
HOUSE BILL 3030

State of Washington 55th Legislature 1998 Regular Session

By Representatives Talcott, Smith and Bush

Read first time 01/27/98. Referred to Committee on Education.

1 AN ACT Relating to school district boundaries; amending RCW
2 28A.315.020, 28A.315.040, 28A.315.050, 28A.315.090, 28A.315.100,
3 28A.315.110, 28A.315.120, 28A.315.130, 28A.315.140, 28A.315.150,
4 28A.315.160, 28A.315.190, 28A.315.200, 28A.315.250, 28A.315.270,
5 28A.315.280, 28A.315.290, 28A.315.310, 28A.315.320, 28A.315.360,
6 28A.315.370, 28A.315.640, 28A.315.900, 28A.540.010, 28A.540.020,
7 28A.540.030, 28A.540.040, 28A.540.050, 28A.540.070, and 28A.540.080;
8 adding a new section to chapter 28A.315 RCW; creating new sections;
9 repealing RCW 28A.315.030, 28A.315.060, 28A.315.070, and 28A.315.080;
10 making an appropriation; providing an effective date; and declaring an
11 emergency.

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

13 NEW SECTION. **Sec. 1.** The legislature finds that the current
14 process for changing school district boundaries is not working. This
15 is evidenced by old, ambiguous statutes, several recent court cases,
16 and numerous other contentious battles over school district boundaries.
17 The legislature intends to find a more equitable means to resolve these
18 disputes by taking a relatively small step in this act and requiring a

1 report and recommendations from the state board of education for
2 comprehensive reforms in 1999.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.315
4 RCW to read as follows:

5 (1) Whenever school district boundary changes are made under this
6 chapter, the state board may authorize a transition period of up to
7 three years to implement the boundary changes to avoid undue hardship
8 and make the transition as efficient as possible. The appropriate
9 educational service district superintendent shall develop a boundary
10 change implementation plan, detailing:

11 (a) The reason or reasons for the necessity of a transition period;
12 and

13 (b) The steps and timetable for implementing the boundary change,
14 particularly the adjustments called for under RCW 28A.315.110 and
15 28A.315.160.

16 (2) The state board may adopt rules implementing this section.

17 **Sec. 3.** RCW 28A.315.020 and 1990 c 33 s 293 are each amended to
18 read as follows:

19 As used in this chapter:

20 (1) "Change in the organization and extent of school districts"
21 means the formation and establishment of new school districts, the
22 dissolution of existing school districts, the alteration of the
23 boundaries of existing school districts, or all of them.

24 (2) "~~((Regional))~~ State-wide committee" means the ~~((regional))~~
25 state-wide committee on school district organization created by this
26 chapter.

27 (3) "State board" means the state board of education.

28 (4) "School district" means the territory under the jurisdiction of
29 a single governing board designated and referred to as the board of
30 directors.

31 (5) "Educational service district superintendent" means the
32 educational service district superintendent as provided for in RCW
33 28A.310.170 or his or her designee.

34 **Sec. 4.** RCW 28A.315.040 and 1985 c 385 s 2 are each amended to
35 read as follows:

1 (1) There is hereby created (~~(in each educational service~~
2 ~~district))~~) a committee which shall be known as the (~~(regional)~~) state-
3 wide committee on school district organization(~~(, which committee shall~~
4 ~~be composed of not less than seven nor more than nine registered voters~~
5 ~~of the educational service district, the number to correspond with the~~
6 ~~number of board member districts established for the governance of the~~
7 ~~educational service district in which the regional committee is~~
8 ~~located. One member of the regional committee shall be elected from~~
9 ~~the registered voters of each such educational service district board~~
10 ~~member district)).~~ The committee shall consist of one member from each
11 educational service district in the state. Each member shall be
12 elected by the school district boards in that educational service
13 district for a three-year term; members elected in the first election
14 shall serve staggered terms, with three members from districts one
15 through three serving one year, members from districts four through six
16 serving two years, and members from districts seven through nine
17 serving three years.

18 (2) No member of the committee may continue to serve on the
19 committee if the member ceases to be a registered voter in that
20 educational service district, or if the member is absent from three
21 consecutive committee meetings without an excuse acceptable to the
22 committee.

23 (3) The state board of education shall adopt rules to implement
24 this section, including filling any vacancies until the next election.

25 **Sec. 5.** RCW 28A.315.050 and 1985 c 385 s 3 are each amended to
26 read as follows:

27 Persons possessing the status of any of the following positions
28 shall not be eligible to be a member of a (~~(regional)~~) state-wide
29 committee: The superintendent of public instruction, a member of the
30 state board of education, an educational service district
31 superintendent, a member of a board of directors of a school district,
32 a member of an educational service district board, a member of a
33 governing board of either a private school or a private school district
34 which conducts any grades kindergarten through twelve, officers
35 appointed by any such governing board, and employees of a school
36 district, an educational service district, the office of the
37 superintendent of public instruction, a private school, or a private
38 school district.

1 **Sec. 6.** RCW 28A.315.090 and 1985 c 385 s 7 are each amended to
2 read as follows:

3 Members of (~~each regional~~) the state-wide committee shall serve
4 without compensation but shall be reimbursed for expenses necessarily
5 incurred in the performance of their duties.

