

# SENATE BILL REPORT

## SB 5437

---

---

As Passed Senate, March 7, 2003

**Title:** An act relating to appeals from decisions by the school district regional committee.

**Brief Description:** Allowing all parties to appeal from adverse decisions of school district regional committees.

**Sponsors:** Senators Benton, Schmidt, Zarelli, Shin, Carlson, Stevens and West.

**Brief History:**

**Committee Activity:** Education: 2/19/03 [DP].

Passed Senate: 3/7/03, 47-2.

---

### SENATE COMMITTEE ON EDUCATION

**Majority Report:** Do pass.

Signed by Senators Johnson, Chair; Zarelli, Vice Chair; Carlson, Eide, Finkbeiner, McAuliffe, Rasmussen and Schmidt.

**Staff:** Susan Mielke (786-7422)

**Background:** The Legislature does not establish school district boundaries but has created a petitioning process to regional committees to address changes in school district boundaries. Regional committees operate in each of the nine Educational Service Districts (ESDs). The regional committee members are registered voters of the ESD who are elected by the boards of directors of the school districts located in the ESD. The regional committee uses stipulated criteria to review petitions to change school district boundaries. Currently, only regional committee decisions to change a school district boundary may be appealed to the State Board of Education (SBE). The appeal must be filed within 30 days of the regional committee's final decision. If the regional committee's decision is to maintain the boundaries, then there is no appeal available through the SBE. There is statutory authorization to appeal any decision to the superior court in the appropriate county.

**Summary of Bill:** Regional committee decisions to deny a change in school district boundaries may be appealed to the State Board of Education. Such decisions made in 2002 may be appealed if the appeal is filed within 30 days of the effective date of this act.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** This boundary setting process is set up to give citizens a voice but it does not. The process does not work. There is no appeal from the ineffective process available

to those on one side of the issue except to go to the court system, which is expensive. The Legislature needs to make this process fair and workable for citizens by permitting everyone to appeal the decisions of the regional committees.

**Testimony Against:** This bill shifts the decision-making power from the local level, where they know more about the relevant issues, to the state level, which is far removed from the issues. If the Legislature chooses to make this change, then they should also consider raising the signature petition threshold back to the simple majority requirement, instead of the current minimum 10 percent requirement.

**Testified:** Jennifer K. Zora, citizen; Larry Davis, State Board of Education.

**House Amendment(s):** The ability to appeal decisions made in 2002 is deleted. The State Board must change its rules that provide criteria for the regional committee to use when deciding whether to change school district boundaries to include that the regional committee must consider student educational opportunities, as measured by WASL and ITBS test scores, student attendance, and graduation and dropout rates. The percentage of voters necessary to approve a petition to change the school district boundaries is increased from 10 percent to 50 percent plus one and requires the petition signers to be active registered voters.