

# HOUSE BILL REPORT

## HB 2148

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**As Reported by House Committee On:**  
Education

**Title:** An act relating to changing school district boundaries.

**Brief Description:** Regarding provisions for changing school district boundaries.

**Sponsors:** Representative Quall.

**Brief History:**

**Committee Activity:**

Education: 2/23/07, 2/27/07 [DPS].

**Brief Summary of Substitute Bill**

- Eliminates the option that a proposed change in school district organization by transfer of territory from one school district to another may be initiated by a petition signed by a majority of the school board members of the districts affected by the proposed transfer of territory.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Quall, Chair; Barlow, Vice Chair; Priest, Ranking Minority Member; McDermott, Santos and P. Sullivan.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Anderson, Assistant Ranking Minority Member; Haigh and Roach.

**Staff:** Anne Woodward (786-7119) and Barbara McLain (786-7383).

**Background:**

In 1999 the Legislature created a set of procedures governing all school district organization and reorganization. Each Educational Service District (ESD) has its own regional committee comprised of members elected by the school board members of the districts in the ESD. The regional committee is responsible for hearing and approving proposals for changes in the

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organization of school districts in the ESD, including transfer of territory from one school district to another.

The process for petitioning for the transfer of territory from one school district to another may be initiated by presenting the superintendent of an ESD with one of the following:

- a petition signed by more than half of the registered voters residing in the territory proposed to be transferred; or
- a petition signed by a majority of the school board members of one of the districts affected by a proposed transfer of territory.

Upon receipt of the petition, the ESD superintendent must notify the affected districts. The school boards of the affected districts are required to negotiate the proposal and are given 90 days to reach agreement. If no agreement is possible, the affected districts may request the services of a mediator and/or a hearing before the applicable regional committee.

In the case of a citizen-initiated petition for the transfer of territory between school districts where the affected districts do not agree to the proposed transfer after negotiation and/or mediation, the school board of the district in which the citizens who filed the petition reside must request a hearing by the regional committee. If a majority of the citizens in the district request otherwise, the school board is not required to request a hearing.

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#### **Summary of Substitute Bill:**

A proposed change in school district organization by transfer of territory from one school district to another may be initiated by a petition that is signed by more than half of the registered voters in the territory proposed to be transferred. A petition may no longer be initiated by a petition signed by a majority of the school board members of one of the affected districts.

#### **Substitute Bill Compared to Original Bill:**

The substitute bill makes technical changes to reflect the elimination of non-citizen-initiated petitions.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

#### **Staff Summary of Public Testimony:**

(In support) Limiting the petition process for transferring territory to citizen-initiated petitions takes the ability to initiate a petition out of the hands of the school board and makes the

process of boundary transfers more democratic. There have been petitions filed by the school board where not one person was notified of the petition until after it was filed. This process is undemocratic. The wishes of a district's citizens should be respected, and petitions should not undermine the fundamental rights of citizens and parents to choose where they want to live and where they want their children to attend school. School boards across the state must not be allowed to take property from another district. Valuable resources have been used by school districts to defend against petitions initiated by another school district. This bill ensures that the people are involved in the initiation of a petition. The petition would continue to be submitted to the ESD and go through the dispute resolution process.

(With concerns) In 1999 the Legislature made a comprehensive overhaul to the state school district organization rules and laws, after a comprehensive study by the State Board of Education. The Legislature should go slow on this issue. While the current process does not work perfectly, this bill would also cause some problems. There may be language that would provide protections for those on both sides of the issue.

(Opposed) Sometimes it makes sense to change boundaries so that students do not have to attend schools that are different from those attended by students who live just across the street. When school boards initiate petitions, they take citizen viewpoints into account. As elected officials, school board members are entrusted with broad powers to take action that promotes the effective, safe, efficient management of the school district. This bill would eliminate a school board's ability to seek a solution to a complex operational issue and to seek technical fixes to boundary designations.

**Persons Testifying:** (In support) Representative Quall, prime sponsor; and Chris R. Swindell and John Simpson, Ridgefield School District.

(With concerns) Dan Steele, Washington State School Directors Association.

(Opposed) Michael Winkler, Steilacoom Historical School District # 1.

**Persons Signed In To Testify But Not Testifying:** None.