

HOUSE BILL REPORT

E2SHB 1477

As Passed Legislature

Title: An act relating to school district organization.

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).

Brief History:

Committee Activity:

Education: 2/8/99, 3/1/99 [DPS];

Appropriations: 3/4/99, 3/6/99 [DP2S(w/o sub ED)].

Floor Activity:

Passed House: 3/16/99, 95-0.

Senate Amended.

Passed Senate: 4/12/99, 48-0.

House Concurred.

Passed Legislature.

Brief Summary of Engrossed Second Substitute Bill

- The current process for changing school district boundaries is modified and reorganized.
- Before going to a regional committee, affected school districts must negotiate the proposed change. If they cannot agree, the proposal goes to the regional committee.
- 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.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Quall, Democratic Co-Chair; Talcott, Republican Co-Chair; Haigh, Democratic Vice Chair; Schindler, Republican Vice Chair; Cox; Rockefeller; D. Schmidt; Stensen; Sump and Wensman.

Minority Report: Do not pass. Signed by 3 members: Representatives Carlson; Keiser and Santos.

Staff: Charlie Gavigan (786-7340).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 31 members: Representatives Huff, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Alexander, Republican Vice Chair; Doumit, Democratic Vice Chair; D. Schmidt, Republican Vice Chair; Barlean; Benson; Boldt; Carlson; Clements; Cody; Crouse; Gombosky; Grant; Kagi; Keiser; Kenney; Lambert; Linville; Lisk; Mastin; McIntire; McMorris; Mulliken; Parlette; Regala; Rockefeller; Ruderman; Sullivan; Tokuda and Wensman.

Staff: Denise Graham (786-7137).

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 can 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 can 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 general must be held when at least 10 percent of the students are affected by a proposed boundary change, a new 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 can modify the proposal and resubmit it to the State Board of Education for reconsideration.

Summary of Bill:

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 proposed by citizen petitions, 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, the ESD implements it; if no agreement is reached, the petition is forwarded to the regional committee.

If the regional committee approves the 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 can 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 can 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.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: (Education) (Original bill): The bill makes needed changes to laws relating to school district boundary changes. It streamlines the process and provides a more independent and impartial process. One statewide council will provide more consistency. Current provisions are confusing; this clarifies the law and organizes it in a more efficient and understandable fashion. It also allows decisions to be made at the local level between the affected school districts; only if the districts can't agree does the proposal go the state council.

(Appropriations) The current process is not working well in some parts of the state. This bill is the result of a year-long study by the State Board of Education. This bill would help make the process work better.

Testimony Against: (Education) (Original bill): Adding the ability to partition one school district into two is not good policy. The regional committees should not be eliminated because doing so will result in a loss of local control and the current process has worked satisfactorily.

(Appropriations) As passed from the Education Committee, the bill shifts local control to a newly created State Council; there should be local feedback before doing that. The fiscal note is not adequate to cover all the costs at the state or local level.

Testified: (Education) (Support) Rep. Haigh, prime sponsor; Kathleen Anderson and Larry Davis, State Board of Education; Dick Muri, Steilacoom School District; and Dennis Couch, Northwest ESD 189.

(Education) (Opposed) Terry Lindquist, Puget Sound ESD; and Roy Garrison, ESD 112.

(Appropriations) Representative Kathy Haigh, prime sponsor; Larry Davis, State Board of Education; and Kathy Rohrer, Educational School District 112.