6 **Sec. 7.** RCW 28A.315.100 and 1990 c 33 s 297 are each amended to
7 read as follows:

8 (~~Each regional~~) The state-wide committee shall organize by
9 electing from its membership a chair and a vice chair. The
10 (~~educational service district superintendent~~) state board of
11 education member shall be the secretary of the committee. Meetings of
12 the committee shall be held upon call of the chair or of a majority of
13 the members thereof. A majority of the committee shall constitute a
14 quorum.

15 **Sec. 8.** RCW 28A.315.110 and 1991 c 288 s 2 are each amended to
16 read as follows:

17 The powers and duties of (~~each regional~~) the state-wide committee
18 shall be:

19 (1) To initiate, on its own motion and whenever it deems such
20 action advisable, proposals or alternate proposals for changes in the
21 organization and extent of school districts in the educational service
22 district; to receive, consider, and revise, whenever in its judgment
23 revision is advisable, proposals initiated by petition or presented to
24 the committee by the educational service district superintendent as
25 provided for in this chapter; to prepare and submit to the state board
26 any of the aforesaid proposals that are found by the (~~regional~~)
27 state-wide committee to provide for satisfactory improvement in the
28 school district system of the educational service district and state;
29 to prepare and submit with the aforesaid proposals, a map showing the
30 boundaries of existing school districts affected by any proposed change
31 and the boundaries, including a description thereof, of each proposed
32 new school district or of each existing school district as enlarged or
33 diminished by any proposed change, or both, and a summary of the
34 reasons for the proposed change; and such other reports, records, and
35 materials as the state board may request. The committee may utilize as
36 a basis of its proposals and changes that comprehensive plan for
37 changes in the organization and extent of the school districts of the

1 county prepared and submitted to the state board prior to September 1,
2 1956, or, if the then county committee found, after considering the
3 factors listed in RCW 28A.315.120, that no changes in the school
4 district organization of the county were needed, the report to this
5 effect submitted to the state board.

6 (2)(a) To make an equitable adjustment of the property and other
7 assets and of the liabilities, including bonded indebtedness and excess
8 tax levies as otherwise authorized under this section, as to the old
9 school districts and the new district or districts, if any, involved in
10 or affected by a proposed change in the organization and extent of the
11 school districts; and (b) to make an equitable adjustment of the bonded
12 indebtedness outstanding against any of the aforesaid districts
13 whenever in its judgment such adjustment is advisable, as to all of the
14 school districts involved in or affected by any change heretofore or
15 hereafter effected; and (c) to provide that territory transferred from
16 a school district by a change in the organization and extent of school
17 districts shall either remain subject to, or be relieved of, any one or
18 more excess tax levies which are authorized for the school district
19 under RCW 84.52.053 before the effective date of the transfer of
20 territory from the school district; and (d) to provide that territory
21 transferred to a school district by a change in the organization and
22 extent of school districts shall either be made subject to, or be
23 relieved of, any one or more excess tax levies which are authorized for
24 the school district under RCW 84.52.053 before the effective date of
25 the transfer of territory to the school district; and (e) to submit to
26 the state board the proposed terms of adjustment and a statement of the
27 reasons therefor in each case. In making the adjustments herein
28 provided for, the (~~regional~~) state-wide committee shall consider the
29 number of children of school age resident in and the assessed valuation
30 of the property located in each school district and in each part of a
31 district involved or affected; the purpose for which the bonded
32 indebtedness of any school district was incurred; the value, location,
33 and disposition of all improvements located in the school districts
34 involved or affected; and any other matters which in the judgment of
35 the committee are of importance or essential to the making of an
36 equitable adjustment.

37 (3) To hold and keep a record of a public hearing or public
38 hearings (a) on every proposal for the formation of a new school
39 district or for the transfer from one existing district to another of

1 any territory in which children of school age reside or for annexation
2 of territory when the conditions set forth in RCW 28A.315.290 or
3 28A.315.320 prevail; and (b) on every proposal for adjustment of the
4 assets and of the liabilities of school districts provided for in this
5 chapter. (~~Three members of the regional committee or two members of~~
6 ~~the committee and the educational service district superintendent may~~
7 ~~be designated by the committee to hold any public hearing that the~~
8 ~~committee is required to hold.)) The ((regional)) state-wide committee
9 shall cause notice to be given, at least ten days prior to the date
10 appointed for any such hearing, in one or more newspapers of general
11 circulation within the geographical boundaries of the school districts
12 affected by the proposed change or adjustment. In addition notice may
13 be given by radio and television, or either thereof, when in the
14 committee's judgment the public interest will be served thereby.~~

15 (4) To prepare and submit to the superintendent of public
16 instruction from time to time or, upon his or her request, reports and
17 recommendations respecting the urgency of need for school plant
18 facilities, the kind and extent of the facilities required, and the
19 development of improved local school administrative units and
20 attendance areas in the case of school districts that seek state
21 assistance in providing school plant facilities.

