

HOUSE BILL REPORT

HB 2048

As Reported by House Committee On:
Education

Title: An act relating to first-class school districts for the purposes of dividing large districts and limiting their number of board of director members.

Brief Description: Concerning the division of large first-class school districts.

Sponsors: Representatives Santos and Pettigrew.

Brief History:

Committee Activity:

Education: 2/10/15, 2/19/15 [DPS].

Brief Summary of Substitute Bill

- Provides that, effective September 1, 2019, no first-class school district may comprise more than 35,000 students or have more than five members on its board of directors.
- Tasks the Office of the Superintendent of Public Instruction with convening the educational service districts to analyze the options, make recommendations for a clear legal framework and process for dividing a school district that has more than 35,000 students into two districts, and report back to the Legislature and the Governor by December 1, 2015.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Santos, Chair; Ortiz-Self, Vice Chair; Reykdal, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist, Caldier, Fagan, Gregory, Hargrove, S. Hunt, Lytton, McCaslin, Orwall and Springer.

Minority Report: Do not pass. Signed by 4 members: Representatives Griffey, Kilduff, Klippert and Pollet.

Minority Report: Without recommendation. Signed by 1 member: Representative Hayes.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Cece Clynch (786-7195).

Background:

Local school districts are political subdivisions of the state and the organization of such districts, including the powers, duties, and boundaries, may be altered or abolished by statute. Current law provides a process for reorganization of school districts, but does not specifically address dividing one district into two.

A first-class school district is one that has an enrollment of 2,000 students or more. There is no maximum enrollment specified. A school district with enrollment below 2,000 is a second-class district.

Both first-class, and second-class school districts must have five member boards of directors, all of which members are elected. There is an exception, however, for a first-class school district having within its boundaries a city with a population of 400,000 people or more. In that case, the school district must have a seven-member board of directors, all of whom are elected.

The Seattle School District is the only district that falls within the exception, and is governed by a seven-member board. Seattle School District's enrollment is almost 52,000. It is the largest district in Washington. Spokane and Tacoma school districts are the next largest districts, each with enrollment between 29,000 and 30,000.

Summary of Substitute Bill:

Effective September 1, 2019, no first-class school district may comprise more than 35,000 students or have more than five members on its board of directors.

The Superintendent of Public Instruction must convene educational service districts (ESDs) to analyze options and make recommendations for a clear legal framework and process for dividing a school district that has more than 35,000 students into two districts. The analysis must include:

- a timeframe, criteria, and process for initiating a division of a school district;
- roles and responsibilities of the Office of the Superintendent of Public Instruction (OSPI), ESDs, and regional committees on school district organization; and
- recommendations regarding:
 - drawing new district boundaries, and the timeline and process for obtaining final voter approval on the new boundaries;
 - a process to transfer existing employees;
 - identifying issues related to collective bargaining agreements;
 - clarifying effective dates of transfers of property for taxation purposes;
 - dealing with levies and bonded indebtedness;
 - the timeline and process for reducing the number of directors;
 - the process for involving community input, which shall include at least three public hearings; and

- circumstances that require approval of voters in dividing the school district.

In conducting the analysis, individuals with legal and financial expertise must be consulted. In addition, input from the public must be sought, especially from residents of any school district that may be imminently affected by the change in law.

The OSPI must submit a final report and recommendations to the Governor and the education and fiscal committees of the Legislature by December 1, 2015. The recommendations must address amendments to current law as well as propose new laws as necessary.

Substitute Bill Compared to Original Bill:

The effective date of the provision prohibiting first-class districts from comprising more than 35,000 students or having more than five members on the board is moved from September 1, 2018 to September 1, 2019.

The ESDs are required to seek public input, particularly from residents of any school district that may be imminently affected by the September 1, 2019 change in law. Additions are made to the list of recommendations that must be included:

- the timeline and process for obtaining final voter approval on the new boundaries;
- the timeline and process for reducing the number of directors; and,
- the process for involving community input, which must include at least three public hearings.

The emergency clause is removed.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The 37th legislative district, and the 98118 zip code are richly diverse and the schools reflect this diversity. These schools have, for a long time, experienced benign neglect by the school district administration. Smaller districts lead to better educational outcomes, and the interests of our students must come first. Parents and students in the Seattle School District are frustrated. Many them are low income, and for many English is a second language. The Seattle School District is too big, and its largeness makes it difficult to make direct connection with the administration. Children are not inanimate objects. There is a need to take an immediate radical approach. Convening the ESDs in a similar process worked successfully after the demise of the Vader School District. The recommendations will be brought back to the Legislature. There is nothing in this bill that requires that a

division be done along certain geographic lines. Geography is an option, but the division could be done between grade levels.

(Opposed) This is the second version of a bill to do the same thing. This is not a discussion, but a law. In the end, it will cost more and cause segregation. What would help more than this are bills like House Bill 1665. Passing this will be disruptive and destructive. There is no community demand for this. A bill such as this shouldn't go forward without strong support. There is no opportunity for input, and the emergency clause precludes a referendum. There are levies scheduled for next February and this will cause problems. Instead of something like this, provide adequate funding for basic education. There is no evidence that this would benefit children and their families. This will pit communities against one another. Only Seattle School District would be affected. The 600,000 residents of Seattle haven't been invited to participate. There is so much talk about economies of scale, but then there is a bill like this directed at districts that are large. The existing laws could be used to achieve this purpose. There is talk about small districts being optimal, but small is 2,900 students. That is not the size these districts would be. The language of this bill is shocking. The achievement gap should be eliminated. Work should be done to address the achievement gap in a research-based way.

Persons Testifying: (In support) Representative Santos, prime sponsor and Representative Pettigrew, prime sponsor.

(Opposed) Melissa Westbrook, Seattle School Community Forum; Pat Griffith, League of Women Voters; Eden Mack, Seattle Council Parent, Teacher, and Student Associations; Joanna Cullen; Dan Steele, Washington Association of School Administration; Ramona Hattendorf; Stephan Blanford, Seattle Public School Board; and Jonathan Knapp, Seattle Education Association.

Persons Signed In To Testify But Not Testifying: None.