
HOUSE BILL 1865

State of Washington

55th Legislature

1997 Regular Session

By Representatives B. Thomas, Johnson, Talcott, Thompson, Radcliff, Mulliken, Hickel, Backlund, Zellinsky and McDonald

Read first time 02/11/97. Referred to Committee on Education.

1 AN ACT Relating to school district contracting; amending RCW
2 28A.400.285; and adding a new section to chapter 28A.320 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
5 RCW to read as follows:

6 (1) The board of directors of a school district may contract with
7 other school districts, educational service districts, public or
8 private organizations, agencies, schools, or individuals to implement
9 the board's powers and duties. The board of directors of a school
10 district may contract for goods and services, including but not limited
11 to contracts for goods and services as specifically authorized in
12 statute or rule, as well as other educational, instructional, and
13 specialized services.

14 (2) Contracts may not be made with religious or sectarian
15 organizations or schools.

16 **Sec. 2.** RCW 28A.400.285 and 1993 c 349 s 1 are each amended to
17 read as follows:

1 (1) When a school district or educational service district enters
2 into a contract for services that had been previously performed by
3 classified school employees, the contract shall contain a specific
4 clause requiring the contractor to provide for persons performing such
5 services under the contract, health benefits that are similar to those
6 provided for school employees who would otherwise perform the work, but
7 in no case are such health benefits required to be greater than the
8 benefits provided for basic health care services under chapter 70.47
9 RCW.

10 (2) Decisions to enter into contracts for services by a school
11 district or educational service district may only be made: (a) After
12 the affected district has conducted a feasibility study determining the
13 potential costs and benefits, including the impact on district
14 employees who would otherwise perform the work, that would result from
15 contracting for the services; (b) after the decision to contract for
16 the services has been reviewed and approved by the superintendent of
17 public instruction; and (c) subject to any applicable requirements for
18 collective bargaining. The factors to be considered in the feasibility
19 study shall be developed in consultation with representatives of the
20 affected employees and may include both long-term and short-term
21 effects of the proposal to contract for services.

22 (3) This section applies only if ~~((the))~~ a contract ~~((would be))~~ is
23 for services that ~~((are))~~ were being performed by classified school
24 employees ~~((as of))~~ before July ~~((25))~~ 26, 1993.

25 (4) This section does not apply to:

26 (a) Temporary, nonongoing, or nonrecurring service contracts; or

27 (b) Contracts for services previously performed by employees in
28 director/supervisor, professional, and technical positions.

29 (5) For the purposes of subsection (4) of this section:

30 (a) "Director/supervisor position" means a position in which an
31 employee directs staff members and manages a function, a program, or a
32 support service.

33 (b) "Professional position" means a position for which an employee
34 is required to have a high degree of knowledge and skills acquired
35 through a baccalaureate degree or its equivalent.

36 (c) "Technical position" means a position for which an employee is
37 required to have a combination of knowledge and skills that can be
38 obtained through approximately two years of posthigh school education,

1 such as from a community or technical college, or by on-the-job
2 training.

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