22 **Sec. 9.** RCW 28A.315.120 and 1990 c 33 s 299 are each amended to
23 read as follows:

24 (~~Each regional~~) The state-wide committee, in carrying out the
25 purposes of RCW 28A.315.110, shall base its judgment and
26 recommendations, if any, to the state board of education, upon such
27 standards and considerations as are established by the state board of
28 education pursuant to chapter 34.05 RCW for the preparation of
29 recommended changes in the organization and extent of school districts
30 and terms of adjustment as provided for in RCW 28A.315.110. Such rules
31 and regulations shall provide for giving consideration: (1) To
32 equalization of the educational opportunities of pupils and to
33 economies in the administration and operation of schools through the
34 formation of larger units of administration and areas of attendance;
35 (2) to equalization among school districts of the tax burden for
36 general fund and capital purposes through a reduction in disparities in
37 per-pupil valuation; (3) to geographical and other features, including,
38 but not limited to such physical characteristics as mountains, lakes

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

27 **Sec. 10.** RCW 28A.315.130 and 1985 c 385 s 11 are each amended to
28 read as follows:

29 In case the boundaries of any of the school districts are
30 conflicting or incorrectly described, the (~~regional~~) state-wide
31 committee on school organization after due notice and a public hearing,
32 shall change, harmonize, and describe them and shall so certify, with
33 a complete transcript of boundaries of all districts affected, such
34 action to the state board of education for its approval or revision.
35 Upon receipt of notification of state board of education action, the
36 (~~regional~~) state-wide committee on school organization shall transmit
37 to the county commissioners of the county or counties in which the

1 affected districts are located a complete transcript of the boundaries
2 of all districts affected.

3 **Sec. 11.** RCW 28A.315.140 and 1990 c 33 s 300 are each amended to
4 read as follows:

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

7 (1) To aid ~~((regional))~~ the state-wide committee~~((s))~~ in the
8 performance of ~~((their))~~ its duties by furnishing ~~((them))~~ it with
9 plans of procedure, standards, data, maps, forms, and other necessary
10 materials and services ~~((essential to a study and understanding of the
11 problems of school district organization in their respective
12 educational service districts))~~.

13 (2) To receive, file, and examine the proposals and the maps,
14 reports, records, and other materials relating thereto submitted by
15 ~~((regional))~~ the state-wide committee~~((s))~~ and to approve such
16 proposals and so notify the ~~((regional))~~ state-wide committee~~((s))~~ when
17 said proposals are found to provide for satisfactory improvement in the
18 school district system of the counties and the state and for an
19 equitable adjustment of the assets and liabilities, including bonded
20 indebtedness and excess tax levies as authorized under RCW
21 28A.315.110(2), of the school districts involved or affected:
22 PROVIDED, That whenever the state board approves a recommendation from
23 ~~((a regional))~~ the state-wide committee for the transfer of territory
24 from one school district to another school district, such state board
25 approval must be made not later than March 1 of any given year for
26 implementation the school year immediately following: PROVIDED
27 FURTHER, That whenever such proposals are found by the state board to
28 be unsatisfactory or inequitable, the board shall so notify the
29 ~~((regional))~~ state-wide committee and, upon request, assist the
30 committee in making revisions which revisions shall be resubmitted
31 within sixty days after such notification for reconsideration and
32 approval or disapproval. Implementation of state board-approved
33 transfers of territory from one school district to another school
34 district shall become effective at the commencement of the next school
35 year unless an earlier implementation is agreed upon in writing by the
36 boards of directors of the affected school districts.

1 **Sec. 12.** RCW 28A.315.150 and 1990 c 33 s 301 are each amended to
2 read as follows:

3 Upon receipt by (~~(a regional)~~) the state-wide committee of such
4 notice from the state board as is required in RCW 28A.315.140(2), the
5 educational service district superintendent shall make an order
6 establishing all approved changes involving the alteration of the
7 boundaries of an established school district or districts and all
8 approved terms of adjustment of assets and liabilities involving an
9 established district or districts the boundaries of which have been or
10 are hereafter altered in the manner provided by law, and shall certify
11 his or her action to each county auditor for the board of county
12 commissioners, each county treasurer, each county assessor and the
13 superintendents of all school districts affected by such action. Upon
14 receipt of such certification the superintendent of each school
15 district which is annexed to another district by the action shall
16 deliver to the superintendent of the school district to which annexed
17 all books, papers, documents, records, and other materials pertaining
18 to his or her office.

19 **Sec. 13.** RCW 28A.315.160 and 1985 c 385 s 14 are each amended to
20 read as follows:

21 Whenever adjustments of bonded indebtedness are made between or
22 among school districts in connection with the alteration of the
23 boundaries thereof, pursuant to the provisions of this chapter, the
24 order of the educational service district superintendent establishing
25 the terms of adjustment of bonded indebtedness shall provide and
26 specify:

27 (1) In every case where bonded indebtedness is transferred from one
28 school district to another school district (a) that such bonded
29 indebtedness is assumed by the school district to which it is
30 transferred; (b) that thereafter such bonded indebtedness shall be the
31 obligation of the school district to which it is transferred; (c) that,
32 if the terms of adjustment so provide, any bonded indebtedness
33 thereafter incurred by such transferee school district through the sale
34 of bonds authorized prior to the date its boundaries were altered shall
35 be the obligation of such school district including the territory added
36 thereto; and (d) that taxes shall be levied thereafter against the
37 taxable property located within such school district as it is
38 constituted after its boundaries were altered, said taxes to be levied

1 at the times and in the amounts required to pay the principal of and
2 the interest on the bonded indebtedness assumed or incurred as
3 aforesaid, as the same become due and payable.

