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HOUSE BILL 1951

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Horn, Peery, Brough, Pruitt, Betrozoff, Orr, Ferguson, G. Fisher, May, Jones, Holland, Van Luven, Wood, Roland, P. Johnson, Wynne, Vance, Nealey, Broback, Phillips, Brumsickle, Zellinsky, Winsley, Mitchell and Forner.

Read first time February 15, 1991. Referred to Committee on Education.

1            AN ACT Relating to transfers of school district territory; and  
2 amending RCW 28A.315.120, 28A.315.140, and 28A.315.280.

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

4            **Sec. 1.** RCW 28A.315.120 and 1990 c 33 s 299 are each amended to  
5 read as follows:

6            Each regional committee, in carrying out the purposes of RCW  
7 28A.315.110, shall base its judgment and recommendations, if any, to  
8 the state board of education, upon such standards and considerations as  
9 are established by the state board of education pursuant to chapter  
10 34.05 RCW for the preparation of recommended changes in the  
11 organization and extent of school districts and terms of adjustment as  
12 provided for in RCW 28A.315.110. Such rules and regulations shall  
13 provide for giving consideration: (1) To equalization of the  
14 educational opportunities of pupils and to economies in the  
15 administration and operation of schools through the formation of larger

1 units of administration and areas of attendance; (2) to equalization  
2 among school districts of the tax burden for general fund and capital  
3 purposes through a reduction in disparities in per-pupil valuation; (3)  
4 to geographical and other features, including, but not limited to such  
5 physical characteristics as mountains, lakes and rivers, waste land,  
6 climatic conditions, highways, and means of transportation; (4) to the  
7 convenience and welfare of pupils, including but not limited to  
8 remoteness or isolation of their places of residence and time required  
9 to travel to and from school; (5) to improvement of the educational  
10 opportunities of pupils through improvement and extension of school  
11 programs and through better instruction facilities, equipment,  
12 materials, libraries, and health and other services; (6) to  
13 equalization of the burden of financing the cost of high school  
14 facilities through extension of the boundaries of high school districts  
15 to include within each such district all of the territory served by the  
16 high school located therein: PROVIDED, That a nonhigh school district  
17 may be excluded from a plan if such district is found by the regional  
18 committee and the state board to be so situated with respect to  
19 location, present and clearly foreseeable future population, and other  
20 pertinent factors as to warrant the establishment and operation of a  
21 high school therein or the inclusion of its territory in a new district  
22 formed for the purpose of establishing and operating a high school; (7)  
23 to the future effective utilization of existing satisfactory school  
24 buildings, sites, and playfields; the adequacy of such facilities  
25 located in the proposed new district; and additional facilities  
26 required if such proposed district is formed; and (8) to any other  
27 matters which in the judgment of the state board of education are  
28 related to or may operate to further equalization and improvement of  
29 school facilities and services, economies in operating and capital fund  
30 expenditures, and equalization among school districts of tax rates for

1 school purposes. In making recommendations and decisions based on the  
2 criteria in this section, the satisfaction of only one of these  
3 criteria may be considered adequate for recommending and approving  
4 proposed changes in the organization and extent of school districts.

5 **Sec. 2.** RCW 28A.315.140 and 1990 c 33 s 300 are each amended to  
6 read as follows:

7 The powers and duties of the state board with respect to this  
8 chapter shall be:

9 (1) To aid regional committees in the performance of their duties  
10 by furnishing them with plans of procedure, standards, data, maps,  
11 forms, and other necessary materials and services essential to a study  
12 and understanding of the problems of school district organization in  
13 their respective educational service districts.

14 (2) To receive, file, and examine the proposals and the maps,  
15 reports, records, and other materials relating thereto submitted by  
16 regional committees and to approve such proposals and so notify the  
17 regional committees when said proposals are found to provide for  
18 satisfactory improvement (~~in the school district system of the~~  
19 ~~counties and the state~~) based on the criteria included in RCW  
20 28A.315.120 and for an equitable adjustment of the assets and  
21 liabilities, including bonded indebtedness and excess tax levies as  
22 authorized under RCW 28A.315.110(2), of the school districts involved  
23 or affected: PROVIDED, That whenever the state board approves a  
24 recommendation from a regional committee for the transfer of territory  
25 from one school district to another school district, such state board  
26 approval must be made not later than March 1 of any given year for  
27 implementation the school year immediately following: PROVIDED  
28 FURTHER, That whenever such proposals are found by the state board to  
29 be unsatisfactory or inequitable, the board shall so notify the

1 regional committee and, upon request, assist the committee in making  
2 revisions which revisions shall be resubmitted within sixty days after  
3 such notification for reconsideration and approval or disapproval.  
4 Implementation of state board-approved transfers of territory from one  
5 school district to another school district shall become effective at  
6 the commencement of the next school year unless an earlier  
7 implementation is agreed upon in writing by the boards of directors of  
8 the affected school districts.

9 **Sec. 3.** RCW 28A.315.280 and 1985 c 385 s 21 are each amended to  
10 read as follows:

11 For the purpose of transferring territory from one school district  
12 to another district, a petition in writing may be presented to the  
13 educational service district superintendent, as secretary of the  
14 regional committee, signed by a majority of the registered voters  
15 residing in the territory proposed to be transferred, or by the board  
16 of directors of one of the districts affected by a proposed transfer of  
17 territory if there is no registered voter resident in the territory,  
18 which petition shall state the name and number of each district  
19 affected, describe the boundaries of the territory proposed to be  
20 transferred, and state the reasons for desiring the change and the  
21 number of children of school age, if any, residing in the territory(~~(+~~  
22 ~~PROVIDED, That~~)). If the regional committee rejects the petition to  
23 adjust school district boundaries, the petitioners may appeal to the  
24 state board of education. The state board of education shall review  
25 the petition. After consideration of the petition, the state board may  
26 deny the petition; return it to the regional committee for further  
27 consideration; or approve the petition, with or without modification,  
28 and request the regional committee propose equitable adjustments of  
29 assets and liabilities. The educational service district

1 superintendent, without being petitioned to do so, may present to the  
2 regional committee a proposal for the transfer from one school district  
3 to another of any territory in which no children of school age reside:  
4 PROVIDED FURTHER, That the educational service district superintendent  
5 shall not complete any transfer of territory pursuant to the provisions  
6 of this section which involves ten percent or more of the common school  
7 student population of the entire district from which such transfer is  
8 proposed, unless he or she has first called and held a special election  
9 of the voters of the entire school district from which such transfer of  
10 territory is proposed for the purpose of affording said voters an  
11 opportunity to approve or reject such proposed transfer, and has  
12 obtained approval of the proposed transfer by a majority of those  
13 registered voters voting in said election; and if such proposed  
14 transfer is disapproved, the state board of education shall determine  
15 whether or not said district is meeting or capable of meeting minimum  
16 standards of education as set up by the state board. If the state  
17 board decides in the negative, the superintendent of public instruction  
18 may thereupon withhold from such district, in whole or in part, state  
19 contributed funds.