

# FINAL BILL REPORT

## SHB 1865

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C 267 L 97

Synopsis as Enacted

**Brief Description:** Allowing school districts to contract with other public and private entities.

**Sponsors:** By House Committee on Education (originally sponsored by Representatives B. Thomas, Johnson, Talcott, Thompson, Radcliff, Mulliken, Hickel, Backlund, Zellinsky and McDonald).

**House Committee on Education**  
**Senate Committee on Commerce & Labor**

**Background:** A school district is a corporate body and possesses all the usual powers of a public corporation. A school district may sue and be sued, transact business necessary for maintaining the school district and schools, protect the rights of the district, and enter into other obligations authorized by law.

The board of directors of each school district has broad discretionary power to establish and implement written policies not in conflict with other laws.

A variety of statutes permit school districts to contract for various goods or services. There is not a general statute that grants school districts the general authority to contract.

If a school district enters into a contract for services that had previously been performed by classified school employees, the contract must contain a specific clause providing for health care benefits for the contracting entity's employees. The school district must also conduct a feasibility study regarding the impact of entering into contracts for services, obtain the Superintendent of Public Instructions's approval, and comply with existing collective bargaining agreements. These requirements apply to contracts for services being performed by classified staff as of July 26, 1993.

**Summary:** The board of directors of a school district may contract with other school districts, educational service districts, public or private organizations, agencies, schools, or individuals to implement the board's powers and duties. The board may contract for goods and services, including but not limited to goods and services as specifically authorized in statute or rule, as well as other educational, instructional, and specialized services.

Contracts may not be made with religious or sectarian organizations or schools if the contract would violate the state or federal constitutions.

When a school contracts for educational or specialized services, the purpose of the contract must be to improve student learning.

A technical correction is made to clarify that the statute governing contracting for services performed by classified staff as of July 25, 1993, is meant to apply to contracts for services performed by classified staff on or after July 25, 1993.

**Votes on Final Passage:**

House 96 0

Senate 40 2 (Senate amended)

House 60 32 (House concurred)

**Effective:** July 27, 1997