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**SENATE BILL 5269**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senators Hunt, Darneille, Carlyle, McCoy, Hasegawa, Saldaña, and Das

Read first time 01/16/19. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to statewide school district reorganization;  
2 adding a new section to chapter 28A.345 RCW; adding new sections to  
3 chapter 28A.315 RCW; adding a new section to chapter 44.28 RCW; and  
4 providing a contingent expiration date.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.345  
7 RCW to read as follows:

8 (1) The Washington state school directors' association must work  
9 with school districts to develop and implement a comprehensive  
10 statewide reorganization initiative to streamline and provide  
11 efficiencies in the administration and operation of school districts  
12 and educational service districts. The goals of the initiative are  
13 increased efficiency, cost savings, and an improved learning  
14 environment for students.

15 (2) The school directors' association must serve as the lead  
16 organization for the reorganization initiative, but must work  
17 collaboratively with and be assisted by state associations  
18 representing school administrators, school business managers,  
19 educational service districts, principals, teachers, classified  
20 employees, and parents.

1 (3) The following efficiency strategies must be considered and  
2 may be included under the initiative:

3 (a) Consolidation of districts;

4 (b) Consolidation of administration between or among districts;

5 (c) Developing and implementing shared services, including but  
6 not limited to food services, transportation, administration,  
7 construction, technology, and instruction;

8 (d) Increased use of technology; and

9 (e) Other efficiencies and consolidations as appropriate.

10 (4) The school directors' association must file an annual report  
11 with the office of the superintendent of public instruction that  
12 includes documented and projected annual cost savings resulting from  
13 the reorganization initiative starting September 1, 2022, and each  
14 September 1st thereafter, with a final report by September 1, 2028.

15 (5) Cost savings resulting from the reorganization initiative  
16 under this section must remain in the public school system to allow  
17 school districts to redirect resources to activities that improve  
18 student learning.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.315  
20 RCW to read as follows:

21 (1) The commission on statewide school district reorganization is  
22 established to develop and recommend a comprehensive plan for the  
23 reorganization of Washington school districts and to consider and  
24 determine appeals of or alternatives to the reorganization plan.

25 (2) The commission must be composed of the following members:

26 (a) One representative of the state board of education selected  
27 by the members of the board;

28 (b) Two representatives of school administrators selected by the  
29 Washington association of school administrators, with one  
30 representative from east of the crest of the Cascade mountains and  
31 one representative from west of the crest of the Cascade mountains;

32 (c) Two representatives of school board directors selected by the  
33 Washington state school directors' association, with one  
34 representative from east of the crest of the Cascade mountains and  
35 one representative from west of the crest of the Cascade mountains;

36 (d) One representative of certificated instructional school  
37 employees selected by the Washington education association;

1 (e) An individual with experience as a demographer or as a  
2 participant on the redistricting commission under chapter 44.05 RCW  
3 selected by the governor; and

4 (f) Four individuals selected jointly by the speaker of the house  
5 of representatives and the president of the senate, with two  
6 individuals from east of the crest of the Cascade mountains and two  
7 individuals from west of the crest of the Cascade mountains.

8 (3) Staff support for the commission must be provided by the  
9 office of the superintendent of public instruction. The  
10 superintendent of public instruction must convene the initial meeting  
11 of the commission, at which time the members of the commission must  
12 elect a chair from among the members.

13 (4) Members of the commission are entitled to receive  
14 compensation under RCW 43.03.240 and reimbursement for travel  
15 expenses in accordance with RCW 43.03.050 and 43.03.060.

16 (5) Any vacancies must be filled in the same manner as the  
17 selection originally provided.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.315  
19 RCW to read as follows:

20 (1) The commission on statewide school district reorganization  
21 established under section 2 of this act must develop objective  
22 criteria, ranked in priority order, for the reorganization of  
23 Washington school districts. The commission may consider but is not  
24 limited to the criteria in RCW 28A.315.015 and 28A.315.205. The  
25 commission must adopt the criteria as administrative rules under the  
26 provisions of chapter 34.05 RCW. The commission must hold at least  
27 one public hearing on the proposed criteria in each educational  
28 service district before final adoption. The commission must cause  
29 notice to be given at least ten days before the scheduled date of the  
30 hearing in one or more newspapers of general circulation within the  
31 educational service district.

32 (2)(a) Based on the adopted objective criteria, the commission  
33 must develop a comprehensive plan for the reorganization of  
34 Washington school districts. The plan must result in no more than one  
35 hundred fifty school districts in the state and establish their  
36 boundaries. The plan may include recommendations for consolidation of  
37 administrative duties among school districts or consolidation of  
38 districts. The plan may also result in a reorganization of the number  
39 and boundaries of educational service districts.

1 (b) The commission must hold at least one public hearing in each  
2 educational service district during the development of the proposed  
3 plan. The commission must cause notice to be given at least ten days  
4 before the scheduled date of the hearing in one or more newspapers of  
5 general circulation within the educational service district.

