
SUBSTITUTE HOUSE BILL 1222

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Education (originally sponsored by Representatives Betrozoff, Peery, Brumsickle, G. Fisher, Brough, Holland, Paris, Broback, Nealey and Orr).

Read first time February 6, 1991.

1 AN ACT Relating to school district directors' districts; amending
2 RCW 28A.315.110, 28A.315.590, 28A.315.670, and 28A.315.680; reenacting
3 and amending RCW 28A.315.580, 28A.315.670, and 28A.315.680; adding a
4 new section to chapter 28A.315 RCW; repealing RCW 28A.315.685;
5 providing an effective date; providing an expiration date; and
6 declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.315
9 RCW to read as follows:

10 It is the responsibility of each school district board of directors
11 to prepare for the division or redivision of the district into director
12 districts no later than eight months after any of the following:

13 (1) Receipt of federal decennial census data from the redistricting
14 commission established in RCW 44.05.030;

1 (2) Consolidation of two or more districts into one district under
2 RCW 28A.315.270;

3 (3) Transfer of territory to or from the district under RCW
4 28A.315.280;

5 (4) Annexation of territory to or from the district under RCW
6 28A.315.290 or 28A.315.320;

7 (5) Approval by a majority of the registered voters voting on a
8 proposition authorizing the division of the district into director
9 districts pursuant to RCW 28A.315.590; or

10 (6) Adoption by the board of directors of a resolution that
11 redistricting is necessary due to significant changes in population.

12 The districting or redistricting plan shall be consistent with the
13 criteria and adopted according to the procedure established under RCW
14 29.70.100.

15 **Sec. 2.** RCW 28A.315.110 and 1990 c 161 s 2 are each amended to
16 read as follows:

17 The powers and duties of each regional committee shall be:

18 (1) To initiate, on its own motion and whenever it deems such
19 action advisable, proposals or alternate proposals for changes in the
20 organization and extent of school districts in the educational service
21 district; to receive, consider, and revise, whenever in its judgment
22 revision is advisable, proposals initiated by petition or presented to
23 the committee by the educational service district superintendent as
24 provided for in this chapter; to prepare and submit to the state board
25 any of the aforesaid proposals that are found by the regional committee
26 to provide for satisfactory improvement in the school district system
27 of the educational service district and state; to prepare and submit
28 with the aforesaid proposals, a map showing the boundaries of existing
29 school districts affected by any proposed change and the boundaries,

1 including a description thereof, of each proposed new school district
2 or of each existing school district as enlarged or diminished by any
3 proposed change, or both, and a summary of the reasons for the proposed
4 change; and such other reports, records, and materials as the state
5 board may request. The committee may utilize as a basis of its
6 proposals and changes that comprehensive plan for changes in the
7 organization and extent of the school districts of the county prepared
8 and submitted to the state board prior to September 1, 1956, or, if the
9 then county committee found, after considering the factors listed in
10 RCW 28A.315.120, that no changes in the school district organization of
11 the county were needed, the report to this effect submitted to the
12 state board.

13 (2)(a) To make an equitable adjustment of the property and other
14 assets and of the liabilities, including bonded indebtedness and excess
15 tax levies as otherwise authorized under this section, as to the old
16 school districts and the new district or districts, if any, involved in
17 or affected by a proposed change in the organization and extent of the
18 school districts; and (b) to make an equitable adjustment of the bonded
19 indebtedness outstanding against any of the aforesaid districts
20 whenever in its judgment such adjustment is advisable, as to all of the
21 school districts involved in or affected by any change heretofore or
22 hereafter effected; and (c) to provide that territory transferred from
23 a school district by a change in the organization and extent of school
24 districts shall either remain subject to, or be relieved of, any one or
25 more excess tax levies which are authorized for the school district
26 under RCW 84.52.053 before the effective date of the transfer of
27 territory from the school district; and (d) to provide that territory
28 transferred to a school district by a change in the organization and
29 extent of school districts shall either be made subject to, or be
30 relieved of, any one or more excess tax levies which are authorized for

1 the school district under RCW 84.52.053 before the effective date of
2 the transfer of territory to the school district; and (e) to submit to
3 the state board the proposed terms of adjustment and a statement of the
4 reasons therefor in each case. In making the adjustments herein
5 provided for, the regional committee shall consider the number of
6 children of school age resident in and the assessed valuation of the
7 property located in each school district and in each part of a district
8 involved or affected; the purpose for which the bonded indebtedness of
9 any school district was incurred; the value, location, and disposition
10 of all improvements located in the school districts involved or
11 affected; and any other matters which in the judgment of the committee
12 are of importance or essential to the making of an equitable
13 adjustment.

