
HOUSE BILL 2230

State of Washington 55th Legislature 1997 Regular Session

By Representatives Carrell, Smith and Bush

Read first time 03/03/97. Referred to Committee on Education.

1 AN ACT Relating to school district boundaries; amending RCW
2 28A.315.110, 28A.315.120, 28A.315.140, and 28A.315.150; and repealing
3 RCW 28A.315.250.

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

5 **Sec. 1.** RCW 28A.315.110 and 1991 c 288 s 2 are each amended to
6 read as follows:

7 The powers and duties of each regional committee shall be:

8 (1) To initiate, on its own motion and whenever it deems such
9 action advisable, proposals or alternate proposals for changes in the
10 organization and extent of school districts in the educational service
11 district; to receive, consider, and revise, whenever in its judgment
12 revision is advisable, proposals initiated by petition or presented to
13 the committee by the educational service district superintendent as
14 provided for in this chapter; to prepare and submit to the state board
15 any of the aforesaid proposals that are found by the regional committee
16 to provide for satisfactory improvement in the school district system
17 of the educational service district and state; to prepare and submit
18 with the aforesaid proposals, a map showing the boundaries of existing
19 school districts affected by any proposed change and the boundaries,

1 including a description thereof, of each proposed new school district
2 or of each existing school district as enlarged or diminished by any
3 proposed change, or both, and a summary of the reasons for the proposed
4 change; and such other reports, records, and materials as the state
5 board may request. The committee may utilize as a basis of its
6 proposals and changes that comprehensive plan for changes in the
7 organization and extent of the school districts of the county prepared
8 and submitted to the state board prior to September 1, 1956, or, if the
9 then county committee found, after considering the factors listed in
10 RCW 28A.315.120, that no changes in the school district organization of
11 the county were needed, the report to this effect submitted to the
12 state board.

13 (2) To hear and decide requests from any school district located
14 within that educational service district to remove territory from
15 another school district located in that educational service district
16 and transfer the territory to the school district making the request.
17 A request to remove and transfer territory under this subsection must
18 be in writing, describe the area proposed to be removed and
19 transferred, include reasons for the proposal, be signed by at least a
20 majority of the directors of the board of directors of the school
21 district making the proposal, and be filed with the regional committee.
22 The regional committee shall immediately notify in writing the affected
23 school district, or districts, that such a proposal has been filed.
24 The regional committee shall hold a public hearing on the proposed
25 removal and transfer of territory within sixty calender days of
26 receiving the request. The hearing must be recorded and any evidence
27 or documents that are filed must be kept as part of the record. Any
28 decision by the regional committee must be in writing and must include
29 the rationale for its decision. The school district making the
30 request, or the school district or districts from which territory would
31 be removed, may file a written appeal of the decision with the state
32 board within thirty calender days of the decision by the regional
33 committee. If the regional committee has not made a decision of the
34 proposal within ninety days of the hearing on the matter, the school
35 district that filed the request may file a written appeal with the
36 state board and the jurisdiction of the regional committee shall be
37 vacated if such an appeal is filed. The regional committee, or state
38 board on appeal, shall consider the following criteria, among others,
39 when rendering its decision on a request made under this subsection:

1 (a) The totality of the finances of the school districts; (b) not
2 creating a great proportional reduction in assessed valuation of the
3 school district within which the territory proposed to be removed is
4 located; (c) the wishes of persons residing in the territory proposed
5 to be removed or nearby to the territory proposed to be removed; and
6 (d) past history.

