
SUBSTITUTE SENATE BILL 5851

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Education (originally sponsored by Senators Reardon, Johnson, Morton, Parlette, Schmidt and Shin)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to contracts for employment of school district
2 superintendents; and amending RCW 28A.400.010.

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

4 **Sec. 1.** RCW 28A.400.010 and 1990 c 33 s 376 are each amended to
5 read as follows:

6 (1) In all districts the board of directors shall elect a
7 superintendent who shall have such qualification as the local school
8 board alone shall determine. The superintendent shall have supervision
9 over the several departments of the schools thereof and carry out such
10 other powers and duties as prescribed by law. Notwithstanding the
11 provisions of RCW 28A.400.300(1), the board may contract with such
12 superintendent for a term not to exceed three years when deemed in the
13 best interest of the district. The right to renew a contract of
14 employment with any school superintendent shall rest solely with the
15 discretion of the school board employing such school superintendent.
16 Regarding such renewal of contracts of school superintendents the
17 provisions of RCW 28A.405.210, 28A.405.240, and 28A.645.010 shall be
18 inapplicable.

1 (2) In addition to any other contract terms and conditions agreed
2 upon between the parties, a contract for the employment of a
3 superintendent shall include the following language: "This contract
4 may be terminated if, by a unanimous affirmative vote of all members of
5 the school district board of directors, the board finds that the
6 superintendent has engaged in intentional conduct that creates the
7 appearance of impropriety and the inability, or apparent inability, to
8 perform his or her duties in a fair and impartial manner."

9 (3) If a school district board of directors determines by an
10 affirmative unanimous vote that the superintendent has engaged in
11 intentional conduct described in subsection (2) of this section, the
12 board is prohibited from negotiating a severance agreement with the
13 superintendent.

14 (4) The total dollar amount of any termination or severance
15 agreement in contract or otherwise shall be limited to no more than
16 one-half the remaining salary otherwise payable under the contract.
17 All termination or severance agreements in contract or otherwise shall
18 be considered a public record and subject to public disclosure under
19 chapter 42.17 RCW.

20 (5) For the purposes of this section, "appearance of impropriety"
21 means engaging in actions that would create the appearance of bias to
22 a reasonable person and that do not promote public confidence in the
23 integrity and impartiality of the office.

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