4 In computing the debt limitation of any school district from which
5 or to which bonded indebtedness has been transferred, the amount of
6 such transferred bonded indebtedness at any time outstanding (a) shall
7 be an offset against and deducted from the total bonded indebtedness,
8 if any, of the school district from which such bonded indebtedness was
9 transferred and (b) shall be deemed to be bonded indebtedness solely of
10 the transferee school district that assumed such indebtedness.

11 (2) In every case where adjustments of bonded indebtedness do not
12 provide for transfer of bonded indebtedness from one school district to
13 another school district (a) that the existing bonded indebtedness of
14 each school district the boundaries of which are altered and any bonded
15 indebtedness incurred by each such school district through the sale of
16 bonds authorized prior to the date its boundaries were altered shall be
17 the obligation of the school district in its reduced or enlarged form,
18 as the case may be; and (b) that taxes shall be levied thereafter
19 against the taxable property located within each such school district
20 in its reduced or enlarged form, as the case may be, at the times and
21 in the amounts required to pay the principal of and interest on such
22 bonded indebtedness as the same become due and payable.

23 If a change in school district organization approved by the state
24 board concerns a proposal to form a new school district or a proposal
25 for adjustment of bonded indebtedness involving an established school
26 district and one or more former school districts now included therein
27 pursuant to a vote of the people concerned, a special election of the
28 voters residing within the territory of the proposed new district or of
29 the established district involved in a proposal for adjustment of
30 bonded indebtedness as the case may be shall be held for the purpose of
31 affording said voters an opportunity to approve or reject such
32 proposals as concern or affect them.

33 In a case involving both the question of the formation of a new
34 school district and the question of adjustment of bonded indebtedness,
35 the questions may be submitted to the voters either in the form of a
36 single proposition or as separate propositions, whichever to the
37 educational service district superintendent seems expedient. When the
38 (~~regional~~) state-wide committee has passed appropriate resolutions
39 for the questions to be submitted and the educational service district

1 superintendent has given notice thereof to the county auditor such
2 special election shall be called, conducted, and the returns canvassed
3 as in regular school district elections.

4 **Sec. 14.** RCW 28A.315.190 and 1985 c 385 s 17 are each amended to
5 read as follows:

6 If a proposal for the formation of a new school district and for
7 adjustment of bonded indebtedness, or either, is rejected by the
8 registered voters at a special election, the (~~regional~~) state-wide
9 committee may make such revisions therein as it deems advisable and
10 submit the revised proposal or proposals to the state board.
11 Thereafter such revised proposal or proposals shall be subject to the
12 provisions and procedural requirements of this chapter applicable to
13 original proposals submitted to said board.

14 **Sec. 15.** RCW 28A.315.200 and 1990 c 33 s 304 are each amended to
15 read as follows:

16 The superintendent of public instruction shall furnish to the state
17 board and to (~~regional~~) the state-wide committee(~~s~~) the services of
18 employed personnel and the materials and supplies necessary to enable
19 them to perform the duties imposed upon them by this chapter and shall
20 reimburse the members thereof for expenses necessarily incurred by them
21 in the performance of their duties, such reimbursement for (~~regional~~)
22 state-wide committee members to be in accordance with RCW 28A.315.090,
23 and such reimbursement for state board members to be in accordance with
24 RCW 28A.305.120.

25 **Sec. 16.** RCW 28A.315.250 and 1997 c 47 s 1 are each amended to
26 read as follows:

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

35 In case all or any part of a school district that operates a school
36 or schools on one site only or operates elementary schools only on two

1 or more sites is included in an incorporated city or town through the
2 extension of the limits of such city or town in the manner provided by
3 law, the (~~regional~~) state-wide committee may, in its discretion,
4 prepare a proposal for transfer of any part or all of the territory so
5 included to the school district containing the city or town and,
6 whenever a part of a district so included contains a school building of
7 the district, for the disposition of any part or all of the remaining
8 territory of the district.

9 In case of the extension of the limits of a town to include
10 territory lying in a school district that operates on more than one
11 site one or more elementary schools and one or more junior high schools
12 or high schools, the (~~regional~~) state-wide committee may, in its
13 discretion, prepare a proposal or proposals for annexation to the
14 school district in which the town is located any part or all of the
15 territory aforesaid which has been included in the town and for
16 annexation to the school district in which the town is located or to
17 some other school district or districts any part or all of the
18 remaining territory of the school district affected by extension of the
19 limits of the town: PROVIDED, That where no school or school site is
20 located within the territory annexed to the town and not less than
21 seventy-five percent of the registered voters residing within the
22 annexed territory present a petition in writing for annexation and
23 transfer of said territory to the school district in which the town is
24 located, the educational service district superintendent shall declare
25 the territory so included to be a part of the school district
26 containing said town: PROVIDED FURTHER, That territory approved for
27 annexation to a city or town by vote of the electors residing therein
28 prior to January 12, 1953, shall not be subject to the provisions
29 herein respecting annexation to a school district or school districts:
30 AND PROVIDED FURTHER, That the provisions and procedural requirements
31 of this chapter as now or hereafter amended not in conflict with or
32 inconsistent with the provisions hereinabove in this section stated
33 shall apply in the case of any proposal or proposals (1) for the
34 alteration of the boundaries of school districts through and by means
35 of annexation of territory as aforesaid, and (2) for the adjustment of
36 the assets and liabilities of the school districts involved or affected
37 thereby.