7 (3)(a) To make an equitable adjustment of the property and other
8 assets and of the liabilities, including bonded indebtedness and excess
9 tax levies as otherwise authorized under this section, as to the old
10 school districts and the new district or districts, if any, involved in
11 or affected by a proposed change in the organization and extent of the
12 school districts; and (b) to make an equitable adjustment of the bonded
13 indebtedness outstanding against any of the aforesaid districts
14 whenever in its judgment such adjustment is advisable, as to all of the
15 school districts involved in or affected by any change heretofore or
16 hereafter effected; and (c) to provide that territory transferred from
17 a school district by a change in the organization and extent of school
18 districts shall either remain subject to, or be relieved of, any one or
19 more excess tax levies which are authorized for the school district
20 under RCW 84.52.053 before the effective date of the transfer of
21 territory from the school district; and (d) to provide that territory
22 transferred to a school district by a change in the organization and
23 extent of school districts shall either be made subject to, or be
24 relieved of, any one or more excess tax levies which are authorized for
25 the school district under RCW 84.52.053 before the effective date of
26 the transfer of territory to the school district; and (e) to submit to
27 the state board the proposed terms of adjustment and a statement of the
28 reasons therefor in each case. In making the adjustments herein
29 provided for, the regional committee shall consider the number of
30 children of school age resident in and the assessed valuation of the
31 property located in each school district and in each part of a district
32 involved or affected; the purpose for which the bonded indebtedness of
33 any school district was incurred; the value, location, and disposition
34 of all improvements located in the school districts involved or
35 affected; and any other matters which in the judgment of the committee
36 are of importance or essential to the making of an equitable
37 adjustment.

38 ((+3+)) (4) To hold and keep a record of a public hearing or public
39 hearings (a) on every proposal for the formation of a new school

1 district or for the transfer from one existing district to another of
2 any territory in which children of school age reside or for annexation
3 of territory when the conditions set forth in RCW 28A.315.290 or
4 28A.315.320 prevail; and (b) on every proposal for adjustment of the
5 assets and of the liabilities of school districts provided for in this
6 chapter. Three members of the regional committee or two members of the
7 committee and the educational service district superintendent may be
8 designated by the committee to hold any public hearing that the
9 committee is required to hold. The regional committee shall cause
10 notice to be given, at least ten days prior to the date appointed for
11 any such hearing, in one or more newspapers of general circulation
12 within the geographical boundaries of the school districts affected by
13 the proposed change or adjustment. In addition notice may be given by
14 radio and television, or either thereof, when in the committee's
15 judgment the public interest will be served thereby.

16 ~~((4))~~ (5) To prepare and submit to the superintendent of public
17 instruction from time to time or, upon his or her request, reports and
18 recommendations respecting the urgency of need for school plant
19 facilities, the kind and extent of the facilities required, and the
20 development of improved local school administrative units and
21 attendance areas in the case of school districts that seek state
22 assistance in providing school plant facilities.

23 **Sec. 2.** RCW 28A.315.120 and 1990 c 33 s 299 are each amended to
24 read as follows:

25 Each regional committee, in carrying out the purposes of RCW
26 28A.315.110 (1), (3), (4), and (5), shall base its judgment and
27 recommendations, if any, to the state board of education, upon such
28 standards and considerations as are established by the state board of
29 education pursuant to chapter 34.05 RCW for the preparation of
30 recommended changes in the organization and extent of school districts
31 and terms of adjustment as provided for in RCW 28A.315.110. Such rules
32 and regulations shall provide for giving consideration: (1) To
33 equalization of the educational opportunities of pupils and to
34 economies in the administration and operation of schools through the
35 formation of larger units of administration and areas of attendance;
36 (2) to equalization among school districts of the tax burden for
37 general fund and capital purposes through a reduction in disparities in
38 per-pupil valuation; (3) to geographical and other features, including,