14 (3) To hold and keep a record of a public hearing or public
15 hearings (a) on every proposal for the formation of a new school
16 district or for the transfer from one existing district to another of
17 any territory in which children of school age reside or for annexation
18 of territory when the conditions set forth in RCW 28A.315.290 or
19 28A.315.320 prevail; and (b) on every proposal for adjustment of the
20 assets and of the liabilities of school districts provided for in this
21 chapter. Three members of the regional committee or two members of the
22 committee and the educational service district superintendent may be
23 designated by the committee to hold any public hearing that the
24 committee is required to hold. The regional committee shall cause
25 notice to be given, at least ten days prior to the date appointed for
26 any such hearing, in one or more newspapers of general circulation
27 within the geographical boundaries of the school districts affected by
28 the proposed change or adjustment. In addition notice may be given by
29 radio and television, or either thereof, when in the committee's
30 judgment the public interest will be served thereby.

1 (4) (~~(To divide into five school directors' districts all first and~~
2 ~~second class school districts now in existence and not heretofore so~~
3 ~~divided and all first and second class school districts hereafter~~
4 ~~established: PROVIDED, That no first or second class school district~~
5 ~~shall be divided into directors' districts and no second class school~~
6 ~~district shall be divided into a combination of no fewer than three~~
7 ~~directors' districts nor more than two directors at large, unless a~~
8 ~~majority of the registered voters voting thereon at an election shall~~
9 ~~approve a proposition authorizing the division of the district in such~~
10 ~~manner. The boundaries of each directors' district shall be so~~
11 ~~established that each such district shall comprise as nearly as~~
12 ~~practicable an equal portion of the population of the school district.~~

13 (5) ~~To rearrange at any time the committee deems such action~~
14 ~~advisable in order to correct inequalities caused by changes in~~
15 ~~population and changes in school district boundaries, the boundaries of~~
16 ~~any of the directors' districts of any school district heretofore or~~
17 ~~hereafter so divided: PROVIDED, That a petition therefor, shall be~~
18 ~~required for rearrangement in order to correct inequalities caused by~~
19 ~~changes in population. Said petition shall be signed by at least ten~~
20 ~~registered voters residing in the aforesaid school district, and shall~~
21 ~~be presented to the educational service district superintendent. A~~
22 ~~public hearing thereon shall be held by the regional committee, which~~
23 ~~hearing shall be called and conducted in the manner prescribed in~~
24 ~~subsection (3) of this section.~~

25 (6)) To prepare and submit to the superintendent of public
26 instruction from time to time or, upon his or her request, reports and
27 recommendations respecting the urgency of need for school plant
28 facilities, the kind and extent of the facilities required, and the
29 development of improved local school administrative units and

1 attendance areas in the case of school districts that seek state
2 assistance in providing school plant facilities.

3 **Sec. 3.** RCW 28A.315.580 and 1990 c 161 s 5 and 1990 c 33 s 319 are
4 each reenacted and amended to read as follows:

5 Whenever an election shall be held for the purpose of securing the
6 approval of the voters for the formation of a new school district other
7 than a school district of the first class having within its boundaries
8 a city with a population of four hundred thousand people or more in
9 class AA counties, if requested by one of the boards of directors of
10 the school districts affected, there shall also be submitted to the
11 voters at the same election a proposition to authorize the (~~regional~~
12 ~~committee~~) board of directors to divide the school district, if
13 formed, into five directors' districts in first class school districts
14 and a choice of five directors' districts or no fewer than three
15 directors' districts with the balance of the directors to be elected at
16 large in second class school districts. Such director districts in
17 second class districts, if approved, shall not become effective until
18 the regular school election following the next regular school election
19 at which time a new board of directors shall be elected as provided in
20 RCW 28A.315.550. Such director districts in first class districts, if
21 approved, shall not become effective until the next regular school
22 election at which time a new board of directors shall be elected as
23 provided in RCW 28A.315.600, 28A.315.610, and 28A.315.620. Each of the
24 five directors shall be elected from among the residents of the
25 respective director district, or from among the residents of the entire
26 school district in the case of directors at large, by the electors of
27 the entire school district.