38 In case of the incorporation of a city or town containing territory
39 lying in two or more school districts or of the uniting of two or more

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

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

13 **Sec. 17.** RCW 28A.315.270 and 1985 c 385 s 20 are each amended to
14 read as follows:

15 For the purpose of forming a new school district, a petition in
16 writing may be presented to the (~~educational service district~~
17 ~~superintendent~~) state board of education member of the state-wide
18 committee, as secretary of the (~~regional~~) state-wide committee, by
19 registered voters residing (1) in each whole district and in each part
20 of a district proposed to be included in any single new district, or
21 (2) in the territory of a proposed new district which comprises a part
22 only of one or more districts. A total of ten or more registered
23 voters residing in such affected areas or area as the case may be may
24 sign and present such petition with the approval of the boards of
25 directors of the affected school districts. A total of ten percent or
26 more of the registered voters residing in such affected areas or area
27 as the case may be may sign and present such petition with or without
28 the approval of the boards of directors of the affected school
29 districts. The petition shall state the name and number of each
30 district involved in or affected by the proposal to form the new
31 district and shall describe the boundaries of the proposed new
32 district. No more than one petition for consolidation of the same two
33 school districts or parts thereof will be considered during a school
34 fiscal year.

35 **Sec. 18.** RCW 28A.315.280 and 1985 c 385 s 21 are each amended to
36 read as follows:

1 For the purpose of transferring territory from one school district
2 to another district, a petition in writing may be presented to the
3 (~~educational service district superintendent~~) state board of
4 education member of the state-wide committee, as secretary of the
5 (~~regional~~) state-wide committee, signed by a majority of the
6 registered voters residing in the territory proposed to be transferred,
7 or by the board of directors of one of the districts affected by a
8 proposed transfer of territory if there is no registered voter resident
9 in the territory, which petition shall state the name and number of
10 each district affected, describe the boundaries of the territory
11 proposed to be transferred, and state the reasons for desiring the
12 change and the number of children of school age, if any, residing in
13 the territory: PROVIDED, That the (~~educational service district~~
14 ~~superintendent~~) state board of education member of the state-wide
15 committee, without being petitioned to do so, may present to the
16 (~~regional~~) state-wide committee a proposal for the transfer from one
17 school district to another of any territory in which no children of
18 school age reside: PROVIDED FURTHER, That the educational service
19 district superintendent shall not complete any transfer of territory
20 pursuant to the provisions of this section which involves ten percent
21 or more of the common school student population of the entire district
22 from which such transfer is proposed, unless he or she has first called
23 and held a special election of the voters of the entire school district
24 from which such transfer of territory is proposed for the purpose of
25 affording said voters an opportunity to approve or reject such proposed
26 transfer, and has obtained approval of the proposed transfer by a
27 majority of those registered voters voting in said election; and if
28 such proposed transfer is disapproved, the state board of education
29 shall determine whether or not said district is meeting or capable of
30 meeting minimum standards of education as set up by the state board.
31 If the state board decides in the negative, the superintendent of
32 public instruction may thereupon withhold from such district, in whole
33 or in part, state contributed funds.

34 **Sec. 19.** RCW 28A.315.290 and 1985 c 385 s 22 are each amended to
35 read as follows:

36 Whenever all or any part of a school district in which no
37 accredited high school is maintained is bounded on three or more sides
38 by a school district in which an accredited high school is situated and

1 maintained, or by a school district in which a high school with a
2 program approved by the state board of education is situated and
3 maintained, the educational service district superintendent shall
4 report said fact to the (~~regional~~) state-wide committee, which
5 committee shall consider the question of the annexation to the
6 aforesaid high school district of the territory or district so bounded.

7 **Sec. 20.** RCW 28A.315.310 and 1990 c 33 s 308 are each amended to
8 read as follows:

9 On or before June 1, 1972, or in any year in the future when there
10 are more than two thousand five hundred common school age children on
11 a military reservation as referred to in RCW 28A.315.300 resident
12 therein, whichever is the case, and notwithstanding other provisions of
13 this chapter or any other provision of law, the (~~regional~~) state-wide
14 committee (~~(of each educational service district in which such a United~~
15 ~~States military reservation is located, or in the case such military~~
16 ~~reservation is located in two or more educational service districts,~~
17 ~~the joint regional committee established pursuant to RCW 28A.315.360,)~~)
18 shall order effective September 1st of the then calendar year the
19 annexation of portions of reservation territory not currently within
20 the single school district, as required by RCW 28A.315.300, to one of
21 the school districts encompassing a portion of the military
22 reservation: PROVIDED, That notwithstanding any other provision of RCW
23 28A.315.300 and 28A.315.310 the annexation order shall not include
24 territory of school districts on such military reservations in which
25 none or less than a majority of the pupils residing within that portion
26 of the district within such military reservation have one or more
27 parents serving in the military and under such military command.
28 Notwithstanding any other provision of law, the decision as to which
29 school district shall serve the pupils residing within such military
30 reservation shall rest solely with the (~~regional~~) state-wide
31 committee (~~(of the educational service district in which the affected~~
32 ~~military reservation is located)~~). The (~~regional~~) state-wide
33 committee shall order such equitable transfer of assets and liabilities
34 as is deemed necessary for the orderly transfer of the territory in
35 accordance with transfers in other annexation proceedings authorized
36 under this chapter.