6 (c) After considering the information from the public hearings,  
7 the results of the review under section 4 of this act, and any other  
8 information or considerations, the commission must submit the final  
9 comprehensive school district reorganization plan to the  
10 superintendent of public instruction, the governor, and the  
11 legislature by December 1, 2024, as provided in subsection (3) of  
12 this section.

13 (3) The comprehensive school district reorganization plan must  
14 consist of two parts, each of which must be submitted separately in  
15 the form of proposed legislation:

16 (a) Part A of the plan must be a list of the recommended school  
17 districts and educational service districts and their respective  
18 boundaries. Except for amendments to correct technical errors or  
19 omissions, the legislation implementing part A of the plan as  
20 submitted by the commission may be amended only if approved by a two-  
21 thirds vote of each house of the legislature; and

22 (b) Part B of the plan must be recommended procedures and  
23 timelines for implementation of the reorganization plan, including  
24 but not limited to:

25 (i) A phased-in implementation schedule;

26 (ii) Procedures and timelines for determination, adjustment, and  
27 transfer of assets and liabilities among school districts, including  
28 bonded indebtedness;

29 (iii) Procedures and timelines for determination and election of  
30 school district and educational service district boards of directors,  
31 which must include a transition period for any reorganized school  
32 districts of up to two years, during which time all previous school  
33 district boards of directors of the reorganized districts must  
34 continue to have governing responsibilities until a single board is  
35 elected;

36 (iv) A process and a limited time frame for school districts to  
37 appeal or propose an alternative to their reorganization as provided  
38 under section 4 of this act; and

39 (v) Amendments to or temporary suspension of the provisions of  
40 this chapter, chapter 28A.310 RCW, and other laws that are necessary

1 to implement the reorganization plan and also provide an ongoing  
2 process for management of school district organization and boundary  
3 issues after the plan has been implemented.

4 (4) School districts with enrollment of twenty thousand or more  
5 full-time equivalent students in grades kindergarten through twelve  
6 as of the effective date of this section may not be considered for  
7 reorganization under this section.

8 (5) Nothing in this section requires consolidation or closure of  
9 high schools or other schools. Decisions regarding the disposition of  
10 schools rest with school district boards of directors.

11 NEW SECTION. **Sec. 4.** A new section is added to chapter 44.28  
12 RCW to read as follows:

13 The joint committee must conduct an independent review of the  
14 comprehensive plan developed under section 2 of this act to assure  
15 that the proposed plan is based on and follows to the maximum extent  
16 possible the objective criteria adopted by the commission on  
17 statewide school district reorganization. The joint committee must  
18 submit a report of its findings, along with recommendations for any  
19 changes to the plan that would improve its alignment with the  
20 criteria, to the commission on statewide school district  
21 reorganization by September 1, 2024.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.315  
23 RCW to read as follows:

24 (1) School districts whose organization is changed by a  
25 reorganization plan adopted by the legislature under section 3 of  
26 this act may appeal the reorganization to the commission on statewide  
27 school district reorganization. An appeal that affects the  
28 organization of more than one district must be submitted jointly by  
29 all affected districts and must propose an alternative organization  
30 for consideration by the commission. No school district may submit  
31 more than one appeal under this section. The commission must adopt  
32 rules establishing the procedures, criteria, and time frame for  
33 consideration and determination of appeals, including a deadline for  
34 school districts to submit an appeal, based on the legislation  
35 enacted under section 3(3)(b) of this act. If the commission sustains  
36 an appeal under this section, the commission must order  
37 implementation of the alternative organization of the school  
38 districts as submitted in the appeal.

1 (2) As an alternative to a reorganization adopted by the  
2 legislature under section 3 of this act, school districts may submit  
3 for consideration by the commission on statewide school district  
4 reorganization a proposal to achieve significant efficiencies and  
5 reductions in operating costs through the consolidation of services.  
6 Consolidated services may include but are not limited to joint  
7 transportation or food service operating agreements, consolidated  
8 administration, joint use of facilities, or joint delivery and  
9 management of special services. The proposal must be in the form of a  
10 memorandum of understanding signed by the school directors of each  
11 participating school district. The proposal must also include the  
12 proposed organization of the school districts submitting the  
13 proposal. The commission may approve an agreement under this  
14 subsection (2) only if the school districts demonstrate significant  
15 efficiencies and reductions in operating costs under the proposal.  
16 The commission must adopt rules establishing the procedures,  
17 criteria, and time frame for consideration and approval of  
18 agreements, including a definition of "significant efficiencies and  
19 reductions in operating costs," based on the legislation enacted  
20 under section 3(3)(b) of this act. If the commission approves a  
21 proposal under this section, the commission must order implementation  
22 of the memorandum of understanding and implementation of the  
23 organization proposed by the participating school districts.

24 (3) Decisions and orders of the commission on statewide school  
25 district reorganization under this section must be filed with the  
26 office of the superintendent of public instruction, the office of the  
27 state auditor, appropriate county officials, and the legislature.

28 NEW SECTION. **Sec. 6.** If legislation submitted by the commission  
29 on statewide school district reorganization as provided under section  
30 3(3)(a) of this act is not signed into law before June 30, 2025,  
31 sections 2 through 5 of this act expire July 1, 2025.

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