

# HOUSE BILL REPORT

## ESB 5175

---

---

### As Passed House - Amended:

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:

Education: 3/21/23, 3/28/23 [DPA].

#### Floor Activity:

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

### Brief Summary of Engrossed Bill (As Amended by House)

- Permits the maximum duration of a school principal's contract to be extended from one to three years if specified requirements are met.

---

## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass as amended. Signed by 15 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist, Callan, Eslick, Harris, McClintock, Ortiz-Self, Pollet, Sandlin, Steele, Stonier and Timmons.

**Staff:** Ethan Moreno (786-7386).

### Background:

Employment Contracts.

---

*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.*

The employment of teachers, principals, supervisors, superintendents, and other certificated employees by a school district must be formalized through written order of a majority of the district's directors at a public meeting and a written contract between the board of directors and the employee. The term of employment for the contract may not exceed one year.

Evaluations.

Each school district's board of directors must establish evaluative criteria and a four-level rating system for principals. The rating system must describe performance along a continuum that indicates the extent to which the criteria have been met or exceeded by the principal. The performance rating levels are: level 1 - unsatisfactory; level 2 - basic; level 3 - proficient; and level 4 - distinguished. With some exceptions, comprehensive performance evaluations must be conducted for principals at least once every six years, with a narrower, focused performance evaluation conducted in the years when a comprehensive performance evaluation is not required.

Criminal System Record Checks.

School districts and other education entities and their contractors must require a record check through the Washington State Patrol criminal identification system and the Federal Bureau of Investigation's criminal justice information systems before hiring an employee that will:

- have regularly scheduled unsupervised access to children or persons with developmental disabilities; or
- receive criminal history record information or personally identifiable information from record checks of other persons.

**Summary of Amended Bill:**

The maximum term of a written contract made by a school district board of directors with a principal is extended from one to three years. A contract for a duration of more than one year may be offered 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.

A contract made by a board with a principal for a term of three years may not be renewed before the final year of the contract.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Principals are important people in students' lives, but they are limited by statute to one-year contracts. The duties of principals and their imprints on schools are significant, but it takes multiple years for the school culture fostered by a principal to take shape. This bill does not require school districts to use three-year contracts for principals but gives them the option of doing so.

Equity work is systems work, and this work takes energy, time, people, and a skillful principal. Principal turnover rates are high and it is difficult to recruit candidates for principal positions. This is an equity issue, especially for smaller, more rural districts. This bill will support the role of great principals. Students and families deserve consistent leadership.

The Harvard Business Review indicated that it takes at least three years for the sustainable transformation of a school and to increase test scores, but principals in Washington have one-year contracts. Positive transformation takes time.

Principals often love their jobs, but they find them to be very challenging. Almost half of schools in the state have new building leaders. As provided in the bill, longer contracts will be an option.

Principals are leaving the profession, and this is bad for students and communities. Principals are important to student outcomes. This bill does not offer a complete response to issues facing principals, but it is a good first step. Many states have principal contracts of up to five years. The opposition to this bill is based on fear.

This bill is a worthwhile approach to responding to principal turnover challenges. The impact of principal turnover is significant to student learning. The annual national turnover rate is 18 percent, with Seattle at 35 percent. The turnover costs have been estimated at \$70,000 per principal.

(Opposed) Educational Service Districts have long expressed concerns about the increasing workloads of principals, including the expansion of their duties during the COVID-19 pandemic. The current practice of one-year contracts gives school districts flexibility to respond to enrollment and financial issues, or other issues. More principals and assistant principals are needed.

Principals are the heartbeat of schools and they set the tone for the school. However, this bill does not get to the supports for principals. Principals have tenure, due process rights, and are not subject to arbitrary dismissal. District leadership teams do not have three-year

contracts or tenure rights. Superintendents have longer contracts, but not due process rights. The issues addressed in the bill should be explored during the interim and a stakeholder-supported bill should be developed.

Principals are important parts of schools and districts, but this bill is not the solution. There needs to be more collaboration between principals and superintendents, but this bill is creating greater divisions. As a practical matter, if one or two districts use multi-year contracts, it will become a general requirement.

**Persons Testifying:** (In support) Senator Lisa Wellman, prime sponsor; Roz Thompson and Dr. Scott Seaman, Association of Washington School Principals; Carlos Gonzalez, McFarland Middle School; Gerrit Kischner, Thornton Creek Elementary; and Dr. Ken Bergevin, Heritage University Educational Administration.

(Opposed) Troy Nichols, Capital Region Educational Service District 113; Dan Steele, Washington Association of School Administrators and Washington Association of School Business Officials; and Melissa Gombosky, Educational Service District 105 and Schools Advocacy Coalition.

**Persons Signed In To Testify But Not Testifying:** None.