1 **Sec. 21.** RCW 28A.315.320 and 1985 c 385 s 24 are each amended to
2 read as follows:

3 In case any school district shall have an average enrollment of
4 fewer than five kindergarten through eighth grade pupils during the
5 preceding school year, including the 1984-85 school year and any
6 subsequent school year, or shall not have made a reasonable effort to
7 maintain, during the preceding school year at least the minimum term of
8 school required by law, the educational service district superintendent
9 shall report said fact to the (~~regional~~) state-wide committee, which
10 committee shall dissolve the school district and annex the territory
11 thereof to some other district or districts: PROVIDED, That for the
12 purposes of this section, in addition to any other finding, "reasonable
13 effort" shall be deemed to mean the attempt to make up whatever days
14 are short of the legal requirement by the conducting of school classes
15 on any days to include available holidays, though not to include
16 Saturdays and Sundays, prior to June 15 of that year: PROVIDED
17 FURTHER, That school districts operating an extended school year
18 program, most commonly implemented as a 45-15 plan, shall be deemed to
19 be making a reasonable effort: PROVIDED FURTHER, That in the event any
20 school district has suffered any interruption in its normal school
21 calendar due to a strike or other work stoppage or slowdown by any of
22 its employees such district shall not be subject to the requirements of
23 this section. In case any territory is not a part of any school
24 district, the educational service district superintendent shall present
25 to the (~~regional~~) state-wide committee a proposal for the annexation
26 of said territory to some contiguous district or districts.

27 **Sec. 22.** RCW 28A.315.360 and 1985 c 385 s 25 are each amended to
28 read as follows:

29 The duties in this chapter imposed upon and required to be
30 performed by (~~a regional~~) the state-wide committee and by an
31 educational service district superintendent in connection with a change
32 in the organization and extent of school districts and/or with the
33 adjustment of the assets and liabilities of school districts and with
34 all matters related to such change or adjustment whenever territory
35 lying in a single educational service district is involved shall be
36 performed jointly by the (~~regional~~) state-wide committee(~~s~~) and by
37 the superintendents of the several educational service districts as
38 required whenever territory lying in more than one educational service

1 district is involved in a proposed change in the organization and
2 extent of school districts: PROVIDED, That (~~(a regional)~~) the state-
3 wide committee may designate three of its members, or two of its
4 members and the educational service district superintendent, as a
5 subcommittee to serve in lieu of the whole committee, but action by a
6 subcommittee shall not be binding unless approved by a majority of the
7 (~~(regional)~~) state-wide committee. Proposals for changes in the
8 organization and extent of school districts and proposed terms of
9 adjustment of assets and liabilities thus prepared and approved shall
10 be submitted to the state board by the (~~(regional)~~) state-wide
11 committee (~~(of the educational service district in which is located the~~
12 ~~part of the proposed or enlarged district having the largest number of~~
13 ~~common school pupils residing therein)~~).

14 **Sec. 23.** RCW 28A.315.370 and 1990 c 33 s 310 are each amended to
15 read as follows:

16 Whenever a proposed change in the organization and extent of school
17 districts or an adjustment of the assets and liabilities of school
18 districts, or both, or any other matters related to such change or
19 adjustment involve school districts in two or more educational service
20 districts, and a majority of at least one of the (~~(regional)~~) state-
21 wide committee(~~(s)~~) involved approve a proposal but the proposal is not
22 approved by the (~~(other regional)~~) state-wide committee (~~(or committees~~
23 ~~or one or more of said committees fails)~~) or the state-wide committee
24 refuses to act upon the proposal within sixty days of its receipt, the
25 (~~(regional)~~) state-wide committee (~~(or committees)~~) approving the
26 proposal shall certify the proposal and its approval to the state
27 superintendent of public instruction. Upon receipt of a properly
28 certified proposal, the state superintendent of public instruction
29 shall appoint a temporary committee composed of five persons. The
30 members of the temporary committee shall be selected from the
31 membership of (~~(any regional)~~) the state-wide committee (~~(in this state~~
32 ~~except that no member shall be appointed from any educational service~~
33 ~~district in which there is situated a school district that would be~~
34 ~~affected by the proposed change)~~). Said committee shall meet at the
35 call of the state superintendent of public instruction and organize by
36 electing a chair and secretary. Thereupon, this temporary committee
37 shall have jurisdiction of the proposal and shall treat the same as a
38 proposal initiated on its own motion. Said committee shall have the

1 powers and duties imposed upon and required to be performed by ((a
2 regional)) the state-wide committee under the provisions of this
3 chapter and the secretary of the committee shall have the powers and
4 duties imposed upon and required to be performed by the educational
5 service district superintendents under the provisions of this chapter.
6 It shall be the duty of the educational service district
7 superintendents of the educational service districts in which the
8 school districts that would be affected by the proposed change are
9 situated to assist the temporary committee by supplying said committee
10 with information from the records and files of their offices and with
11 a proper and suitable place for holding meetings.

