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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

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

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

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

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

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

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

(a) Consolidation of districts;

(b) Consolidation of administration between or among districts;

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

(d) Increased use of technology; and

(e) Other efficiencies and consolidations as appropriate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) A phased-in implementation schedule;

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

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

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

(v) Amendments to or temporary suspension of the provisions of this chapter, chapter 28A.310 RCW, and other laws that are necessary to implement the reorganization plan and also provide an ongoing process for management of school district organization and boundary issues after the plan has been implemented.

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

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

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

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

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

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

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

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

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

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