

1 **SSB 5071 - H AMD 509 ADOPTED 4-9-97**

2 By Representative Talcott

3 Strike everything after the enacting clause and insert the
4 following:

5 NEW SECTION. **Sec. 1.** The legislature finds the following:

6 (1) The existing statutory provisions requiring an automatic
7 transfer of territory from one school district to another when a
8 city or town extends its boundaries through annexation of
9 unincorporated territory is archaic, and that such school district
10 transfers should not be automatic;

11 (2) Some current procedural requirements unduly restrict the
12 ability of the state board of education to respond more flexibly to
13 any given proposed transfer of territory;

14 (3) Consistent with the goal of growth management that public
15 services and facilities necessary to support development be
16 available without a decrease in service levels, citizens should
17 have the opportunity to be heard on whether all land in a planned
18 community which includes industrial, commercial, and residential
19 sites should be in the same school district; and

20 (4) The current laws and rules governing school district
21 organization are outdated and in need of a comprehensive review.

22 **Sec. 2.** RCW 28A.315.250 and 1985 c 385 s 19 are each amended
23 to read as follows:

24 Each incorporated city or town in the state shall be comprised
25 in one school district: PROVIDED, That nothing in this section
26 shall be construed: (1) To prevent the extension of the boundaries
27 of a school district beyond the limits of the city or town
28 contained therein, or (2) to prevent the inclusion of two or more
29 incorporated cities or towns in a single school district, or (3) to
30 change or disturb the boundaries of any school district organized
31 prior to the incorporation of any city or town, except as hereafter
32 in this section provided.

33 In case all or any part of a school district that operates a
34 school or schools on one site only or operates elementary schools

1 only on two or more sites is included in an incorporated city or
 2 town through the extension of the limits of such city or town in
 3 the manner provided by law, the (~~educational service district~~
 4 ~~superintendent shall: (1) Declare~~) regional committee may, in its
 5 discretion, prepare a proposal for transfer of any part or all of
 6 the territory so included to ((be a part of)) the school district
 7 containing the city or town and ((+2)), whenever a part of a
 8 district so included contains a school building of the district,
 9 (~~present to the regional committee a proposal~~) for the
 10 disposition of any part or all of the remaining territory of the
 11 district.

12 In case of the extension of the limits of a town to include
 13 territory lying in a school district that operates on more than one
 14 site one or more elementary schools and one or more junior high
 15 schools or high schools, the regional committee (~~shall~~) may, in
 16 its discretion, prepare a proposal or proposals for annexation to
 17 the school district in which the town is located any part or all of
 18 the territory aforesaid which has been included in the town and for
 19 annexation to the school district in which the town is located or
 20 to some other school district or districts any part or all of the
 21 remaining territory of the school district affected by extension of
 22 the limits of the town: PROVIDED, That where no school or school
 23 site is located within the territory annexed to the town and not
 24 less than seventy-five percent of the registered voters residing
 25 within the annexed territory present a petition in writing for
 26 annexation and transfer of said territory to the school district in
 27 which the town is located, the educational service district
 28 superintendent shall declare the territory so included to be a part
 29 of the school district containing said town: PROVIDED FURTHER,
 30 That territory approved for annexation to a city or town by vote of
 31 the electors residing therein prior to January 12, 1953, shall not
 32 be subject to the provisions herein respecting annexation to a
 33 school district or school districts: AND PROVIDED FURTHER, That
 34 the provisions and procedural requirements of this chapter as now
 35 or hereafter amended not in conflict with or inconsistent with the
 36 provisions hereinabove in this section stated shall apply in the
 37 case of any proposal or proposals (1) for the alteration of the
 38 boundaries of school districts through and by means of annexation

1 of territory as aforesaid, and (2) for the adjustment of the assets
2 and liabilities of the school districts involved or affected
3 thereby.

4 In case of the incorporation of a city or town containing
5 territory lying in two or more school districts or of the uniting
6 of two or more cities or towns not located in the same school
7 district, the educational service district superintendent, except
8 where the incorporation or consolidation would affect a district or
9 districts of the first class, shall: (1) Order and declare to be
10 established in each such case a single school district comprising
11 all of the school districts involved, and (2) designate each such
12 district by name and by a number different from that of any other
13 district in existence in the county.

14 The educational service district superintendent shall fix as
15 the effective date of any declaration or order required under this
16 section a date no later than the first day of September next
17 succeeding the date of the issuance of such declaration or order.