12 **Sec. 24.** RCW 28A.315.640 and 1990 c 33 s 324 are each amended to
13 read as follows:

14 Each educational service district superintendent shall prepare and
15 keep in his or her office (1) a map showing the boundaries of the
16 directors' districts of all school districts in or belonging to his or
17 her educational service district that are so divided, and (2) a record
18 of the action taken by the regional committee or state-wide committee
19 in establishing such boundaries.

20 **Sec. 25.** RCW 28A.315.900 and 1990 c 33 s 329 are each amended to
21 read as follows:

22 Any proceeding or hearing now or hereafter initiated, being
23 considered, or in progress pursuant to this chapter as of July 28,
24 1985, or thereafter which is interrupted by a change in committee
25 membership by chapter 385, Laws of 1985 shall continue and be assumed
26 and decided with equal force and effect by the initial regional
27 committees and all other successor committees, or the state-wide
28 committee provided for in RCW ((~~28A.315.060~~ and)) 28A.315.120:
29 PROVIDED, That such committees may elect to reconduct proceedings on
30 hearings already in progress and shall reconduct wholly or partially
31 completed hearings required pursuant to this chapter unless the
32 majority of the committee deciding the matter have either read or heard
33 previously submitted testimony and evidence.

34 **Sec. 26.** RCW 28A.540.010 and 1985 c 385 s 31 are each amended to
35 read as follows:

1 High school facilities shall mean buildings for occupancy by grades
2 nine through twelve and equipment and furniture for such buildings and
3 shall include major alteration or major remodeling of buildings and the
4 acquisition of new sites and of additions to existing sites, and
5 improvement of sites but only when included as a part of a general plan
6 for the construction, equipping and furnishing of a building or of an
7 alteration or addition to a building. The term shall also (1) include
8 that portion of any building, alteration, equipment, furniture, site
9 and improvement of site allocated to grade nine when included in a plan
10 for facilities to be occupied by grades seven through nine and (2)
11 includes such facilities for grades seven and eight when included in a
12 plan as aforesaid, if the (~~regional~~) state-wide committee on school
13 district organization created in RCW 28A.315.040 finds that students of
14 these grades who reside in any nonhigh school districts involved are
15 now attending school in the high school district involved under an
16 arrangement which likely will be continued.

17 **Sec. 27.** RCW 28A.540.020 and 1985 c 385 s 32 are each amended to
18 read as follows:

19 Upon receipt of a written request from the board of directors of a
20 high school district or a nonhigh school district that presents to the
21 (~~regional~~) state-wide committee on school district organization
22 created in RCW 28A.315.040 satisfactory evidence of a need for high
23 school facilities to be located therein and of ability to provide such
24 facilities, the (~~regional~~) state-wide committee shall prepare a plan
25 for participation by any nonhigh school district or districts in
26 providing capital funds to pay the costs of such school facilities and
27 equipment to be provided for the education of students residing in the
28 school districts. Prior to submission of the aforesaid request the
29 board of directors of the school district concerned therewith shall
30 determine the nature and extent of the high school facilities proposed
31 to be provided, the approximate amount of local capital funds required
32 to pay the cost thereof, and the site or sites upon which the proposed
33 facilities are to be located, and shall submit a report thereon to the
34 (~~regional~~) state-wide committee along with the aforesaid request.

35 **Sec. 28.** RCW 28A.540.030 and 1985 c 385 s 33 are each amended to
36 read as follows:

1 The ((~~regional~~)) state-wide committee on school district
2 organization created in RCW 28A.315.040 shall give consideration to:

3 (1) The report submitted by the board of directors as stated above;

4 (2) The exclusion from the plan of nonhigh school districts because
5 of remoteness or isolation or because they are so situated with respect
6 to location, present and/or clearly foreseeable future population, and
7 other pertinent factors as to warrant the establishment of a high
8 school therein within a period of two years or the inclusion of their
9 territory in some other nonhigh school district within which the
10 establishment of a high school within a period of two years is
11 warranted;

12 (3) The assessed valuation of the school districts involved;

13 (4) The cash balance, if any, in the capital projects fund of the
14 district submitting the request which is designated for high school
15 building construction purposes, together with the sources of such
16 balance; and

17 (5) Any other factors found by the committee to have a bearing on
18 the preparation of an equitable plan.

19 **Sec. 29.** RCW 28A.540.040 and 1985 c 385 s 34 are each amended to
20 read as follows:

21 The ((~~regional~~)) state-wide committee on school district
22 organization created in RCW 28A.315.040 shall also hold a public
23 hearing or hearings on any proposed plan: PROVIDED, That three members
24 of the committee or two members of the committee and the educational
25 service district superintendent, or his or her designee, may be
26 designated by the committee to hold such public hearing or hearings and
27 to submit a report thereof to the ((~~regional~~)) state-wide committee.
28 The ((~~regional~~)) state-wide committee shall cause to be posted, at
29 least ten days prior to the date appointed for any such hearing, a
30 written or printed notice thereof in at least three prominent and
31 public places in the school districts involved and at the place of
32 hearing.

