

FINAL BILL REPORT

E2SHB 1477

PARTIAL VETO

C 315 L 99

Synopsis as Enacted

Brief Description: Revising school district organization provisions.

Sponsors: By House Committee on Education (Originally sponsored by Representatives Haigh, Bush, Talcott, Linville, Santos and Edmonds; by request of Board of Education).

House Committee on Education
House Committee on Appropriations
Senate Committee on Education

Background:

The Legislature enacted the "city or town districts" statute in 1909, primarily to ensure that each city or town is served by a single school district. Over the years, the Legislature has added several provisions regarding changing school district boundaries. Generally, citizens and school districts may petition to change school district boundaries through forming a new school district, consolidating school districts, or changing the territory of a school district. The Legislature created regional committees in each of the nine educational service districts (ESD) to review proposals on school district boundary changes. A regional committee may consider a school district boundary change on its own initiative, at the recommendation of the ESD superintendent, or when it receives a citizen petition. If the regional committee recommends a boundary change, the recommendation goes to the State Board of Education for approval. There are statutory guidelines and agency rules to be considered in recommending and approving boundary changes.

Typically, the regional committee and ESD implement the boundary changes based on statutory provisions, such as reapportioning assets and obligations.

Special elections generally must be held when at least 10 percent of the students are affected by a proposed boundary change or a new district is being formed, or when bond debt is being adjusted or transferred. If voters reject either the proposal to form a new district or adjust bond debt, the regional committee may modify the proposal and resubmit it to the State Board of Education for reconsideration.

Summary:

The provisions in current law regarding forming school districts and changing school district boundaries are significantly modified. The "city or town districts" statute, which generally provides that each city or town is served by a single school district, is repealed. When a city or town changes boundaries, any proposed school district boundary changes will follow the general statutory process for such changes.

School district boundary changes generally are proposed by citizen petitions, educational service districts (ESDs), and school districts. When a petition is received by the ESD, the ESD notifies the affected school districts who must then negotiate to see if an agreement can be reached regarding the petition. Mediation is provided for. If agreement is reached between the school districts, the ESD implements it; if no agreement is reached, the petition is forwarded to the regional committee. If the regional committee approves the submitted proposal, the ESD implements it unless the approval is appealed to the State Board of Education. A decision by the regional committee to approve a proposal may be appealed to the State Board on the basis that the decision did not follow required procedures or was arbitrary and capricious. A school district or citizen petitioner may appeal the final decision of the regional committee to the court.

Current law requiring special elections in certain cases is retained; however, if voters reject either the proposal to form a new district or adjust bond debt, the proposal is defeated, rather than allowing the proposal to be resubmitted to the State Board of Education for reconsideration.

The statutory guidelines regarding factors to be considered in reviewing proposals to change school district boundaries are modified. Proposals for school boundary changes initiated prior to the effective date of this act are to be under current law; proposals initiated after the effective date of this act are processed under the changes made by this act.

Local school districts, educational service districts, and regional committees are reimbursed for costs relating to proposals to change school district boundaries as appropriated in the budget. Training is provided through the superintendent of Public Instruction to the extent funds are appropriate.

Votes on Final Passage:

House 95 0
Senate 48 0 (Senate amended)
House 97 0 (House concurred)

Effective: July 25, 1999

Partial Veto Summary: The provision requiring emergency rules is vetoed.

