

2 **SSB 5071** - H COMM AMD **FAILED 4-9-97**
3 By Committee on Education

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds the following:

8 (1) The existing statutory provisions requiring an automatic
9 transfer of territory from one school district to another when a city
10 or town extends its boundaries through annexation of unincorporated
11 territory is archaic, and that such school district transfers should
12 not be automatic;

13 (2) Some current procedural requirements unduly restrict the
14 ability of the state board of education to respond more flexibly to any
15 given proposed transfer of territory;

16 (3) Consistent with the goal of growth management that public
17 services and facilities necessary to support development be available
18 without a decrease in service levels, citizens should have the
19 opportunity to be heard on whether all land in a planned community that
20 includes industrial, commercial, and residential sites should be in the
21 same school district; and

22 (4) The current laws and rules governing school district
23 organization are outdated and in need of a comprehensive review.

24 **Sec. 2.** RCW 28A.315.250 and 1985 c 385 s 19 are each amended to
25 read as follows:

26 (1) Each incorporated city or town in the state shall be comprised
27 in one school district: PROVIDED, That nothing in this section shall
28 be construed: ~~((+1))~~ (a) To prevent the extension of the boundaries
29 of a school district beyond the limits of the city or town contained
30 therein, or ~~((+2))~~ (b) to prevent the inclusion of two or more
31 incorporated cities or towns in a single school district, or ~~((+3))~~
32 (c) to change or disturb the boundaries of any school district
33 organized prior to the incorporation of any city or town, except as
34 hereafter in this section provided.

1 (2) In case all or any part of a school district that operates a
2 school or schools on one site only or operates elementary schools only
3 on two or more sites is included in an incorporated city or town
4 through the extension of the limits of such city or town in the manner
5 provided by law, the ~~((educational service district superintendent
6 shall:—(1) Declare))~~ regional committee may, in its discretion,
7 prepare a proposal for transfer of any part or all of the territory so
8 included to be a part of the school district containing the city or
9 town and ((+2)), whenever a part of a district so included contains a
10 school building of the district, ~~((present to the regional committee a
11 proposal))~~ for the disposition of any part or all of the remaining
12 territory of the district.

13 (3) In case of the extension of the limits of a city or town to
14 include territory lying in a school district that operates on more than
15 one site one or more elementary schools and one or more junior high
16 schools or high schools, the regional committee ~~((shall))~~ may, in its
17 discretion, prepare a proposal or proposals for annexation to the
18 school district in which the city or town is located any part or all of
19 the territory aforesaid which has been included in the city or town and
20 for annexation to the school district in which the city or town is
21 located or to some other school district or districts any part or all
22 of the remaining territory of the school district affected by extension
23 of the limits of the city or town: PROVIDED, That where no school or
24 school site is located within the territory annexed to the city or town
25 and not less than seventy-five percent of the registered voters
26 residing within the annexed territory present a petition in writing for
27 annexation and transfer of said territory to the school district in
28 which the city or town is located, the educational service district
29 superintendent shall declare the territory so included to be a part of
30 the school district containing said city or town: PROVIDED FURTHER,
31 That territory approved for annexation to a city or town by vote of the
32 electors residing therein prior to January 12, 1953, shall not be
33 subject to the provisions herein respecting annexation to a school
34 district or school districts: AND PROVIDED FURTHER, That the
35 provisions and procedural requirements of this chapter as now or
36 hereafter amended not in conflict with or inconsistent with the
37 provisions hereinabove in this section stated shall apply in the case
38 of any proposal or proposals ((+1)) (a) for the alteration of the
39 boundaries of school districts through and by means of annexation of

1 territory as aforesaid, and ~~((+2))~~ (b) for the adjustment of the
2 assets and liabilities of the school districts involved or affected
3 thereby.

4 (4) In case of the incorporation of a city or town containing
5 territory lying in two or more school districts or of the uniting of
6 two or more cities or towns not located in the same school district,
7 the educational service district superintendent, except where the
8 incorporation or consolidation would affect a district or districts of
9 the first class, shall: ~~((+1))~~ (a) Order and declare to be
10 established in each such case a single school district comprising all
11 of the school districts involved, and ~~((+2))~~ (b) designate each such
12 district by name and by a number different from that of any other
13 district in existence in the county.

14 (5) The educational service district superintendent shall fix as
15 the effective date of any declaration or order required under this
16 section a date no later than the first day of September next succeeding
17 the date of the issuance of such declaration or order.

18 (6) The chapter . . . , Laws of 1997 (this act) amendments to this
19 section apply retroactively.

20 **Sec. 3.** RCW 28A.315.140 and 1990 c 33 s 300 are each amended to
21 read as follows:

22 The powers and duties of the state board with respect to this
23 chapter shall be:

24 (1) To aid regional committees in the performance of their duties
25 by furnishing them with plans of procedure, standards, data, maps,
26 forms, and other necessary materials and services essential to a study
27 and understanding of the problems of school district organization in
28 their respective educational service districts.

29 (2) To receive, file, and examine the proposals and the maps,
30 reports, records, and other materials relating thereto submitted by
31 regional committees and to approve such proposals and so notify the
32 regional committees when said proposals are found to provide for
33 satisfactory improvement in the school district system of the counties
34 and the state and for an equitable adjustment of the assets and
35 liabilities, including bonded indebtedness and excess tax levies as
36 authorized under RCW 28A.315.110(2), of the school districts involved
37 or affected: PROVIDED, That whenever ~~((the state board approves a~~
38 ~~recommendation from a regional committee for the transfer of territory~~

1 ~~from one school district to another school district, such state board~~
2 ~~approval must be made not later than March 1 of any given year for~~
3 ~~implementation the school year immediately following:— PROVIDED~~
4 ~~FURTHER, That whenever~~) such proposals are found by the state board to
5 be unsatisfactory or inequitable, the board shall so notify the
6 regional committee and, upon request, assist the committee in making
7 revisions which revisions shall be resubmitted within sixty days after
8 such notification for reconsideration and approval or disapproval. The
9 regional committee may request, and the state board is authorized to
10 grant, an extension of the sixty days. The duration of the extension
11 shall be set by the state board. Implementation of state board-
12 approved transfers of territory from one school district to another
13 school district shall become effective at the commencement of the next
14 school year unless an earlier or later implementation date is agreed
15 upon in writing by the boards of directors of the affected school
16 districts and approved by the state board.

17 NEW SECTION. Sec. 4. (1) The joint legislative audit and review
18 committee shall undertake a comprehensive study of the current laws and
19 state board of education's rules governing school district
20 organization. In conducting the study the committee shall seek input
21 from the state board of education, the superintendent of public
22 instruction, the educational service districts, the regional committees
23 on school district organization, the Washington state school directors'
24 association, representatives of cities, towns, and counties, and
25 citizens.

26 (2) The purpose of the study under subsection (1) of this section
27 is to determine if the existing procedures and requirements for school
28 district organization are adequate and appropriate.

29 (3) The committee shall submit a report on the study to the
30 legislature by December 1, 1997. The report shall include any
31 recommendations for statutory changes and shall indicate whether the
32 fundamental goal of the state's school district organization policy
33 should be to support community/neighborhood schools and parental
34 involvement.

35 NEW SECTION. Sec. 5. Beginning on the effective date of this
36 section and through June 30, 1998, school district boundaries may not
37 be changed; except school district boundaries shall be changed if a

1 school district request for a boundary change pursuant to RCW
2 28A.315.280 prior to the effective date of this section, and RCW
3 28A.315.250(3) apply.

4 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 immediately."

8 Correct the title.

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