33 **Sec. 30.** RCW 28A.540.050 and 1990 c 33 s 485 are each amended to
34 read as follows:

35 Subsequent to the holding of a hearing or hearings as provided in
36 RCW 28A.540.040, the ((~~regional~~)) state-wide committee on school
37 district organization created in RCW 28A.315.040 shall determine the

1 nonhigh school districts to be included in the plan and the amount of
2 capital funds to be provided by every school district included therein,
3 and shall submit the proposed plan to the state board of education
4 together with such maps and other materials pertaining thereto as the
5 state board may require. The state board shall review such plan, shall
6 approve any plan which in its judgment makes adequate and satisfactory
7 provision for participation by the nonhigh school districts in
8 providing capital funds to be used for the purpose above stated, and
9 shall notify the ((~~regional~~)) state-wide committee of such action.
10 Upon receipt by the ((~~regional~~)) state-wide committee of such
11 notification, the educational service district superintendent, or his
12 or her designee, shall notify the board of directors of each school
13 district included in the plan, supplying each board with complete
14 details of the plan and shall state the total amount of funds to be
15 provided and the amount to be provided by each district.

16 If any such plan submitted by ((~~a regional~~)) the state-wide
17 committee is not approved by the state board, the ((~~regional~~)) state-
18 wide committee shall be so notified, which notification shall contain
19 a statement of reasons therefor and suggestions for revision. Within
20 sixty days thereafter the ((~~regional~~)) state-wide committee shall
21 submit to the state board a revised plan which revision shall be
22 subject to approval or disapproval by the state board and the
23 procedural requirements and provisions of law applicable to an original
24 plan submitted to said board.

25 **Sec. 31.** RCW 28A.540.070 and 1990 c 33 s 486 are each amended to
26 read as follows:

27 In the event that a proposal or proposals for providing capital
28 funds as provided in RCW 28A.540.060 is not approved by the voters of
29 a nonhigh school district a second election thereon shall be held
30 within sixty days thereafter. If the vote of the electors of the
31 nonhigh school district is again in the negative, the high school
32 students residing therein shall not be entitled to admission to the
33 high school under the provisions of RCW 28A.225.210, following the
34 close of the school year during which the second election is held:
35 PROVIDED, That in any such case the ((~~regional~~)) state-wide committee
36 on school district organization created in RCW 28A.315.040 shall
37 determine within thirty days after the date of the aforesaid election
38 the advisability of initiating a proposal for annexation of such

1 nonhigh school district to the school district in which the proposed
2 facilities are to be located or to some other district where its
3 students can attend high school without undue inconvenience: PROVIDED
4 FURTHER, That pending such determination by the (~~regional~~) state-wide
5 committee and action thereon as required by law the board of directors
6 of the high school district shall continue to admit high school
7 students residing in the nonhigh school district. Any proposal for
8 annexation of a nonhigh school district initiated by (~~a regional~~) the
9 state-wide committee shall be subject to the procedural requirements of
10 this chapter respecting a public hearing and submission to and approval
11 by the state board of education. Upon approval by the state board of
12 any such proposal, the educational service district superintendent
13 shall make an order, establishing the annexation.

14 **Sec. 32.** RCW 28A.540.080 and 1990 c 33 s 487 are each amended to
15 read as follows:

16 In case of failure or refusal by a board of directors of a nonhigh
17 school district to submit a proposal or proposals to a vote of the
18 electors within the time limit specified in RCW 28A.540.060 and
19 28A.540.070, the (~~regional~~) state-wide committee on school district
20 reorganization created in RCW 28A.315.040 may initiate a proposal for
21 annexation of such nonhigh school district as provided for in RCW
22 28A.540.070.

23 NEW SECTION. **Sec. 33.** The sum of dollars, or as much
24 thereof as may be necessary, is appropriated for the fiscal year ending
25 June 30, 1999, from the general fund to the state board of education
26 for the operation and administration of the state-wide committee
27 created in RCW 28A.315.040.

28 NEW SECTION. **Sec. 34.** The state board of education shall study
29 the existing laws and rules on organizing and changing school district
30 boundaries and shall recommend to the education committees of the
31 legislature comprehensive legislation modernizing laws on reorganizing
32 school district boundaries to make them more understandable, more
33 efficient, more consistent, and more equitable. The board is
34 encouraged to seek input from many different persons, organizations,
35 and viewpoints, hold public hearings, and seek consensus where
36 possible. The report and recommendations are due September 1, 1998.

1 NEW SECTION. **Sec. 35.** The following acts or parts of acts are
2 each repealed:

3 (1) RCW 28A.315.030 and 1993 c 416 s 1, 1990 c 33 s 294, & 1985 c
4 385 s 30;

5 (2) RCW 28A.315.060 and 1993 c 416 s 2, 1990 c 33 s 295, 1985 c 385
6 s 4, & 1975-'76 2nd ex.s. c 15 s 1;

7 (3) RCW 28A.315.070 and 1985 c 385 s 5, 1975 1st ex.s. c 275 s 81,
8 1969 ex.s. c 176 s 117, & 1969 ex.s. c 223 s 28A.57.033; and

9 (4) RCW 28A.315.080 and 1993 c 416 s 3, 1990 c 33 s 296, 1985 c 385
10 s 6, & 1969 ex.s. c 223 s 28A.57.034.

11 NEW SECTION. **Sec. 36.** Sections 1 through 33 and 35 of this act
12 take effect July 1, 1998.

13 NEW SECTION. **Sec. 37.** Section 34 of this act is necessary for the
14 immediate preservation of the public peace, health, or safety, or
15 support of the state government and its existing public institutions,
16 and takes effect immediately.

--- END ---