

SENATE BILL REPORT

ESB 5175

As Amended by House, April 6, 2023

Title: An act relating to written contracts between school boards and principals.

Brief Description: Concerning written contracts between school boards and principals.

Sponsors: Senators Wellman, Mullet, Hunt and Wilson, C..

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/12/23, 1/19/23 [DP, DNP].

Floor Activity: Passed Senate: 3/8/23, 30-18.

Passed House: 4/6/23, 84-14.

Brief Summary of Engrossed Bill

- Allows employment contracts between a school board and principal to be up to three years in length, as opposed to limited to a term of not more than one year.
- Requires that a contract between a school board and a principal be contingent upon the successful completion of an updated record check.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hunt, Mullet and Pedersen.

Minority Report: Do not pass.

Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Staff: Benjamin Omdal (786-7442)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Background: Certificated Educator Employee Contracts. Teachers, principals, superintendents, and other certificated employees of school districts and educational service districts are employed under written contracts that may be no more than one year in length. Contracts of certificated employees may be non-renewed when it is determined there is probable cause, including enrollment decline and revenue loss. Principals, directors, or other individuals employed in a supervisory or administrative position may be transferred to a subordinate administrative position, defined as any certificated position for which the annual compensation is less than that of the position currently held, in certain cases.

If the employing district determines the employment contract should not be renewed for the following year, the district must notify the employee in writing on or before May 15 preceding the beginning of the next school year. The employing school district has until June 15 to provide the required notice of contract nonrenewal if the general operating budget has not passed the Legislature by the end of the legislative session.

Educational Employee Background Check Requirements. State law requires that record checks be performed for the following persons in educational settings:

- applicants for teacher certification, including teachers with expired certificates seeking recertification;
- persons who receive criminal history record information or personally identifiable information from record checks; and
- any employee who will have regularly scheduled unsupervised access to children or access to persons with developmental disabilities, including contractors.

A school district, educational service district, the Washington Center for Deaf and Hard of Hearing Youth, the State School for the Blind, the Office of the Superintendent of Public Instruction, and their contractors must perform a record check prior to hiring an employee for which a record check is required.

If the applicant for employment has had a record check within the previous two years, the requirement may be waived.

Summary of Engrossed Bill: A written contract between a school district board of directors and a principal shall be limited to a term of not more than three years, as opposed to limited to a term of not more than one year, and is contingent upon the successful completion of an updated record check.

A contract between a board of directors and a principal for a term of three years may not be renewed before the final year of the contract.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Principals need time to initiate any kind of change. It is currently difficult to invest in students with only one-year contracts. Leadership takes time. More potential time in the role will help entice individuals to take these types of roles. The current structure only allows a short time to build a bond with students, learn the role, and learn about the community. Continuity in leadership will lead to better bonds between principals and the school community. Greater principal retention will lead to better teacher retention.

Persons Testifying: PRO: Senator Lisa Wellman, Prime Sponsor; Roz Thompson, Association of Washington School Principals; Dr. Scott Seaman, Association of Washington School Principals; Heidi Maurer, Kentlake High School; Jason Smith, Rogers High School; Dr. Robert Gary, Madison Middle School; Carlos Gonzalez, McFarland Middle School; Justin Hendrickson, South Shore K-8 School; Gerrit Kischner, Thornton Creek Elementary; Brent Osborn, Lakeside High School.

Persons Signed In To Testify But Not Testifying: No one.

EFFECT OF HOUSE AMENDMENT(S):

Removes underlying provisions.

Permits a school principal's contract to be for a term of up to three years if the principal has:

- been employed as a principal for three or more consecutive years;
- been recommended by the superintendent as a candidate for a two or three-year contract because the principal has demonstrated the ability to stabilize instructional practices and received a comprehensive performance rating of level 3 or above in their most recent comprehensive performance evaluation; and
- met the school district's requirements for satisfying an updated record check.