1 **Sec. 4.** RCW 28A.315.590 and 1990 c 161 s 6 are each amended to
2 read as follows:

3 The board of directors of every first class school district other
4 than a school district of the first class having within its boundaries
5 a city with a population of four hundred thousand people or more in
6 class AA counties which is not divided into directors' districts may
7 submit to the voters at any regular school district election a
8 proposition to authorize the ((~~regional committee~~)) board of directors
9 to divide the district into directors' districts or for second class
10 school districts into director districts or a combination of no fewer
11 than three director districts and no more than two at large positions.
12 If a majority of the votes cast on the proposition ((~~shall be~~)) is
13 affirmative, the ((~~regional committee~~)) board of directors shall
14 proceed to divide the district into directors' districts following the
15 procedure established in RCW 29.70.100. Such director districts, if
16 approved, shall not become effective until the next regular school
17 election when a new five member board of directors shall be elected,
18 one from each of the director districts from among the residents of the
19 respective director district, or from among the residents of the entire
20 school district in the case of directors at large, by the electors of
21 the entire district, two for a term of two years and three for a term
22 of four years, unless such district elects its directors for six years,
23 in which case, one for a term of two years, two for a term of four
24 years, and two for a term of six years.

25 **Sec. 5.** RCW 28A.315.670 and 1990 c 33 s 327 are each amended to
26 read as follows:

27 Notwithstanding any other provision of law, any school district of
28 the first class having within its boundaries a city with a population
29 of four hundred thousand people or more in class AA counties shall be

1 divided into seven director districts. The boundaries of such director
2 districts shall be established by the members of the school board (~~and~~
3 ~~approved by the county committee on school district organization~~),
4 such boundaries to be established so that each such district shall
5 (~~comprise~~) comply, as nearly as practicable, (~~an equal portion of~~
6 ~~the population of the school district~~) with the criteria established
7 in RCW 29.70.100. Boundaries of such director districts shall be
8 adjusted by the school board (~~and approved by the county committee~~)
9 following the procedure established in RCW 29.70.100 after each federal
10 decennial census if population change shows the need thereof to comply
11 with the (~~equal population requirement above~~) criteria of RCW
12 29.70.100. No person shall be eligible for the position of school
13 director in any such director district unless such person resides in
14 the particular director district. Residents in the particular director
15 district desiring to be a candidate for school director shall file
16 their declarations of candidacy for such director district and for the
17 position of director in that district and shall be voted upon in the
18 primary election by the registered voters of that particular director
19 district: PROVIDED, That if not more than one person files a
20 declaration of candidacy for the position of school director in any
21 director district, no primary election shall be held in that district,
22 and such candidate's name alone shall appear on the ballot for the
23 director district position at the general election. The name of the
24 person who receives the greatest number of votes and the name of the
25 person who receives the next greatest number of votes at the primary
26 for each director district position shall appear on the general
27 election ballot under such position and shall be voted upon by all the
28 registered voters in the school district. Except as provided in RCW
29 28A.315.680, every such director so elected in school districts divided

1 into seven director districts shall serve for a term of four years as
2 otherwise provided in RCW 28A.315.460.

