

# HOUSE BILL REPORT

## HB 2428

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As Reported By House Committee On:  
Education

**Title:** An act relating to school district employees.

**Brief Description:** Allowing spouses of officers of school districts to be under contract as a certificated or classified employee.

**Sponsors:** Representatives Karahalios, Foreman, Chappell, Chandler and J. Kohl.

**Brief History:**

Reported by House Committee on:  
Education, January 28, 1994, DPS.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Dorn, Chair; Cothorn, Vice Chair; Brough, Ranking Minority Member; B. Thomas, Assistant Ranking Minority Member; Brumsickle; Carlson; G. Cole; Eide; Hansen; Holm; Jones; Karahalios; J. Kohl; Patterson; Pruitt; Roland and L. Thomas.

**Staff:** Robert Butts (786-7111).

**Background:** Current law prohibits school officers and other municipal officials from involvement in contracts, hiring decisions and other matters in which the official would personally benefit.

This provision applies to most hiring decisions made by school districts. With a number of exceptions for very small districts and for the hiring of substitutes, spouses of school district officials may not be hired as teachers or classified staff.

Recently, an individual was appointed superintendent of a school district in which his spouse was employed under contract as a teacher. According to advice from the Attorney General's Office, renewal of the spouse's teaching contract would be in violation of state law.

**Summary of Substitute Bill:** State law is modified to allow school districts to employ under contract a spouse of a school district officer if the spouse was under contract as an employee before the date in which the officer assumed office. However, the spouse's contract must be commensurate with the applicable district pay plan or collective bargaining agreement.

**Substitute Bill Compared to Original Bill:** Language was added to clarify that exceptions apply only to employment contracts.

**Fiscal Note:** Not requested.

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

**Testimony For:** It is not fair that school districts are required to fire long-term employees when the employee's spouse gets elected to the school board or selected to be school superintendent. This bill is important for small school districts.

**Testimony Against:** None.

**Witnesses:** Rep. Karahalios (sponsor); and Rep. Chandler (supports).