18 **Sec. 3.** RCW 28A.315.140 and 1990 c 33 s 300 are each amended to read as follows:

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

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

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

1 proposals are found by the state board to be unsatisfactory or inequitable, the board shall so
 2 notify the regional committee and, upon request, assist the committee in making revisions which
 3 revisions shall be resubmitted within sixty days after such notification for reconsideration and
 4 approval or disapproval. The regional committee may request, and the state board is authorized
 5 to grant, an extension of the sixty days. The duration of the extension shall be set by the state
 6 board. Implementation of state board-approved transfers of territory from one school district
 7 to another school district shall become effective at the commencement of the next school year
 8 unless an earlier or later implementation date is agreed upon in writing by the boards of
 9 directors of the affected school districts and approved by the state board.

10 NEW SECTION. **Sec. 4.** (1) On its own motion, or in response to a petition
 11 by a school district, the state board of education may modify the boundaries of two school
 12 districts if one of the school districts includes territory located in a city or town with a
 13 population of less than three thousand and one of the school districts borders a United States
 14 military reservation or includes territory located in a United States military reservation. If a
 15 petition is filed by such a school district, the state board must make a decision on the potential
 16 modification of school district boundaries within ninety days of the filing of the petition. Prior
 17 to making any decision on the modification of such boundaries, the state board of education shall
 18 hold at least one local public hearing on the issue. The state board shall render a written
 19 decision on any petition within ninety calendar days of the date the petition is filed that includes
 20 its rationale for the decision.

21 (2) The state board of education shall report its written decision regarding actions taken
 22 under this section to the house and senate education committees.

23 (3) This section shall expire June 30, 1999.

24 NEW SECTION. **Sec. 5.** (1) The joint legislative audit and
 25 review committee shall undertake a comprehensive study of the
 26 current laws and state board of education's rules governing school
 27 district organization. In conducting the study the committee shall
 28 seek input from the state board of education, the superintendent of
 29 public instruction, the educational service districts, the regional
 30 committees on school district organization, the Washington state
 31 school directors' association, representatives of cities, towns,
 32 and counties, and citizens.

1 (2) The purpose of the study under subsection (1) is to
2 determine if the existing procedures and requirements for school
3 district organization are adequate and appropriate.

4 (3) The committee shall submit a report on the study to the
5 legislature by January 12, 1998. The report shall include any
6 recommendations for statutory changes and shall indicate whether
7 the fundamental goal of the state's school district organization
8 policy should be to support community/neighborhood schools and
9 parental involvement.

10 (4) Beginning the effective date of this act and through June
11 30, 1998, there shall be a moratorium on proposed changes to school
12 district boundaries that would be new proposals as of the effective
13 date of this act. Proposals already submitted to a regional
14 committee and/or the state board of education shall not be affected
15 by the moratorium.

16 (5) Section 4 of this act is not subject to the moratorium
17 under subsection (4) of this section.-

18 **SSB 5071** - H AMD

19 By Representatives Talcott and Carrell

20 On page 1, line 2 of the title, after "extensions;" strike the
21 remainder of the title and insert "amending RCW 28A.315.250;
22 amending RCW 28A.315.140; and creating new sections."

EFFECT: Several provisions are added regarding school district boundary decisions:

- ☒ An intent section is added that finds that the current boundary decision process is archaic, that some current procedural requirements restrict the flexibility of the state board of education to respond to proposed transfers, that citizens should have the opportunity to be heard on whether all land in a planned community should be in the same school district, and that current school district organization laws are outdated and need review.
- ☒ Current law concerning the state board of education's review of regional committee school district organization recommendations is amended to allow for a longer period of review, if necessary.
- ☒ A new section is added providing that on its own motion, or in response to a petition by a school district, the state board of education must hear and may modify school district boundaries if one of the school districts includes territory located in a city or town with a population of less than three thousand and one of the school districts borders a United States military reservation or includes territory in a United States military reservation. The state board must report any such cases and decisions to the legislature. This section expires June 30, 1999.
- ☒ A new section is added requiring the joint legislative audit and review committee to conduct a study of school district organization policies, laws, and rules, and report findings to the legislature by January 12, 1998.
- ☒ A new section is added providing a moratorium on proposed changes to school district boundaries from the date on which the act becomes effective through June 30, 1998, with the following exceptions: (1) school district boundary proposals involving a school district in a city or town with a population of less than three thousand and a school district with territory located in or adjacent to a military reservation; and (2) pre-existing transfer proposals.