3 **Sec. 6.** RCW 28A.315.670 and 1990 c 59 s 99 and 1990 c 33 s 327 are
4 each reenacted and amended to read as follows:

5 Notwithstanding any other provision of law, any school district of
6 the first class having within its boundaries a city with a population
7 of four hundred thousand people or more in class AA counties shall be
8 divided into seven director districts. The boundaries of such director
9 districts shall be established by the members of the school board (~~and~~
10 ~~approved by the county committee on school district organization~~),
11 such boundaries to be established so that each such district shall
12 ~~((comprise))~~ comply, as nearly as practicable, ~~((an equal portion of~~
13 ~~the population of the school district))~~ with the criteria established
14 in RCW 29.70.100. Boundaries of such director districts shall be
15 adjusted by the school board (~~and approved by the county committee~~)
16 following the procedure established in RCW 29.70.100 after each federal
17 decennial census if population change shows the need thereof to comply
18 with the ~~((equal population requirement above))~~ criteria of RCW
19 29.70.100. No person shall be eligible for the position of school
20 director in any such director district unless such person resides in
21 the particular director district. Residents in the particular director
22 district desiring to be a candidate for school director shall file
23 their declarations of candidacy for such director district and for the
24 position of director in that district and shall be voted upon, in any
25 primary required to be held for the position under Title 29 RCW, by the
26 registered voters of that particular director district. In the general
27 election, each position shall be voted upon by all the registered
28 voters in the school district. The order of the names of candidates
29 shall appear on the primary and general election ballots as required

1 for nonpartisan positions under Title 29 RCW. Except as provided in
2 RCW 28A.315.680, every such director so elected in school districts
3 divided into seven director districts shall serve for a term of four
4 years as otherwise provided in RCW 28A.315.460.

5 **Sec. 7.** RCW 28A.315.680 and 1990 c 33 s 328 are each amended to
6 read as follows:

7 (~~Within thirty days after March 25, 1969,~~) The school boards of
8 any school district of the first class having within its boundaries a
9 city with a population of four hundred thousand people or more in class
10 AA counties shall establish the director district boundaries (~~and~~
11 ~~obtain approval thereof by the county committee on school district~~
12 ~~organization~~). Appointment of a board member to fill any vacancy
13 existing for a new director district prior to the next regular school
14 election shall be by the school board. Prior to the next regular
15 election in the school district and the filing of declarations of
16 candidacy therefor, the incumbent school board shall designate said
17 director districts by number. Directors appointed to fill vacancies as
18 above provided shall be subject to election, one for a six-year term,
19 and one for a two-year term and thereafter the term of their respective
20 successors shall be for four years. The term of office of incumbent
21 members of the board of such district shall not be affected by RCW
22 28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, 28A.315.680,
23 29.21.180, and 29.21.210.

24 **Sec. 8.** RCW 28A.315.680 and 1990 c 59 s 72 and 1990 c 33 s 328 are
25 each reenacted and amended to read as follows:

26 (~~Within thirty days after March 25, 1969,~~) The school boards of
27 any school district of the first class having within its boundaries a
28 city with a population of four hundred thousand people or more in class

1 AA counties shall establish the director district boundaries ((and
2 obtain approval thereof by the county committee on school district
3 organization)). Appointment of a board member to fill any vacancy
4 existing for a new director district prior to the next regular school
5 election shall be by the school board. Prior to the next regular
6 election in the school district and the filing of declarations of
7 candidacy therefor, the incumbent school board shall designate said
8 director districts by number. Directors appointed to fill vacancies as
9 above provided shall be subject to election, one for a six-year term,
10 and one for a two-year term and thereafter the term of their respective
11 successors shall be for four years. The term of office of incumbent
12 members of the board of such district shall not be affected by RCW
13 28A.315.450, 28A.315.460, 28A.315.570, 28A.315.670, 28A.315.680, and
14 29.21.180.

15 NEW SECTION. **Sec. 9.** RCW 28A.315.685 and 1990 c 161 s 1 are
16 each repealed.

17 NEW SECTION. **Sec. 10.** Sections 5 and 7 of this act shall
18 expire July 1, 1992.

19 NEW SECTION. **Sec. 11.** Sections 6 and 8 of this act shall take
20 effect July 1, 1992.

21 NEW SECTION. **Sec. 12.** Sections 1 through 5, 7, and 9 of this
22 act are necessary for the immediate preservation of the public peace,
23 health, or safety, or support of the state government and its existing
24 public institutions, and shall take effect immediately.