
SENATE BILL 5120

State of Washington

64th Legislature

2015 Regular Session

By Senator Parlette

Read first time 01/14/15. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to school district dissolutions; amending RCW
2 28A.315.225; and providing an effective date.

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

4 **Sec. 1.** RCW 28A.315.225 and 2012 c 186 s 9 are each amended to
5 read as follows:

6 (1) In case any school district has an average enrollment of
7 fewer than five kindergarten through eighth grade pupils during the
8 preceding three consecutive school years or has not made a reasonable
9 effort to maintain, during the preceding school year at least the
10 minimum term of school required by law, the educational service
11 district superintendent shall report that fact to the regional
12 committee, which committee shall dissolve the school district and
13 annex the territory thereof to some other district or districts. For
14 the purposes of this section, in addition to any other finding,
15 "reasonable effort" shall be deemed to mean the attempt to make up
16 whatever days are short of the legal requirement by conducting of
17 school classes on any days to include available holidays, though not
18 to include Saturdays and Sundays, prior to June 15th of that year.
19 School districts operating an extended school year program, most
20 commonly implemented as a 45-15 plan, shall be deemed to be making a
21 reasonable effort. In the event any school district has suffered any

1 interruption in its normal school calendar due to a strike or other
2 work stoppage or slowdown by any of its employees that district shall
3 not be subject to this section.

4 (2) A financially insolvent school district may be dissolved and
5 annexed to one or more contiguous districts, in accordance with an
6 agreement between the insolvent district and at least one other
7 contiguous district, that has been approved by the financial
8 oversight committee, or in accordance with the decision of the
9 regional committee. A financially insolvent district may file
10 bankruptcy only if it is recommended by the financial oversight
11 committee.

12 (3)(a) A petition to dissolve a financially insolvent school
13 district may be filed with the educational service district
14 superintendent by the superintendent of public instruction if, before
15 signing and filing the petition, the financial oversight committee
16 was convened and recommended that the district be dissolved.

17 (b) A petition for dissolution under this subsection (3) must
18 include the name of the financially insolvent district, the legal
19 boundaries of the district, the names of contiguous school districts,
20 the basis for concluding the district is financially insolvent, a map
21 with legal description of the proposed annexation of the financially
22 insolvent school district to one or more contiguous school districts,
23 and any proposed equitable adjustments of assets and liabilities for
24 the affected districts. The proposed annexation and equitable
25 adjustment of assets and liabilities must be based on the factors in
26 RCW 28A.315.015(2), 28A.315.205(4), and 28A.315.245.

27 (c) The superintendent of public instruction, at the
28 recommendation of the financial oversight committee, may take the
29 following actions upon filing a petition to dissolve a financially
30 insolvent school district: Authorize liquidation or disposition of
31 fixed assets and contractual liabilities by any reasonable and
32 documented method.

33 (d) A petition to dissolve a financially insolvent school
34 district shall be processed in accordance with RCW 28A.315.199 and
35 28A.315.205.

36 (4) The superintendent of public instruction may request an
37 appropriation to address matters associated with the dissolution of a
38 financially insolvent school district.

39 (5) The superintendent of public instruction may adopt rules
40 governing actions that may be taken to prevent a school district from

1 being dissolved and to assist in the orderly and timely dissolution
2 and annexation of school districts that are unable to avoid financial
3 insolvency.

4 (6) In case any territory is not a part of any school district,
5 the educational service district superintendent shall present to the
6 regional committee a proposal for the annexation of the territory to
7 some contiguous district or districts.

8 NEW SECTION. **Sec. 2.** This act takes effect September 1, 2015.

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