

# HOUSE BILL REPORT

## HB 1176

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*As Passed Legislature*

**Title:** An act relating to school districts' boards of directors.

**Brief Description:** Specifying timing and voting on filling school board vacancies.

**Sponsor(s):** Representatives Leonard, Holland, Peery, Brough, Cole, Forner, Rayburn, Vance, Brumsickle, Jones, Miller, Fuhrman, Phillips, Winsley, Paris and Betrozoff.

**Brief History:**

Reported by House Committee on:

Education, February 4, 1991, DP.

Passed House, February 14, 1991, 96-0;

Passed Legislature, 96-0.

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**HOUSE COMMITTEE ON  
EDUCATION**

**Majority Report:** *Do pass.* Signed by 17 members: Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; and H. Sommers.

**Staff:** Susan Kirkpatrick (786-7291).

**Background:** RCW 28A.315.530 governs the procedure regarding vacancies on a school board and provides as follows:

"In case of a vacancy from any cause on the board of directors of a school district ... a majority of the legally established number of board members shall fill such vacancy by appointment...."

The RCW does not specifically prohibit a school board member who has announced a resignation, thereby creating a vacancy, from voting on the selection of the successor to his or her position. There was a recent court case in King County in which a resigning board member's authority to vote on the selection of his successor was raised.

**Summary of Bill:** A school board director who has submitted a resignation is prohibited from voting on the selection of his or her replacement.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Expressly prohibiting a board member who has announced his or her resignation to take effect at a later date from voting on his or her successor will clarify this issue and may prevent future litigation.

**Testimony Against:** None.

**Witnesses:** Dwayne Slate, Washington State School Directors' Association (in favor).