

FINAL BILL REPORT

SHB 2446

C 121 L 06

Synopsis as Enacted

Brief Description: Permitting certain school district substitute employee contracts.

Sponsors: By House Committee on Local Government (originally sponsored by Representatives Buri, Sump and Haler).

House Committee on Local Government

Senate Committee on Early Learning, K-12 & Higher Education

Background:

Classification of School Districts.

The Superintendent of Public Instruction is responsible for the classification of school districts based upon student enrollment figures. A school district with a student enrollment of 2,000 or more pupils is classified as a first class school district. All school districts with enrollments of less than 2,000 students are classified as second class school districts.

Prohibition Against Municipal Officers Having Beneficial Interests in Public Contracts.

State statute prohibits a municipal officer from having a beneficial interest, whether direct or indirect, in any public contract that he or she is involved in creating. In addition, a municipal officer is prohibited from receiving any compensation in connection with such a contract from any other person with a beneficial interest. A "municipal officer" is broadly defined to include any elected or appointed officer of a local government, district, or municipal corporation, or any deputy or assistant to such officer, and all persons undertaking the exercise of the powers or functions of a municipal officer. An officer or employee of a school district would be included in the definition of "municipal officer."

Exceptions are made to this general prohibition with respect to certain contractual arrangements meeting specified criteria, including but not limited to the following:

- leasing arrangements made by port districts;
- contracts involving payment of less than \$1,500 per month;
- employment contracts involving wages of not more than \$200 per month; and
- the designation of a school director to act as clerk or purchasing agent for a school district.

Summary:

An officer of a second class school district with fewer than 200 full time students may enter into an employment contract as a substitute teacher or substitute educational aide. The terms of the contract must be commensurate with the pay plan or collective bargaining agreement applicable to the district. In addition, before a school district officer may be employed as a

substitute teacher or teacher's aide, the board of directors of a second class school district must make a formal finding that there is a shortage of substitute teachers in the school district.

Votes on Final Passage:

House	95	1
Senate	47	0

Effective: June 7, 2006