

SENATE BILL REPORT

SB 6149

As Reported By Senate Committee On:
Early Learning, K-12 & Higher Education, January 16, 2006

Title: An act relating to school district officers' contracting.

Brief Description: Authorizing substitute teacher or educational aide contracts for school district officers under certain conditions.

Sponsors: Senators Schoesler, Rasmussen, Morton and Schmidt.

Brief History:

Committee Activity: Early Learning, K-12 & Higher Education: 1/12/05, 1/16/06 [DPS]

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report:

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Schmidt, Ranking Minority Member; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schoesler and Shin.

Staff: Susan Mielke (786-7422)

Background: Current law prohibits school officers and other municipal officials from benefitting from contracts entered into through their official capacity. This provision applies to most hiring decisions made by school districts with a number of limited exceptions for small school districts or very specific circumstances.

Summary of Substitute Bill: An exception is added permitting a school officer of a school district that has fewer than 200 students to be employed as a substitute teacher or substitute educational aide, if the terms of the contract are commensurate with the pay plan or collective bargaining agreement of the school district. Additionally, the school board must annually determine that there is a shortage of substitute teachers in the school district.

Substitute Bill Compared to Original Bill: School districts are required to annually determine that there is a shortage of substitute teachers in the school district.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: In very small communities, there is often a shortage of substitute teachers or instructional aides and also a shortage of qualified people to serve as school directors. Because of the current restrictions in law, we often have to make a difficult choice when the

same person in the community may be able to fill both of those positions but he or she is not allowed to do so.

Testimony Against: None.

Testimony Other: There is concern that this bill does not require the school board to determine that there is a shortage before this exception would apply. A determination of a shortage by the school board is part of the existing exception that permits spouses of a school district officer to serve as a substitute teacher. Such an amendment would help alleviate concerns that people might have, especially since a principal or teacher may end up in the position of directing a school director or district superintendent, who also makes hiring and firing decisions regarding principals and teachers.

Who Testified: PRO: Senator Mark Schoesler (prime sponsor).

OTHER: Lucinda Young, Washington Education Association; Dan Steele, Washington State School Directors Association.