offer all benefits offered by the school employees' benefits board administered by the health care authority, and consistent with RCW 41.56.500(2).

(4) Any optional benefits offered by a school district under subsection (2) of this section are considered an enhancement to the state's definition of basic education. [2020 c 231 s 1; 2018 c 260 s 29; 2017 3rd sp.s. c 13 s 815; 2012 2nd sp.s. c 3 s 2; 2011 c 269 s 1; 1990 1st ex.s. c 11 s 6.]

**Intent—2017 3rd sp.s. c 13:** See note following RCW 28A.150.410.

**Findings—Goals—Intent—2012 2nd sp.s. c 3:** See note following RCW 28A.400.275.

**Intent—1990 1st ex.s. c 11:** See note following RCW 28A.400.200.