1 but not limited to such physical characteristics as mountains, lakes
2 and rivers, waste land, climatic conditions, highways, and means of
3 transportation; (4) to the convenience and welfare of pupils, including
4 but not limited to remoteness or isolation of their places of residence
5 and time required to travel to and from school; (5) to improvement of
6 the educational opportunities of pupils through improvement and
7 extension of school programs and through better instruction facilities,
8 equipment, materials, libraries, and health and other services; (6) to
9 equalization of the burden of financing the cost of high school
10 facilities through extension of the boundaries of high school districts
11 to include within each such district all of the territory served by the
12 high school located therein: PROVIDED, That a nonhigh school district
13 may be excluded from a plan if such district is found by the regional
14 committee and the state board to be so situated with respect to
15 location, present and clearly foreseeable future population, and other
16 pertinent factors as to warrant the establishment and operation of a
17 high school therein or the inclusion of its territory in a new district
18 formed for the purpose of establishing and operating a high school; (7)
19 to the future effective utilization of existing satisfactory school
20 buildings, sites, and playfields; the adequacy of such facilities
21 located in the proposed new district; and additional facilities
22 required if such proposed district is formed; and (8) to any other
23 matters which in the judgment of the state board of education are
24 related to or may operate to further equalization and improvement of
25 school facilities and services, economies in operating and capital fund
26 expenditures, and equalization among school districts of tax rates for
27 school purposes.

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

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

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

37 (2) To receive, file, and examine the proposals and the maps,
38 reports, records, and other materials relating thereto submitted by

1 regional committees and to approve such proposals and so notify the
2 regional committees when said proposals are found to provide for
3 satisfactory improvement in the school district system of the counties
4 and the state and for an equitable adjustment of the assets and
5 liabilities, including bonded indebtedness and excess tax levies as
6 authorized under RCW 28A.315.110(~~((+2))~~) (3), of the school districts
7 involved or affected: PROVIDED, That whenever the state board approves
8 a recommendation from a regional committee for the transfer of
9 territory from one school district to another school district, such
10 state board approval must be made not later than March 1 of any given
11 year for implementation the school year immediately following:
12 PROVIDED FURTHER, That whenever such proposals are found by the state
13 board to be unsatisfactory or inequitable, the board shall so notify
14 the regional committee and, upon request, assist the committee in
15 making revisions which revisions shall be resubmitted within sixty days
16 after such notification for reconsideration and approval or
17 disapproval. Implementation of state board-approved transfers of
18 territory from one school district to another school district shall
19 become effective at the commencement of the next school year unless an
20 earlier implementation is agreed upon in writing by the boards of
21 directors of the affected school districts.

22 (3) To hear appeals made under RCW 28A.315.110(2). The state board
23 shall consider the record made before the regional committee and may
24 hold a public hearing for additional input on the matter. The state
25 board shall render a written decision on an appeal within ninety
26 calendar days of the date the request for an appeal was filed, based
27 upon the criteria specified in RCW 28A.315.110(2), that includes a
28 rationale for its decision. The state board shall notify the regional
29 committee of its decision which is binding on all parties.

30 **Sec. 4.** RCW 28A.315.150 and 1990 c 33 s 301 are each amended to
31 read as follows:

32 Upon receipt by a regional committee of such notice from the state
33 board as is required in RCW 28A.315.140 (2) and (3), the educational
34 service district superintendent shall make an order establishing all
35 approved changes involving the alteration of the boundaries of an
36 established school district or districts and all approved terms of
37 adjustment of assets and liabilities involving an established district
38 or districts the boundaries of which have been or are hereafter altered

1 in the manner provided by law, and shall certify his or her action to
2 each county auditor for the board of county commissioners, each county
3 treasurer, each county assessor and the superintendents of all school
4 districts affected by such action. Upon receipt of such certification
5 the superintendent of each school district which is annexed to another
6 district by the action shall deliver to the superintendent of the
7 school district to which annexed all books, papers, documents, records,
8 and other materials pertaining to his or her office.

9 NEW SECTION. **Sec. 5.** RCW 28A.315.250 and 1985 c 385 s 19, 1975
10 1st ex.s. c 275 s 90, 1969 ex.s. c 176 s 126, & 1969 ex.s. c 223 s
11 28A.57.150 are each repealed.

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