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HOUSE BILL 1077

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State of Washington                      63rd Legislature                      2013 Regular Session

By Representatives Haigh, Lytton, Takko, and Johnson

Read first time 01/15/13. Referred to Committee on Education.

1            AN ACT Relating to authorizing the educational service district  
2 board to fill vacancies on the board of directors in second-class  
3 school districts with an at-large appointment if after one hundred  
4 twenty days a candidate from the director district cannot be recruited;  
5 and amending RCW 28A.343.370.

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

7            **Sec. 1.** RCW 28A.343.370 and 1991 c 60 s 1 are each amended to read  
8 as follows:

9            (1) In case of a vacancy from any cause on the board of directors  
10 of a school district other than a reconstituted board resulting from  
11 reorganized school districts, a majority of the legally established  
12 number of board members shall fill such vacancy by appointment:  
13 PROVIDED, That should there exist fewer board members on the board of  
14 directors of a school district than constitutes a majority of the  
15 legally established number of board members, the educational service  
16 district board members of the district in which the school district is  
17 located by the vote of a majority of its legally established number of  
18 board members shall appoint a sufficient number of board members to  
19 constitute a legal majority on the board of directors of such school

1 district; and the remaining vacancies on such board of directors shall  
2 be filled by such board of directors in accordance with the provisions  
3 of this section: PROVIDED FURTHER, That should any board of directors  
4 for whatever reason fail to fill a vacancy within ninety days from the  
5 creation of such vacancy, the members of the educational service  
6 district board of the district in which the school district is located  
7 by majority vote shall fill such vacancy.

8 (2) Except as provided in subsection (3) of this section,  
9 appointees to fill vacancies on boards of directors of school districts  
10 shall meet the requirements provided by law for school directors and  
11 shall serve until the next regular school district election, at which  
12 time a successor shall be elected for the unexpired term.

13 (3) When filling a position in a second-class school district that  
14 has been vacant for more than ninety days, if an educational service  
15 district is not able to recruit a qualified candidate after thirty days  
16 of advertising in a newspaper or other media of general circulation in  
17 the school district, the educational service district board may appoint  
18 an otherwise qualified candidate who is a resident of the school  
19 district but does not reside in the director district where there is a  
20 vacancy. The individual so appointed may serve as a school director  
21 for a period lasting at least one year. The county auditor must  
22 conduct an election to replace the temporary appointment at the next  
23 regular school district election following the one-year appointment.

24 (4) If a vacancy will be created by a board member who has  
25 submitted a resignation, that board member may not vote on the  
26 selection of his or her replacement.

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